



Stretford High School

Leave of Absence

Code of Practice

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| Ratified by the Governing Body: | 30 March 2017 |
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| Source: | Trafford Council |

Introduction

This code of practice is designed for all school staff, however is of particular use for those staff with fixed holidays who are not in a position to take “annual leave”. The Governing Body recognises that there are occasions when staff will find it necessary to be absent from work due to matters which are, in the main, outside their control. It must however, be understood by all concerned that absences from work have an adverse effect on the delivery of the service in which we are employed and therefore staff are required to apply for leave of absence with restraint.

Support staff that are paid all year round and not term time only have a leave allowance and they can agree the timing of such leave with the Headteacher. They are normally expected to take their annual holiday allowance during periods of school closure, though, exceptionally, and with prior approval of the Headteacher, annual leave may be permitted during term time for personal or domestic reasons.

Support staff employed term time only are paid a salary inclusive of holiday pay. Therefore leave requests for personal or domestic reasons, if approved, will be without pay.

There are certain activities for which employees must be allowed to take a reasonable amount of time off work. It is a responsibility of Governing Bodies to ensure that these requirements are complied with.

Reasonable paid time off must be granted to officials of recognised trade unions to enable them to carry out certain duties concerned with industrial relations between the employer and its employees or for training on aspects of industrial relations (see paragraphs C1 and C2 below).

Employees must also be allowed to take a reasonable amount of time off to carry out public duties as a justice of the peace, a member of a local authority (subject to the restrictions of the LG and Housing Act 1989); a member of a statutory tribunal, a member of a Regional or Area Health Authority, a governor of a maintained school.

In the case of employees who have been given notice of dismissal on grounds of redundancy reasonable time off must be allowed to enable those concerned to seek other employment or to make arrangements for training for future employment.

Employees who are pregnant must be allowed reasonable paid time off to receive ante-natal care.

Employees are entitled to reasonable unpaid time off for emergencies relating to their dependants or personal / domestic circumstances.

Procedure

Any employee who requires leave of absence for a reason other than personal illness should request such leave in accordance with arrangements in place in this school – ie complete a cover request form.

The statement of periods of leave in paragraphs B7 and B8 below are not intended to indicate minimum or normal entitlement but to specify the maximum periods within which leave has been approved.

Where, with the prior approval of the Headteacher a member of staff is away from school premises on "approved business", i.e. as a representative of the school as such, an application for leave of absence is not required.

Staff are normally required to give at least ten clear working days' notice of an intended absence; but approval may be given where, because of the circumstances, late application is unavoidable. Where an employee's probable total leave requirements for a term or year are known in advance (e.g. where s/he is a J.P. or is a member of an examination board or is undertaking examination moderation) the employee concerned shall at the earliest opportunity submit for consideration a leave request relating to the full term or year.

Salary for periods of absence to undertake duties for which attendance allowances or other payments may be claimed will be adjusted to take account of such payments (e.g. Jury Service).

The Head teacher can approve leave of absence with or without pay for staff for periods not exceeding one day for any one absence up to a maximum of three days in any academic year for reasons other than those specified below.

The Head teacher is also authorised to approve leave of absence for any of the following reasons. Leave would normally be with salary for up to the maximum periods specified in each case: -



| Reason | Max no of days in any one academic year |
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| (a) Weddings of near relatives (normally parent, brother, sister, son or daughter); | 1 day * |
| (b) House removal; | 1 day * |
| (c) Undertaking approved duties as a member of a local authority, or statutory tribunal, or health authority, or governing body of a maintained school; | 3 days |
| (d) Maternity and Adoption support (see note E1 below); | 5 days |
| (e) Degree and passing out ceremonies (normally self, spouse, son or daughter); | 2 days |
| (e) Candidacy in elections. | 1 day |
| (f) Obligatory attendance at Court for the period of duty as a witness or for jury service; | For the period of duty |
| (g) Illness of near relative (normally partner, parent, brother, sister, son or daughter) where it is essential that the employee be absent to care for the invalid; | 3 days |
| (h) Death and funeral of near relative (normally partner, parent, brother, sister, son or daughter). | 3 days |
| (i) Interview in connection with a new post in a school or other employment in the public sector. | 3 days |
| (j) Attendance at meetings of an educational nature (e.g. approved educational conferences, examination moderation and meetings of examining bodies); | 5 days |
| (k) To take approved examinations; | 3 days |
| (k) For study purposes for approved examinations; | 3 days |
| (l) Duties as a Justice of the Peace; | 12 days |
| (m) Training for Reservists (see G1 below) | 10 days |
| (n) | *not applicable to support staff |
| (o) | |

Any absence in excess of the maximum periods or for any reason not stated above should be considered by the Finance and Personnel Committee of the Governing Body.

All absences by Headteachers should be considered by the Chair of Governors.

The Chair of Governors can decide urgent cases on behalf of the Finance and Personnel Committee.

Trade Union Activities

Governing bodies are also required to allow reasonable paid time off to officials of recognised trade unions to enable them to carry out duties concerned with industrial relations between the employee and its employees or for training in aspects of industrial relations.

Governing bodies should also allow reasonable time off for certain union activities, such as attending annual conferences. There is no requirement for such time off to be granted with pay.

Religious Festivals

In respect of the observance of religious festivals for which there is no public holiday, up to 3 school days per year will be granted. Leave will be granted only for those days when the requirements of the festival make it impossible for the employee to work. Absence for religious festivals should, if possible, be planned ahead at the beginning of each academic year. There is no entitlement to paid special leave for such time off requests.

Maternity and Adoption Support

In addition to the 5 days Maternity/Adoption support leave detailed in (d) above; known as paid (full pay) Occupational Leave, eligible employees may also apply for Statutory Paternity/Adoption Leave. Employees with at least 26 weeks continuous service with the school/local Authority can choose to take two working weeks paternity/adoption leave. Payment for those two weeks will be at the Statutory Paternity Pay rate.

To qualify for leave and pay an employee will need to adhere to certain criteria and they can obtain further details by contacting the HR Director at least 15 weeks before the expected week of confinement in the case of Paternity Leave or as soon as possible in the case of Adoption Leave.



Special Leave for Dependants

Employees are entitled to reasonable unpaid time off to take action in the event of an emergency relating to their dependants or personal / domestic circumstances.

However the scope of this policy extends beyond the unpaid statutory provision and, in the circumstances described above, permits employees to take up to 3 days paid leave in an academic year, to put in place arrangements to deal with:

- emergency situations regarding their dependants, or,
- personal / domestic emergencies.

It should be noted that legislation requires the School to permit employees unpaid time off to deal with an emergency relating to a dependant (this would not include taking a dependant to a pre-planned appointment) and therefore, albeit rarely, it will be necessary for employees to request unpaid leave in addition to 3 days paid leave.

The School would normally consider 1 day to be a reasonable amount of time to make any necessary arrangements, however the amount of time permitted should align with specific circumstances and be determined by need.

It is not expected that a request for special leave in relation to time off for dependants as outlined above will be refused, unless under the most exceptional of circumstances; however, operational and School requirements must be met and therefore each request for special leave will be given due consideration.

Special Leave for Dependants can be taken in the following circumstances:-

- If a dependant falls ill.
- If a dependant suffers an injury or is assaulted.
- To make long term care arrangements for a dependant who is ill or injured.
- To deal with unexpected disruption or breakdown of care arrangements for a dependant.
- To deal with an unexpected incident involving a dependant, e.g. a child being suspended from school.

A dependant can include anyone who falls into the following categories:-

- Spouse or Partner
- Child
- Parent
- Someone who lives in your household as part of your family

The above list is not exhaustive and is for guidance purposes only. A dependant can be anyone with whom there is a close relationship whereby the individual is largely reliant on the employee during illnesses, injury or when care arrangements break down.

Reservists

The School grants up to an additional 10 days of paid leave per annum to employees who are Reservists to accommodate some of their training (pro-rata for part-time employees). Employees should request the leave using the 'Special Leave Request form' and they must provide their manager with documentary evidence (e.g. a letter of confirmation) of their involvement in the training.

Where more leave is required during the year, employees can request unpaid leave. When requesting any type of leave to attend training, Reservist employees should give as much notice as possible, to allow appropriate planning for absences. Head teachers will try to accommodate requests, wherever possible.

For more information please speak to the HR manager .

Equality

The Schools HR Director aims to regularly review all the policies and procedures to ensure there are no negative equality impacts. If you feel on reading this policy, that there may be a negative equality impact please tell the Head teacher about this.

Should you have any further questions in relation to leave of absence please contact Sue Simons, the HR Director