

# Leave of Absence

This document applies to all Community and Voluntary Controlled Schools and is advisory for Foundation and Voluntary Aided Schools.

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**Leave of Absence Policy and Guidance**

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## INTRODUCTION

The School recognises that enabling its employees to achieve an effective work life balance benefits them, the school and the community it serves.

Entitlements to certain types of leave are covered by statutory obligations, whilst other forms of leave are discretionary. In all circumstances, requests will be considered sympathetically but are subject to the demands of the school and individual circumstances.

Leave in relation to maternity, paternity, adoption, parental leave or shared parental leave are covered in their own separate policies.

## GRANTING LEAVE OF ABSENCE

All applications for leave of absence should be made to the Headteacher in the first instance, where it is the Headteacher making the application this should go to the Chair of Governors. Requests should be considered in line with this policy and the decision with reason communicated to the member of staff as soon as possible.

After granting any leave of absence, the time off should be recorded appropriately and payroll notified where the leave would impact on pay.

## TYPES OF LEAVE OF ABSENCE

### 1. SPECIAL LEAVE

Special Leave with pay may be approved for short term emergency situations or bereavement. These conditions of service supplement the statutory right to reasonable unpaid time off from work for dependents.

Up to 10 working days paid leave for full time employees may be approved in any twelve month period, at the headteacher's discretion. Part time employees shall be granted Special Leave on a pro rata basis.

Headteachers may also approve reasonable periods of unpaid leave for family or personal reasons. In exceptional circumstances additional paid leave may also be approved on a case by case basis.

#### **Short-term Emergency Special Leave**

The provision for such paid leave is to allow the employee enough time off to make alternative arrangements and return to work, and is intended for short term emergencies only. Typically, this should mean that **no more than 1 day's paid leave** would be granted for each occasion.

Situations time can be taken off for include:

- Providing assistance when a dependant falls ill, gives birth, is injured or assaulted.
- To attend to care of a dependant where no other care is immediately available and to make arrangements for alternative care.

- Where arrangements for the care of a dependant have become unexpectedly disrupted or terminated.
- Dealing with an incident which involves a child of the employee which occurs unexpectedly at a time when the child is in the care of an educational establishment which they attend.
- Unforeseen serious domestic emergency e.g. serious property damage due to fire, flood, storm, impact, subsidence, burglary.

### **Bereavement Special Leave**

Where Special Leave is requested due to the death of a close relative or dependant, appropriate paid leave may be granted to make any necessary arrangements and to attend the funeral. Headteachers should use their discretion when granting such leave, taking into account the specific circumstances of the request.

When granting Special Leave for bereavement, a close relative or dependant is defined as:

- own child
- next-of-kin or nominated next-of-kin
- spouse/partner, civil partner
- parent, grandparent, grandchild
- brother or sister
- parent of spouse/partner, civil partner

## **2. LEAVE FOR PUBLIC DUTIES**

Employees may be granted reasonable time off with pay to enable them to carry out public duties as follows:

- a local authority
- a statutory tribunal, public committee or similar body when appointed or nominated by a Minister of State, the Council or an association of which the Council is a member
- a police authority
- a board of prison visitors or a prison visiting committee
- a relevant health body
- a relevant education body
- the Environment Agency
- Justice of the Peace
- Chairman of a Local Authority or Mayor

### **OR**

- where requested to give their services voluntarily for activities in which their knowledge, skill, experience or judgement would be of particular value to the Country, community or organisation concerned

Employees wishing to take leave to undertake public duties must first obtain prior approval from their head teacher and agree the amount of leave allowed in any one year.

Leave will be approved subject to the needs of the school. Where an employee is entitled to claim reimbursement of salary for the time lost from any other source, the leave will be without pay, with the exception of Jury service which is explained below.

### **3. ELECTION DUTIES**

Election Duties are regarded as a Public Duty and as such, wherever it is reasonably practicable, employees are entitled to the day off with full pay. Employees may also receive an allowance and expenses for carrying out these duties, which they are allowed to retain. Employees who undertake an election count during a normal working day are also allowed that day as time off with full pay.

### **4. LEAVE FOR TRADE UNION DUTIES**

Please refer to the school's agreement on Trade Union facilities time.

### **5. JURY SERVICE**

An employee receiving a summons to serve on a Jury must report the fact to their manager who will approve leave of absence unless an exemption is secured from the Court.

The allowance for loss of earnings must be claimed by the employee from the Court under the Juror's Allowance Regulations by forwarding the form confirming loss of earnings and period of jury service to Payroll for completion. The School will then deduct from the employee's pay an amount equal to the allowance received. Out of pocket expenses which may be payable by the Court may be retained and should not be included in the figure notified.

### **6. ATTENDANCE AT COURT**

When an employee is required to attend Court following a subpoena or as a witness on behalf of another party where loss of earnings can be claimed from public funds, the claim should be made from the Court and Payroll should be notified of the amount as soon as possible.

If an employee is asked to appear by the Council, appearance as a witness will be treated as a part of normal duties and responsibilities and leave is not appropriate.

### **7. MILITARY RESERVISTS**

Reservists are required to inform their employer that they are a member of the Reserve Forces and the specific force that they belong to. Volunteer Reservists are typically committed to 30 days training per year.

Training commitments vary but in most cases include:

- **Weekly training** – most Reservists train at their local centre for around two-and-a-half hours, one evening per week.
- **Weekend training** – all Reservists are expected to attend a number of training weekends which take place throughout the year.
- **Annual training** – a 2 week continuous training course referred to as “annual camp”. The school will grant Volunteer members of the Reserve Forces two weeks paid leave of absence to attend annual camp. Wherever possible staff should arrange attendance at the annual camp during the school holiday periods.

Mobilisation is the process of calling Reservists into full time service with the Regular Forces, in order to make them available for military operations. The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no longer than 12 months.

The Call-out papers for mobilisation may be sent by post to the School or sometimes delivered in person by the Reservist to their line manager. The MoD aims to give 3 months' notice of the first day of mobilisation. In certain circumstances, e.g. where essential services are provided by one, or a small number of employees, it may not be possible to release the employee, or that release may be delayed until alternative arrangements can be made to provide cover for the absence. In these cases the headteacher will need to apply to the MoD Adjudication Officer for an exemption or deferral. This must take place within **7 days** the Reservist being issued with the call out papers.

Further advice on this is available from your HR provider.

#### **8. ACCOMPANYING A FELLOW WORKER**

Employees are entitled to reasonable paid time off during working hours to accompany a fellow worker at a disciplinary or grievance hearing, and are also allowed no more than a half day paid time off to discuss and prepare the case with the worker beforehand.

#### **9. TIME OFF FOR TRAINING / STUDY**

Time off for training and study leave will be given in approved cases. When on training courses outside their contracted daily hours, part time employees shall be paid on the same basis as full time employees or given time off in lieu.

#### **10. TIME OFF TO ATTEND INTERVIEWS**

Time off with pay will be granted for interviews within the Council.

Where an employee is made redundant and has at least 2 years' service they are entitled to reasonable time off work during the period of notice to look for work and make arrangements for training.

To exercise this right the employee must have been given formal notice of redundancy.

#### **11. TIME OFF FOR MEDICAL SCREENING**

Necessary paid time off will be given for the purpose of cancer screening.

#### **12. HOSPITAL, DOCTORS AND DENTAL APPOINTMENTS**

Employees should arrange Doctors/Dentists/Opticians visits to take place outside school time. However, when unavoidable, employees will be allowed time off inside work time, subject to the agreement of their Headteacher.

Requests will be considered on an individual basis. Hospital appointments are considered authorised absence and time off will be paid. Employees should provide proof of their appointment (e.g. an appointment card or a copy of the appointment letter) when requesting time off to attend hospital appointments.

### **13. PRAYER / RELIGIOUS OBSERVANCE**

Employees should seek to undertake prayer or religious observances outside normal working time.

### **14. OTHER LEAVE PROVISIONS**

There will be other requests that do not fall under any of the above categories, for example:

- for moving house
- to represent the school at a sporting event
- to attend degree ceremonies involving near relatives and award ceremonies such as passing out parades

Such requests should be dealt with in accordance with the Special Leave provision, see section 1.