

## **LEAVE OF ABSENCE POLICY FRAMEWORK**

**For School Governing Bodies**

**JUNE 2021**

**(please remove this page – not to be included as part of Framework)**

**\*NAME OF SCHOOL\***

## **LEAVE OF ABSENCE POLICY**

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## **Introduction**

We recognise, as the Governing Body, that there are varied reasons why an employee may request leave of absence from work. The amount of leave requested will also vary depending on the circumstances of the case, including the reason for the request, the employee's personal situation, and the degree of flexibility that the employee has in their current working arrangements.

This policy sets out our decisions, relating to leave of absence for personal reasons. In coming to our decisions, we have considered statutory entitlements, national terms and conditions, as well as local agreements made from time to time with recognised trades unions.

It may well be that the options available within this policy may not be appropriate and in such circumstances employees, as part of our commitment to work life balance, are directed to alternative school-based policies such as our family Leave provisions (e.g., maternity, paternity and adoption leave), time off for trade union duties/activities, or time off for training.

We will ensure that this policy is applied fairly and consistently. In doing so we will ensure there is no unlawful discrimination when applying this policy in relation to the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

## **Policy Application**

This policy recognises that employees in our school do not normally have flexibility regarding when they can take time off. It therefore sets out circumstances where paid or unpaid leave of absence will be granted. An alternative to unpaid leave may be for annual leave to be agreed if this is available or for the employee to make up the lost time as additional hours where such arrangements are appropriate.

We expect that an employee should usually apply for leave of absence under this policy in writing giving reasonable notice, which will depend on the circumstances of the case. In emergency or unforeseen circumstances this will not be possible, and we expect where this is the case that the employee contacts their line manager by telephone to request the leave of absence. Upon their return to work, the employee should submit an application for leave of absence to ensure that this is properly recorded.

Where leave is at the discretion of ourselves as the Governing Body, we have determined that this is delegated to the Headteacher to implement as part of their day-to-day management responsibilities of the school, as set out in the accompanying procedure. In doing so, they will take into account the circumstances of the case, the operational needs of the school, and any costs associated with

granting such leave. Where a decision is reached in such circumstances there is no right of appeal.

Where there is a limitation on the amount of paid/unpaid leave stipulated in the policy this will be per annual leave year.

## **Duties**

As the Governing Body we will ensure the policy:

- is kept up to date, generally every 3 years, reflecting changes in legislation where necessary.
- has been assessed for its impact to ensure no minority group is discriminated against within the document through an Equality Impact Assessment.

We will ensure the Headteacher:

- maintains adequate coverage, efficiency and service delivery.
- treats employees fairly and consistently when considering leave requests.

We will expect employees:

- comply with this policy.
- submit leave requests as early as possible to the Headteacher to plan service delivery.

## **Help and Advice**

If there are requests for leave which are not covered by this guide, or if further clarification is required, we will ensure the information is available from our HR Service. We will also make staff aware there is also DAS Personal Counselling Helpline which can provide confidential support to our employees with personal difficulties- 0844 8939012 (calls charged at national rates).

We have determined that any queries over the interpretation of the scheme are to be resolved by the Headteacher/Chair of Governors in consultation with our HR provider.

Reason for leave of absence	Leave of absence policy
<i>Absence due to adverse weather or other unforeseen circumstances</i>	<p>Where our school remains open (regardless of whether or not it is open for pupils) our employees will be expected to make every effort to attend work as travelling to work is deemed to be an essential journey.</p> <p>However, if an employee is not able to attend for genuine reasons then alternative arrangements should be agreed, where possible, such as undertaking appropriate professional duties at home, taking annual leave if this is available or making up the lost time as additional hours once the weather (or other unforeseen circumstance) improves. If none of these options are suitable, we have agreed that employees will be granted unpaid leave of absence.</p> <p>Where a decision is made to close our school (to both pupils and employees) we will put in place provision for employees to undertake appropriate professional duties off site. Where this is not practical as there is no or insufficient work that can be undertaken off site during the period of closure, staff will be granted paid leave of absence.</p>
<i>Antenatal care</i>	<p>We will ensure that all pregnant employees will be granted paid time off for antenatal care if the appointment is advised by a midwife, health visitor or registered medical practitioner. This includes antenatal or parenting classes.</p> <p>In addition, where an employee is in a qualifying relationship (husband, civil partner, partner) or the parent of the expected child, we have agreed to <b>paid/unpaid</b> leave for up to 2 antenatal appointments.</p> <p>In all cases we will require employees to present confirmation of the appointment to the Headteacher as evidence in advance of time off for antenatal care.</p>

<i>Award ceremony</i>	<p>We have agreed that when attending a ceremony to receive a degree, an honour, or decoration that is related to their role within school, a reasonable amount of paid time should be granted to employees.</p> <p>Where the award ceremony is not linked to role in school such as degree ceremonies and passing out parades involving the employee's child or partner, we have determined to provide up to <b>XX</b> day's leave unless considerable travel is involved in which case up to <b>XX</b> days' leave will be granted. This leave will be (<b>paid/unpaid</b>).</p> <p><b>OR</b> not to grant leave of absence in these circumstances.</p>
<i>Bereavement (see also Parental Bereavement Leave)</i>	<p>We have agreed that <b>XX</b> days paid leave be granted following the death of a close family member or loved one such as spouse, partner, child, parent etc. Additional leave of up to <b>XX</b> days <b>paid/unpaid</b> leave may also be granted and we will consider each case on its own merits.</p> <p>Up to one day's leave to attend a funeral of other relatives/friends may be granted only where other leave options are not available. We have determined that this leave, where granted, will be <b>paid/unpaid</b>.</p>
<i>Crisis Leave</i>	<p>We will provide up to <b>XX</b> day's <b>paid/unpaid</b> crisis leave, in any leave year. Circumstances falling under this category may include burglary, house fire, flood and family crises. However, it will not cover instances where domestic appliances have broken down; appointments with insurance assessors or trades persons; or bus breaking down/car failing to start.</p>
<i>Dependent Leave</i>	<p>As Governors, we note that employees may need to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies concerning a dependent. This may include the employees' spouse, partner, child, parent or other person who lives with them. It can also be someone outside of home who reasonable relies on the employee for their care.</p>

	<p>Support in these circumstances may include:</p> <ul style="list-style-type: none"> <li>• providing assistance when a dependant falls ill, gives birth or is assaulted.</li> <li>• making alternative arrangements for care of a dependant where they have been unexpectedly disrupted.</li> <li>• dealing with an incident involving the employee's child which occurs unexpectedly when s/he is at school.</li> </ul> <p>The amount of time off will vary according to the circumstances of the emergency and we have determined that up to XX days paid/unpaid dependent leave will be granted in any leave year.</p>
<i>Driving Tests</i>	<p>We have determined that where there is a requirement of an employee to obtain a license as part of a current or intended role within school then we have agreed the time off will be granted with pay, but only where no alternative time for the test is available out of working hours.</p> <p>Where there is no requirement of an employee to obtain a license as part of a current or intended role within school, we have agreed that where no possible alternative time is available out of working hours consideration will be given to granting leave to take a driving test. We have determined that in these circumstances where this leave is approved it will be paid/unpaid.</p>
<i>Election candidate</i>	<p>An employee may campaign as an official candidate in a UK Parliamentary election. We have determined to</p> <p>provide up to XX day's paid/unpaid leave of absence</p> <p>OR</p>

	not grant leave of absence in these circumstances.
<i>Examination/Study Leave</i>	<p>We have agreed that reasonable paid leave of absence should be granted to <b>support staff/all employees</b> undertaking final revision and sitting for nationally recognised examinations applicable to the needs of the school. This will consist of ½ day blocks of time for both revision leave and exam leave.</p> <p>We have also determined that for examinations not applicable to the needs of the school we will grant <b>paid/unpaid</b> leave consisting of ½ day leave for each ½ day examination</p>
<i>Exam board or other official education body duties</i>	<p>We will ensure that Teachers will be granted reasonable paid leave of absence during periods of directed time to undertake such activities as external examiner, moderator or reviewer or to undertake a representative role as a member of committee or subject panel. The examining body will reimburse the school in respect of the loss of services of the teacher.</p> <p>In other circumstances the teacher may be granted unpaid leave and allowed to retain any income received directly from the official education body.</p>
<i>Holidays outside periods of school closure</i>	<p>We would expect employees to adhere to the school policy in relation to time off during term time. However, we recognise that in some instances the employee's plans may be changed by circumstances outside their control, for example where flight times are changed by a carrier. Where this is the case, the employee will be expected to make up lost time as additional hours or use additional annual leave where this is applicable.</p> <p>Where all other alternatives have been exhausted governors have determined to grant <b>paid/unpaid</b> leave.</p>
<i>Hospital, medical and dental appointments</i>	We have determined that time off with pay will be granted to individuals when attending specialist treatment, screening (such as cancer screening) or consultation at a hospital, clinic or Health Centre. This will normally be up to one half day per appointment and the



	<p>employee will be required to produce evidence of their appointment.</p> <p>For non-emergency medical appointments (routine doctor/dentist) we believe employees should arrange these outside of normal working hours. However, where that is not possible, we have determined that this leave, where granted, will be <b>paid/unpaid</b>.</p> <p>Cosmetic surgery is not considered to be medically necessary. Employees would be expected to arrange such procedures during school closure periods</p>
<i>Job Interviews</i>	<p>We have determined that where an individual requires leave of absence to attend an interview that a reasonable amount of <b>paid/unpaid</b> leave may be granted. Consistency will be ensured amongst all employees.</p> <p>The Governing Body may require individuals to produce evidence of their interview when applying for leave of absence in such situations.</p>
<i>Jury Service/Court Appearance</i>	<p>We will ensure that an employee will be granted paid leave of absence to attend jury service. An employee serving as a juror shall claim the allowance for loss of earnings to which they are entitled under the Jurors' Allowances Regulations currently in force. Our school's payroll provider will then deduct from the employee's pay an amount equal to the allowance received.</p> <p>An employee attending court as a witness as a direct consequence of their employment will be granted paid leave and will be able to claim appropriate expenses where these are necessarily incurred.</p> <p>In all other circumstances we have determined that time off to attend court</p> <ul style="list-style-type: none"> <li>• <b>as a witness will be paid/unpaid</b></li> <li>• <b>as the defendant or plaintiff will be paid/unpaid</b></li> </ul>

<i>Moving house</i>	<p>In all cases employees should arrange to move to a new house at a weekend or during periods of school closure, except where removal costs are being paid under a relocation scheme where there is agreement that paid leave of absence would be granted.</p> <p>In some instances, for example where the removal is part of a “chain” and there are exceptional circumstances as to why the move must take place on a particular date, we recognise that an employee may not be able to do so and, in such circumstances, we will grant one day <b>paid/unpaid</b> leave.</p>
<i>Parental Bereavement</i>	<p>Where a member of staff suffers the loss of a child under the age of 18 then, as the Governing Body, we will grant up to 2 weeks Parental Bereavement Leave (together or 2 separate weekly blocks) within 56 weeks following the death of the child.</p> <p>Employees who meet the qualifying criteria of 26 weeks continuous employment and their earnings are no less than the lower earnings limit for National Insurance then they will qualify for statutory parental bereavement pay. Where this is not the case leave will be unpaid.</p>
<i>Public Service Appointments</i>	<p>We will ensure that employees who are appointed as Magistrates, Local Authority Members, or Members of other public service positions we will grant up to <b>XX</b> ½ days paid leave per annum to attend meetings/sessions. This will be subject to the needs of the School and may only be granted by the Headteacher.</p>
<i>Religious festivals</i>	<p>If an employee’s religion or belief has special festival or spiritual observance days, they may ask for time off in order to celebrate festivals or attend ceremonies. Where an application for leave of absence can be accommodated options such as annual leave or making up hours later should be considered. Where these options are not appropriate then <b>paid/unpaid</b> leave will be granted.</p> <p>Where the request cannot be accommodated the employee will be provided with a rationale not connected to the employee’s religion or belief.</p>

<p><i>Reserve forces</i></p>	<p>We have agreed the following in relation leave of absence and its impact on volunteer members of the non-regular forces:</p> <p><b>Annual camp</b></p> <p>We note that members of the volunteer reserve forces – Maritime Reserve (Royal Marines Reserve and Royal Naval Reserve), Royal Air Force Reserves or the Territorial Army – are required to attend a two-week continuous training session each year. We have determined</p> <p>to grant up to two weeks leave where the annual camp is scheduled outside of periods of school closure and this is beyond the employee's control. This leave will be paid/unpaid.</p> <p>OR</p> <p>not to grant leave of absence in these circumstances.</p> <p><b>Additional training</b></p> <p>Exceptionally, additional reasonable leave of absence may also be requested by members of the volunteer reserve forces who are required to undertake training additional to attendance at the annual camp and who are unable to arrange for such training to be on days when they would normally not be working. We have determined</p> <p>to grant paid/unpaid leave in these circumstances where supporting documentation is provided confirming that the training cannot be otherwise arranged.</p> <p>OR</p> <p>not to grant leave of absence in these circumstances.</p>
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	<p><b>Mobilisation</b></p> <p>We expect that any reservist, in addition to ourselves as the employer, should receive at least 28 days' notice of any call up to operational duty. If it is believed their compulsory mobilisation will seriously impact on school we may, as the employer, seek exemption, deferral or revocation of the mobilisation.</p> <p>A reservist who is mobilised will be granted unpaid leave of absence for the duration of their operational duty. They have a statutory right to be re-employed in the same role on equally favourable terms and conditions, or be offered a suitable alternative, for a minimum period of time depending on their length of service before the mobilisation.</p> <p>Where mobilisation is voluntary the employee involved will notify the school and consent must be obtained from the governing body.</p>
<i>Sporting events</i>	<p>We have determined that reasonable <b>paid/unpaid</b> leave will be granted to participate in national/international sporting events on a case-by-case basis and in line with the needs of the school. We will also ensure consistency amongst all employees in the granting of such leave.</p> <p>Employees will be expected to arrange their training needs outside of their normal working hours.</p>
<i>Wedding/Civil Partnership</i>	<p>In all cases employees should arrange their own wedding or civil partnership at a weekend or during periods of school closure. In some instances, such as a partner's circumstances, this might not be feasible and in such circumstances, where an application is approved, one day's <b>paid/unpaid</b> leave will be granted.</p> <p>Any requests for attendance at another person's wedding/Civil Partnership will be dealt with</p>

	under <i>holidays outside periods of school closure</i> section of our leave of absence policy.
<i>Additional requests for leave of absence</i>	We are aware that the enclosed is not an exhaustive list of reasons why an employee may request leave of absence. Where a new reason for leave is requested, this will be recorded and added to this policy to ensure consistency of approach with employees when dealing with their leave requests.