



POLICY FOR POLICY FOR SPECIAL LEAVE OF ABSENCE

**Presented to
Trustees
4 April 2017**

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Date reviewed: ²	8 July 2014 Personnel Committee
Date of next review: ³	July 2017

¹ This is the date the policy was approved by the meeting

² This is the date the policy was reviewed prior to its approval above

³ This is the date as set by the policy review clause or the date approved plus two years

Footnote:

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POLICY FOR SPECIAL LEAVE OF ABSENCE

- 1.1. The Trust Board recognises that the success of a school depends upon the contribution of all staff and gives full acknowledgement that a fair and effective policy on Leave of Absence contributes to the maintenance of staff morale and thereby to the success of the school.
- 1.2. The Trust Board recognises that absence from duty by staff may occur for a wide variety of reasons including compassionate grounds, jury service or for other reasons. Personal illness or injury are covered by the employee's absence scheme.
- 1.3. The Trust Board will observe its statutory obligations. Broadly these are:
 - Time off for trade union duties in accordance with provisions in Sections 61 and 62 of the Employment Rights Act 1996.
 - Time off with pay for safety representatives appointed/elected by recognised trade unions both to carry out safety functions and to undergo relevant training.
 - Paid time off for antenatal care under section 55 of the Employment Rights Act 1996, as part of the provisions for maternity leave.
 - Unpaid time off for parental leave, dependants and domestic emergencies.

2.0 Study/Examination Leave

- 2.1. If the Trust Board receives a request from an employee for leave of absence for the purpose of revision immediately prior to an examination for a recognised qualification or leave of absence for the day(s) on which the examinations take place the request will be considered according to the following principles:
 - The cost to the school of the leave in terms of salary, cover arrangements and organisational disruption.
 - The relevance of the qualification to the better performance of the post the individual holds.
 - The individual's career development and personal circumstances.
- 2.2. The maximum amount of leave under this heading will normally be 5 days paid leave in 5 academic years.

3.0 Secondments/Extended Unpaid Leave of Absence

- 3.1. In the event that an employee requests an extended period of unpaid leave of absence the Headteacher will discuss the matter with the employee and consider the matter in relation to:
 - The cost to the school of the leave in terms of, cover arrangements and organisational disruption
 - The circumstances of the individual.

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The Headteacher will make a recommendation to the Personnel committee of the Trust Board. The recommendation, if not acceptable to the employee, will be accompanied by a written statement from the employee of his/her request, with reasons. The decision of the Personnel Committee is final.

4.0 Governor Duties

A request for leave of absence for the purpose of Governing Duties at schools other than those within the Four Cs MAT will be considered according to the following principles:

- The cost to the School in terms of salary, cover arrangements and organisational disruption
- The maximum amount of leave under this heading will normally be 3 days paid leave in any one academic year.

5.0 Time off for Public Duties and Activities

5.1. Subject to the needs of the School, employees are entitled to reasonable time off in order to carry out the following public duties and activities:

- (i) A Justice of the Peace
- (ii) A Member of the Magistrates Courts Committee
- (iii) A Member of a Family Practitioner Committee
- (iv) A Member of a Local Authority (inc. Teacher Representative)
- (v) Such other public duties as are referred to in Section 50 of the Employment Rights Act 1996
- (vi) Serving on such other local or regional public bodies as the Trustees may authorise
- (vii) Campaigning as an official candidate for a General Election
- (viii) Campaigning as an official candidate for a European Election.

5.2. For a full-time employee carrying out the above activities, a reasonable amount of time off will be a maximum of 15 days (18 for duties as a Justice of the Peace) or the equivalent in part days per year. Time off for part-timers will be calculated proportionately to 15 (or 18) by reference to the working hours and working weeks.

5.3. In granting a number of days leave of absence to an employee the Trust Board require that the employee, wherever possible, will draw up a schedule of days, as far in advance as possible, in consultation with the Headteacher. In the case of the Headteacher seeking time off, consultation will be with the Chair of Trust Board.

5.4. In the event that the employee requests so much time off for public duties and activities that in the opinion of the Headteacher (or Chair of Trust Board in the case of the Headteacher) the operational effectiveness of the school suffers, the Headteacher (or Chair of Trust Board) will discuss the need to reduce the amount of time off or make some alternative arrangements with the employee, together with his/her trade union official if requested. In the event that the matter is not resolved it will be referred to the Personnel Committee of the Trust Board whose decision is final.

6.0 Pay for Time Off

6.1. Time off for public duties is with pay subject to the limits of reasonableness and the provision of 5.2, 5.3 and 5.4 above.

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6.2. Pay is the normal pay that would have been earned in that period of absence.

7.0 Leave of Absence - Service in Non-Regular Forces

7.1. Paid leave of absence will not normally be granted for Summer Camp. Additional leave of absence may be granted without pay where there are exceptional circumstances.

7.2. Members of the Territorial Army who are required to undertake training additional to attendance at Summer Camp, and who are unable to arrange for such training to be on days when they would normally not be working, will be granted up to 5 days unpaid leave of absence.

8.0 Leave Requested in Special Circumstances

8.1. Application for exceptional leave should be made to the Headteacher in writing as soon as the need to be absent is known. In an emergency the School should be informed by telephone. The individual member of staff must talk with a Senior Member of staff during the first day of absence and any subsequent days.

8.2. In dealing with requests for leave of absence in special circumstances the Headteacher will apply the principles set out below:

- The cost to the school of the leave in terms of salary, cover arrangements and organisational disruption
- The circumstances of the individual including previous paid and unpaid leave granted relative to the period of employment.

8.3. The list of examples is non-exhaustive and the Headteacher may exercise discretion up to the limits described.

Absence With Pay	Days Per Annum - All Staff
<ul style="list-style-type: none">• Interviews for posts <p>(This limitation does not apply where the employee is redundant or a fixed term contract is not renewed)</p>	Period reasonably necessary but not normally more than 3 days
<ul style="list-style-type: none">• Illness or injury of a significant other giving rise to serious domestic difficulties	Period reasonably necessary but not normally more than 3 days
<ul style="list-style-type: none">• Death (inc. funeral) of a significant other	Period reasonably necessary but not normally more than 5 days
<ul style="list-style-type: none">• Moving house	1 day
<ul style="list-style-type: none">• Personal events or emergencies i.e. an event which, if response were to be delayed, would result in significant personal loss to the individual	1 day

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Absence With Pay (continued)	Days Per Annum - All Staff
<ul style="list-style-type: none"> Representing the school in any capacity with approval 	Unlimited
<ul style="list-style-type: none"> <u>Accepted impossible</u> travel because of weather or other public crisis 	Period reasonably necessary but not normally more than 3 days
<ul style="list-style-type: none"> Attendance as witness either on subpoena or other direction from a court or at the direction of the police, or voluntary attendance at an inquest as witness. 	Period of attendance necessary

Absence Without Pay	Days Per Annum - All Staff
<ul style="list-style-type: none"> Any personal reason other than those above which, reasonably, could not have been scheduled for a non-working day or time or within annual leave eg dentist, optician, driving test, family occasions, religious festivals, sports 	Maximum of 3 days
<ul style="list-style-type: none"> Leave in accordance with the Parental and Dependents Leave Regulations. 	As required by statute

- 8.4. In the event that an individual wishes to appeal against the decision of the Headteacher the matter will be considered by the Personnel Committee of Trust Board, whose decision is final.

The Headteacher will keep a record of all leave granted under this policy which the committee of the Trust Board will review from time to time.

9.0 Examination Posts

Teachers employed at any school within the Four Cs Multi-Academy Trust may hold external examining posts which involve leave of absence from the School .

In accordance with the agreements set out in the Burgundy Book for work in connection with such posts a teacher, irrespective of the number or nature (paid or unpaid) of posts held, can be granted paid leave of absence for:

- Up to a maximum of five days in any one academic year, **OR**
- Up to a maximum of ten days in any one academic year if any of the posts is of Chief Examiner, Chief Moderator or equivalent.

The above leave of absence may be granted subject to an agreed payment to the School by the examining board to enable the possible provision of supply cover to be made.

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10.0 REVIEW

The Trust Board will review this policy in line with the procedure for policy review.

Date for Review

If no other reason for review (see policy review procedure) this policy will be reviewed in July 2017.

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