



Leave of Absence Policy

1. INTRODUCTION

This is a leave of absence policy to assist Headteachers and Governing Bodies of Schools in making decisions about requests for leave in accordance with legal, contractual and moral obligations.

This policy covers family leave and miscellaneous leave.

The policy equally applies to:

- all employees of the school full-time, part-time, job share, including the Head teacher;
- staff employed in units or bases that are attached to a school

The procedure does not apply to:

- peripatetic staff who are centrally employed by the LA;
- school meals staff employed by an external contractor
- employees of external contractors and providers of services. (Such staff are covered by the relevant procedures of their employing body)

2. PURPOSE SCOPE & PRINCIPLES

- Annual leave and occupational sick leave will be in accordance with the relevant conditions of service for teachers and support staff.
- Other leave of absence will be on an unpaid basis, unless otherwise specified. It is expected that all staff work their specified days and hours. Any alteration to these will need to be submitted to the head teacher for governor approval.
- The operational needs of the school will be paramount and, except in emergency circumstances, at least a new terms notice of a request for leave of absence must be given.
- The responsibility for exercising discretion is on the Governing Body.
- Any dispute or grievance about a request for leave of absence or payment during leave of absence will be dealt with through the Schools Grievance Procedure.

- A principal purpose in setting out this Policy is to ensure that requests are dealt with fairly and consistently.

3 ANNUAL LEAVE ENTITLEMENT FOR EMPLOYEES COVERED BY LOCAL GOVERNMENT TERMS AND CONDITIONS

Staff will not be permitted to take leave during the term unless express consent from the Head Teacher and Governing Body has been given. If leave is granted, this will be unpaid for term-time only staff.

4 TEACHERS' WORKING TIME

A Teacher employed full-time must be available for work for 195 days in any school year. 190 of those days must be days of which he/she may be required to teach pupils and perform other duties and 5 days must be days on which he/she may only be required to perform other duties. The same applies for a Teacher employed part-time, except the number of hours he/she must be available for work must be a proportion of full-time hours.

In addition to the hours a teacher is required to be available for work, he/she must work such reasonable additional hours as may be necessary to enable him/her to discharge effectively his/her professional duties.

These provisions do not apply to deputy head teachers, assistant head teachers, advanced skills teachers or teachers in receipt of an acting allowance for carrying out the duties of a head teacher, deputy head teacher or assistant head teacher.

5 SPECIAL OCCASIONAL LEAVE OF ABSENCE

The School's policy as agreed by the Governing Body is:

5.1 Time off for a sick child

The first day is normally paid to allow the employee to make arrangements for child care.

5.2 Compassionate, Emergency or Exceptional Leave

Staff will normally be granted up to 5 days paid leave in compassionate, emergency or exceptional circumstances, such as the death or serious illness of a close relative or equivalent. The leave is to deal with the immediate issues and to sort out long term arrangements if necessary. In some cases a longer period of absence may be approved on an unpaid basis.

5.3 Other personal reasons

Exceptionally, there may be other personal reasons for requesting leave of absence. Examples might be attendance at a child's graduation ceremony or "once in a lifetime" visit to relatives overseas. Such leave, where granted, will normally be unpaid and subject to adequate notice so that replacement staff can be employed if necessary.

Adequate notice is a minimum of one new term. All requests will have to be approved by the governing body. Repeated requests will not be granted unless there are extenuating circumstances. These will be considered by the governing body on an individual basis. All leave of absences are monitored and recorded for the governing body.

5.4 Extended leave of absence

Requests for longer periods of leave will be considered on an unpaid basis, for example, in the case of a lengthy period of caring for a chronically sick, disabled, or terminally ill, dependent relative. Extended leave can be for up to a year's duration. Sufficient notice that allows the appointment of a replacement should be given wherever possible.

5.6 Moving house

1 day paid leave will be granted or equivalent appropriate to your hours of employment.

5.7 Service with Auxiliary Forces

Volunteer members of UK Armed Forces are allowed two weeks paid leave to attend an annual summer camp. Teaching staff are only granted paid leave if the force's unit cannot arrange exercises during holiday periods.

5.8 Mobilisation

When reservists are needed to fulfil their part of the UK's defence strategy, they are 'mobilised' or 'called out' into full time service with the regular forces or military operations. While the reservist is mobilised the school does not have to continue to pay them, the Ministry of Defence (MOD) will pay their salary. For further information on mobilisation, please refer to the SaBRE (Supporting Britain's Reservists and Employers) website: www.sabre.mod.uk

5.9 Carry over of annual leave

The School expects employees who are covered by Local Government terms and conditions of employment to take their full entitlement of leave in each leave year, which runs from April to March. Where this is not possible, with the knowledge of and by arrangement with the Headteacher, employees may carry forward 5 days to the next annual leave year, provided this is taken prior to 31 May.

5.10 Religious Festivals

Where staff can show that they are bona fide adherents of any organised religion and that they require leave for the purpose of an official holy day, the Governing Body will allow up to 2 days paid leave. Staff taking such leave are asked to make up this time at a later date where possible.

5.11 Sporting Events

Up to 18 days paid leave per year may be granted for staff who represent their country in recognised sporting events.

5.12 Attendance at Court Proceedings

5.12.1 Jury Service

Staff required to attend for jury service should arrange for the loss of earnings certificate to be forwarded to the school's payroll team. The certificate will be returned to the member of staff completed to show to what extent the salary will be stopped during their absence. The amount will then be claimed from the court.

5.12.2 Witness summonses and subpoenas

Staff subject to a witness summons or subpoena should be allowed paid time off work to attend court.

5.13 Public Duties

School employees may be granted up to 18 days per annum paid leave to carry out the duties of the office of Leader, Mayor, JP or Chairman of Local Authorities. For employees who are School or College Governor's, up to 3 days per annum will be paid. In addition to this, unpaid leave can be granted for employees carrying out public duties.

5.14 Study/Examination Leave

For employees who are sitting examinations relevant to their current post or career, providing the employer is paying the fees, half a day study per examination plus half a day per examination will be paid. Examination dates should be communicated to the school as soon as they become available.

5.16 Time off for Trade Union duties

The school recognises the legal requirement for employers to allow reasonable time off work for the school's elected representatives of recognised trade unions to carry out their duties. Duties that warrant time off with pay include:

- consultation on terms and conditions of employment or the physical conditions of work;
- consultation on recruitment and selection policies, redundancy and dismissal arrangements;
- meetings with school management or LEA officers on matters of joint concern;
- representing a union member at grievance, capability or disciplinary interview;
- attendance at relevant training courses organised by the trade union.

The County Council has a separate agreement with Trade Unions and Professional Associations to provide paid time off for their county representatives. The nominated county representatives are allowed time off each week to carry out their duties and the school is reimbursed from a council budget.

5.17 Bad weather conditions

There may be circumstances when the employee is unable to attend work due to bad weather, but the school remains open as usual. All reasonable effort should be made to attend work. Alternative arrangements may be agreed with the Headteacher, e.g. working from home or at a different location. Where this is not possible, non-attendance will normally be treated as unpaid leave, but exceptional circumstances may warrant paid leave. Avoidable failure to attend at work will result in deductions of salary. Therefore the failure of the first means of transport will simply require the colleague to make use of other potential methods of travelling to work.

5.18 Time off for medical appointments

School employees are expected to make appointments out of school time. Where this is not possible, reasonable paid time off will be allowed at the discretion of the Head teacher / Senior Leader.

6 MATERNITY, PATERNITY, ADOPTION, CARERS LEAVE & ANTENATAL CARE

There are specific entitlements for maternity, paternity, adoption, carer's leave and antenatal care, according to KCC guidance.

7 INTERVIEWS

The Governing Body recognises the increasing tendency for prospective employers to require interviewees to attend for more than one day, especially for school management posts. There is also a growing tendency to expect prospective candidates to undertake a preliminary visit before the formal interviews.

In order to maintain a fair balance between the operational needs of the school and to minimise the burden on other staff, and to be fair to employees who will be seeking to further their career, the Governing Body will grant leave of absence for interviews as follows:

- a) The Headteacher is empowered to approve up to a maximum of 6 days paid leave of absence for interviews, to cover both formal and informal stages of the process, during any one academic year.
- b) Further leave of absence for this purpose will normally be agreed and will be on an unpaid basis.
- c) For support staff any days beyond the initial 6 days could be made up during holiday periods, instead of being on an unpaid basis, provided that their work can be carried out during holiday time.

8 UNAUTHORISED ABSENCE

If an employee takes leave of absence without the prior consent of the Headteacher this may warrant an investigation under the School's Disciplinary, Capability and Grievance procedure.

.APPENDIX 2

Type of Leave	Legal Requirement	No Legal Requirement	Paid	Unpaid	Paragraph
Time off for sick child		✓	✓		5.1
Compassionate, Emergency or Exceptional Leave	✓		✓		5.2
Other personal reasons		✓		✓	5.3
Extended Leave of Absence		✓		✓	5.4
Moving House		✓	✓		5.6
Service with Auxiliary Forces	✓		✓		5.7
Mobilisation	✓		✓		5.8
Carry over of annual leave		✓	✓		5.9
Religious festivals		✓	✓		5.10
Sporting Events		✓	✓		5.11
Type of Leave	Legal Requirement	No Legal Requirement	Paid	Unpaid	Paragraph
Public Duties	✓			✓	5.13
Study/ Examination Leave		✓	✓		5.14
GCSE Duties & Activities		✓	✓	✓	5.15
Trade Union Duties	✓		✓		5.16
Bad Weather Conditions		✓		✓	5.17
Time off for appointments (Doctor, Dentist etc.)		✓	✓		5.18

Maternity, Paternity, Adoption, Carers leave & ante-natal care	✓		✓		6
Interviews within HCC or another Local Authority		✓	✓		7

Ratified: July 2018

To be updated: July 2020