

Duddon Saint Peter's School



Leave of Absence

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

PRINCIPLES:

- Annual leave and occupational sick leave will be in accordance with the relevant conditions of service for teachers and support staff. It runs on the basis of an academic year.
- 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 teacher'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 School's Grievance Procedure.
- A principal purpose in setting out this policy is to ensure that requests are dealt with fairly and consistently.

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

For support staff who have a contract for 52 weeks per year, the leave entitlement is dependent on grade and continuous Local Government service. See Appendix 1. This leave will normally be taken during the school holidays and must be agreed with the Head teacher or nominated person in reasonable time, prior to the leave being taken. Only in exceptional circumstances and with the express consent of the Head teacher, can leave be taken at other times. Support staff may carry forward up to 5 days to the next annual leave year, provided this is done with the Head teacher's consent and leave is taken prior to 31st May.

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.

OCCASIONAL LEAVE OF ABSENCE FOR STAFF; (PERMISSION FOR LEAVE OF ABSENCE SHOULD NOT BE TAKEN FOR GRANTED.)

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

- **Time off for a sick child**
The first day of the child's illness is paid to allow the employee to make emergency arrangements for child care. Any further absence will be unpaid. (This decision will be sanctioned by the **Head teacher**.)
- **Compassionate or Emergency Leave**
Staff will 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. (This decision will be sanctioned by the **Head teacher**.)
- **Exceptional reasons**
Exceptionally, there may be other personal reasons for requesting leave of absence. Such leave, where granted, will normally be unpaid. **A request for leave should be made, in writing, to the Governing Body, with a minimum of 48 hours notice, but preferably up to a month in advance. No financial commitment should be entered into without permission for leave being granted. The member of staff will be notified of the governors' decision within 48 hours of submitting the request.**
- **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.
- **Moving house**
1 day's paid leave will be granted.
- **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.
- **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.
- **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 Governors, up to 3 days per annum will be paid,

In addition to this, unpaid leave can be granted for employees carrying out public duties.

- **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.

- **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 LA 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 LA 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.

- **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 teacher, 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.

- **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 normally be allowed, on production of the appointment letter.

MATERNITY, PATERNITY, ADOPTION, CARERS LEAVE & ANTENATAL CARE

There are specific entitlements for maternity, paternity, adoption, carer's leave and antenatal care contained in the Carers Guide for Schools, a copy of which can be obtained from the school office.

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 Head teacher 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.

UNAUTHORISED ABSENCE

If an employee takes leave of absence without the prior consent of the Head teacher this may warrant an investigation under the School's Disciplinary procedure.

APPENDIX 1

HOLIDAY ENTITLEMENTS FOR LOCAL GOVERNMENT EMPLOYEES

The leave year runs from the 1 April to the following 31 March. For school based staff working 52 weeks per year leave will normally be taken during the school holidays. Only in exceptional circumstances and with the express consent of the Head teacher can leave be taken at other times or carried forward to the next leave year.

For staff with under 5 years' service, the entitlement is 25 days; for staff with over 5 years' service, the entitlement is 30 days.

APPENDIX 2

Type of Leave	Legal Requirement	No Legal Requirement	Paid	Unpaid
Annual Leave entitlement for Local Government staff	✓		✓	
Time off for sick child		✓	Up to the maximum number of days as detailed.	
Compassionate, Emergency or Exceptional Leave	✓		✓	
Other personal reasons		✓		✓
Extended Leave of Absence		✓		✓
Moving House		✓	✓	
Carry over of annual leave		✓	✓	
Religious festivals		✓	✓	
Attendance at Court Proceedings		✓	✓	
Type of Leave	Legal Requirement	No Legal Requirement	Paid	Unpaid
Public Duties	✓			✓
Study/ Examination Leave		✓	✓	
Trade Union Duties	✓		✓	
Bad Weather Conditions		✓		✓
Time off for appointments (Doctor, Dentist etc.)		✓	✓	
Maternity, Paternity, Adoption, Carers leave & ante-natal care	✓		✓	
Interviews within HCC or another Local Authority		✓	Up to the maximum number of days as detailed.	

APPENDIX 3

Time off for dependants:

1. An employee (teacher or support staff) with a dependant, defined as:

- child
- parent
- spouse
- a person who lives in the same household as the employee (except as a lodger tenant, boarder or employee)
- any person who reasonably relies on the employee either for assistance on any occasion when the person falls ill or is injured or assaulted, or to make arrangements for the provision of care in the event of illness or injury

is entitled to reasonable unpaid time off during the working day:

- to provide assistance when a dependant falls ill, gives birth or is injured or assaulted
 - to arrange care for a dependant who is ill or injured
 - in consequence of a death of a dependant
 - where the arrangements for care of a dependant are unexpectedly disrupted or terminated
 - to deal with an incident involving the employee's child which occurs unexpectedly when he/she is in school
2. The employee must notify their Head teacher of the reason for their absence as soon as is reasonably practical and for how long they expect to remain absent. The duration of the time off is defined as such as is reasonable in order to take the necessary action to deal with one of the necessary events.

Signed:

Governor responsible

Signed:

Head teacher

Date: *July 2017*

Date of review *Summer 2018*