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# SAINT NICHOLAS SCHOOL

## LEAVE OF ABSENCE POLICY

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*Note: This policy applies to all sections of the school including EYFS*

Reviewed: September 2015

Review Date: September 2017

### 1. INTRODUCTION

The leave of absence policy assists the Head and the Governing Body of Saint Nicholas School in making decisions about requests for leave in accordance with legal, contractual and moral obligations.

This policy covers annual leave, family leave and miscellaneous leave. The policy applies to:

all employees of the school, including the Head. The procedure does not apply to:

peripatetic staff, who are not employed by the school.

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 normally be on an unpaid basis, unless otherwise specified.

The operational needs of the school will be paramount and, except in emergency circumstances, adequate notice of a request for leave of absence must be given.

The responsibility for exercising discretion on behalf of the Governing Body is the Head's, in accordance with the professional duties defined in the School Teachers Pay and Conditions Document.

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. TEACHERS' WORKING TIME

A Teacher employed full-time must be available for work during term time and any additional inset days set by the school. Attendance at Friends Xmas and Summer Fairs, Open Days, Prize Giving and parental consultation evenings is expected.

### 4. SPECIAL OCCASIONAL LEAVE OF ABSENCE

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

#### 4.1 Time off for a sick child

The first day is normally paid to allow the employee to make arrangements for child care. Any further absence should be unpaid except in exceptional circumstances e.g. hospitalisation or if the Head uses his discretion and decides the absence should be paid.

#### 4.2 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.

#### 4.3 Compassionate Leave: bereavement and funeral leave of absence

Up to one week paid leave may be granted to members of staff who have experienced the death of an immediate family member. Any further leave required is granted at the discretion of the Head but would be unpaid.

Staff needing only to attend the funeral of a relative or close friend will normally be allowed reasonable time-off with pay, up to a maximum of one day, by arrangement with the Head or deputy head.

#### 4.4 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.

#### **4.5 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.

#### **4.6 Moving house**

Up to 1 day paid leave will be granted.

#### **4.7 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.

#### **4.8 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](http://www.sabre.mod.uk)

#### **4.9 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.

#### **4.10 Sporting Events**

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

#### **4.11 Attendance at Court Proceedings**

##### ***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.

##### ***Witness summonses and subpoenas***

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

#### **4.12 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.

#### **4.13 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.

#### **4.14 GCSE Duties & Activities**

For Teachers who are engaged in activities for examining groups, please refer to appendix II of the Burgundy Book, Memorandum of Agreement for the Release of Teachers.

#### **4.15 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 Head, e.g. working from home. Where this is not possible, non-attendance will normally be treated as unpaid leave, but exceptional circumstances may warrant paid leave.

#### **4.16 Time off for medical appointments**

In the majority of cases, school employees are expected to make appointments out of school time. If an emergency appointment is required or where an appointment is not possible out of school time reasonable paid time off will be allowed.

#### **4.17 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.

#### **4.18 Time off for holidays**

It is expected that school employees take holidays in school holiday periods except in the case of ancillary staff who may, with agreement, take leave during term time. If holiday leave is requested by teachers or LSAs during term time this is unlikely to be granted other in exceptional circumstances. In such cases the leave will be unpaid.(see unpaid leave below)

### **5. MATERNITY, PATERNITY, ADOPTION, CARERS LEAVE & ANTENATAL CARE**

See Maternity & Paternity Policy.

### **6. 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.

### **7. 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 procedure.

### **8. UNPAID LEAVE**

For teachers and LSAs where unpaid leave is granted, or in the case of unauthorised absence, the loss of salary will be calculated as one 195<sup>th</sup> of the annual salary.



# Leave of Absence Request Form

Part 1

Name:

First day of absence:

Last day of absence:

Date of return to work:

Reason for which leave is requested:

Are you requesting leave of absence with pay?

Signed:

Date:

### Agreed by Head of section

Signed:

Date:

### For completion by Head

Request Approved with pay

Approved without pay

Not approved

Payroll services informed

Absence recorded

THIS FORM IS TO BE RETAINED IN SCHOOL

Part 2

### Leave of Absence

To:

Your request for leave of absence from  to  is

Approved with pay

Approved without pay

Not Approved

Signed:

Date:

Head

**APPENDIX 2**

Type of Leave	Legal Requirement	No Legal Requirement	Paid	Unpaid	Paragraph
Annual Leave entitlement for Local Government staff	✓		✓		Appendix 1
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
Attendance at Court Proceedings		✓	✓		5.12

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