

LEAVE OF ABSENCE POLICY AND PROCEDURE

Including

REQUESTS FROM ALL SCHOOL EMPLOYEES

**Authority Guidelines on
Staffing Procedures for Community, Voluntary Controlled, Community Special
Schools and Early Years Centres
(and those adopted by Governing Bodies of other maintained/non maintained
schools)**

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1. Introduction

This local agreement supersedes the Code of Practice for Leave of Absence Requests from all School employees. It is produced following consultation with Teachers' Professional Associations and Green Book Unions in respect of non-contractual leave of absence for all school employees.

In respect of Voluntary Aided Schools and Academies, where the Governing Body is the employer, the Code is recommended as good practice.

The Code allows both Governing Bodies and the Local Authority to adopt a fair and consistent approach when receiving requests from all employees in school for leave of absence.

High levels of attendance support teaching programmes, pupils learning and other areas of school work. The Governing Body is committed to managing attendance so that any disruption to the pupil's education or the effective running of the school is minimised. Equally, it recognises that during the course of employment, colleagues will occasionally be absent from work through ill health, maternity and other authorised circumstances. This policy focuses on other areas of authorised absence.

Absence of any employees employed in school during term time means some impact on the children's education. Therefore, requests from any member of staff for absence to be taken during term time must be regarded by all as the exception. Requests for leave of absence for the purpose of taking holidays and/or contributing to holidays will not be granted.

The Director of Children's Services, following consultation with Teachers' Professional Associations and Green Book Unions, has delegated the authority to grant leave of absence with or without pay to Governing Bodies. It is recommended that the Governing Body delegates this responsibility to either the Headteacher or the Chair of Governors.

The Diocesan Director of Education for the Diocese of Chester and the Director of Education for the Diocese of Shrewsbury Education Service have recommended that in Aided Schools and Academies the Governing Body should delegate this responsibility to a Staffing or Personnel Committee who would decide requests for leave of absence.

To allow the Code to be easily followed, a table has been attached as Appendix A with clearly marked Paid Leave of Absence and Unpaid Leave of Absence. For ease of reference it has been split into the following categories:

- a) Professional
- b) Personal

NB: Do not forget to record all absences on Self Serve (or the appropriate form from your payroll provider)

The provisions within this policy are not exhaustive and if any requests for leave fall outside this policy, Headteachers or Governors should refer the matter to the School's Human Resources Team/Human Resources Advisers in the first instance.

2. Requesting Leave of Absence

All requests for Leave Of Absence must be made using the attached pro-forma. Please see Appendix C

3. Appeal Procedure

In the case of an appeal against a decision of the Headteacher or Chair of Governors (see 1 - Introduction) to grant leave of absence with or without pay, the appeal should be considered by the school's Appeal Committee, please see Appendix D.

4. RESPONSIBILITY OF THE HEADTEACHER / CHAIR OF GOVERNORS AND SCHOOL'S GOVERNING BODY

4.1 Guidelines

The Headteacher/Chair of Governors may grant Leave of Absence with pay for **up to** 5 working days (pro-rata for part time workers) in any one academic year in respect of absences as outlined in Appendix A. In making a decision the Headteacher/Chair of Governors will take into consideration both the difficulty and cost of obtaining supply cover.

In applying a maximum approval, the academic year will commence on 1 September and finish on 31 August.

Only in exceptional circumstances can the Headteacher/Chair of Governors grant leave of absence either with pay or without pay in excess of 5 working days.

4.2 Applying for Leave of Absence

Applications from employees for leave of absence for reasons other than those outlined Appendix A should be referred in writing to the Headteacher/Chair of Governors (see Section 5 – Procedure for Requesting Leave of Absence).

NB Medical and Dental Appointments

It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstances, such as an appointment being expected from a hospital, that this may not always be possible. However, appointments in work time should be kept to a minimum and cause as little disruption as possible

4.3 Notice for requesting leave of Absence

Employees should give as much notice as possible bearing in mind that some reasons cannot be forecast. In these circumstances applications should be submitted retrospectively, as soon as possible after the event.

Requests for leave of absence will be considered taking into account:

- The principles of this policy
- The best interests of the children's education and the needs of the school
- Treating staff in a fair, reasonable and consistent way
- National and local terms and conditions of employment

NB Where the application for Leave of absence refers to relatives of the first degree, this is taken to mean;

- *husband / wife,*
- *civil partnership*
- *permanent partner*
- *brother / sister*
- *your parents*
- *your corresponding relatives-in-law.*
- *your child/children*

Additionally, the Governing Body has decided to include grandparents or other relatives / carers who have taken on the **main caring role** for people who are not related but occupying a similar position in the family. *In order to support the request for leave of absence, the employee will be expected to provide information in relation to their family circumstances.*

5. PROCEDURE FOR REQUESTING LEAVE OF ABSENCE

Give as much notice as possible
Planned – as soon as possible
or minimum of 10 working days
is expected
Unplanned – at the earliest
opportunity



A completed pro-forma must be
completed and submitted to the
Headteacher or Chair of
Governors (as appropriate)

Then, as appropriate, either;

A

Paid Leave of Absence outlined in
Appendix A

- Headteacher/Chair of
Governors (as appropriate) to
approve or reject

B

Unpaid Leave of Absence outlined
in Appendix A

- Headteacher/Chair of
Governors (as appropriate)
to approve or reject

C

Leave of Absence Requests not
covered in Appendix A

- A completed pro-forma must be
submitted to the
Headteacher/Chair of
Governors indicating whether
this would be with or without
pay (as appropriate) to approve
or reject.

D

Unforeseen or Sudden Causes of
Absence

- A completed pro-forma must
be submitted to the
Headteacher/Chair of
Governors (as appropriate)
retrospectively but as soon
as possible after the event.

The Headteacher/Chair of Governors to complete the pro-forma indicating the decision to
the employee either approving or rejecting the request

Any written appeal against a decision should be submitted to the Schools Appeal
Committee (See Appendix D)

Table Showing Paid Leave of Absence and Unpaid Leave of Absence Incl. Contractual Leave of Absence

The Governing Body has the **discretion** to **grant up to 5 days leave of absence with pay** (pro-rata for part time workers) in any one academic year, which covers all the reasons listed below (see previous paragraph 2 – Responsibility of the Headteacher/Chair of Governors and School's Governing Body).

Reasons for leave with pay – Professional (Maximum entitlement in any one academic year)	Teachers	Support staff in schools
For officials of Trade Unions to perform relevant duties/undertake approved training	Refer to the local agreement.	Refer to the local agreement.
For Health & Safety / Learning Representatives to perform duties and undertake associated training	Refer to the local agreement.	Refer to the local agreement.
For members of another school's Governing Body	Whenever possible to be organised outside school hours.	Whenever possible to be organised outside school hours.
Magisterial duties	Up to 36 sessions paid leave in any academic year. A session is a half day sitting.	Up to 36 sessions paid leave in any academic year. A session is a half day sitting.
Candidates for Parliamentary / Local Elections	At the discretion of the governing body	At the discretion of the governing body
Jury Service or attendance as a witness in Court proceedings (Not discretionary)	For the required period subject to the employee claiming for loss of earnings	For the required period subject to the employee claiming for loss of earnings.
Commitments to HM Services, e.g. TA, Royal navy Reserve (minus attendance payments)	To be carried out during school holidays	To be carried out during school holidays

Reasons for leave with pay – Professional (Maximum entitlement in any one academic year)	Teachers	Support staff in schools
Sitting examinations relating to appropriate professional development	For examinations scheduled during teaching day ½ day for each particular examination and ½ day may be available for associated course revision.	Employees are entitled to paid leave of absence for sitting for approved examinations. Additional leave may be granted for final revision for approved examinations.
To attend the Degree ceremony / Professional Qualification Ceremony when the employee, spouse/permanent partner, civil partnership, son/daughter is an actual participant, to attend	1 day	1 day
Reasons for leave with pay – Personal (Maximum entitlement in any one academic year)	Teachers	Support staff in schools
In exceptional circumstances to support a dependent of relatives of the first degree. This does not include an employee, tenant, lodger or boarder.	As required at the discretion of the Headteacher and / or Governing Body.	As required at the discretion of the Headteacher and / or Governing Body.
Illness of a close relative or relatives of the first degree.	Up to a maximum of 5 working days.	Up to a maximum of 5 working days.
Death or critical illness of relatives of the first degree.	Up to a maximum 5 working days.	Up to a maximum of 5 working days.
Attending a funeral of relatives of the first degree.	1 day	1 day
Attending a funeral in a professional education capacity.	Actual time required but up to a maximum of ½ day plus travel time.	Actual time required but up to a maximum of ½ day plus travel time.

To attend a Preparation Group training course in respect of adoption and a panel interview	3 days for Preparation Group Training Course – ½ day for Panel Interview.	3 days for Preparation Group Training Course – ½ day for Panel Interview.
House removal	1 working day with as much advance notice as possible.	1 working day (term time only employees) with as much advance notice as possible.
Major Religious devotion days (other than statutory holidays)	Up to 3 days	Up to 3 days
Weddings / civil partnerships of relatives of the first degree.	1 day	1 day
Hospital Appointments and medical screening, e.g. Breast/Cervical (Evidence of appointments will be required)	Appointment plus travel time where attendance in school time cannot be avoided. You will be expected to attend school prior and post where possible.	Appointment plus travel time where attendance in school time cannot be avoided. You will be expected to attend school prior and post where possible.
Emergency Doctor and Dental Appointments (Evidence of appointments will be required)	Appointment plus travel time where attendance in school time cannot be avoided. You will be expected to attend school prior and post where possible.	Appointment plus travel time where attendance in school time cannot be avoided. You will be expected to attend school prior and post where possible.

Reasons for leave without pay – Personal (Maximum in any one academic year)	Teachers	Support staff in schools
Court hearings – other than those covered under “With Pay” sections – including divorce proceedings, custody of children, maintenance payments and other Court appearance where teacher is defendant or involved in non-criminal proceedings.	At the discretion of the Headteacher / Governing Body	At the discretion of the Headteacher / Governing Body
Funerals – other than relatives of the first degree, close relatives as in “With Pay” section.	At the discretion of the Headteacher or than actual time required but up to a maximum of ½ day plus travel time if local, or 1 day if out of the Borough.	At the discretion of the Headteacher or than actual time required but up to a maximum of ½ day plus travel time if local, or 1 day if out of the Borough.
House removals – in excess of 1 day	At the discretion of the Headteacher / Governing Body.	At the discretion of the Headteacher / Governing Body
Hospital appointments for children where both parents wish to attend.	At the discretion of the Headteacher / Governing Body	At the discretion of the Headteacher / Governing Body
Attendance on courses for personal development not considered beneficial to the school	At the discretion of the Headteacher / Governing Body	At the discretion of the Headteacher / Governing Body
Reasons for leave without pay – Personal (Maximum requested leave in any one academic year)	Teachers	Support staff in schools
Fertility Treatment (Evidence is required of appointments, and GP’s recommendations if treatment is not available locally)	Appointment, plus travel time at the discretion of the Headteacher / Chair of Governing Body	Appointment, plus travel time at the discretion of the Headteacher / Chair of Governing Body

Weddings – Employees own wedding / civil partnerships, and for those other than relatives first degree	You are expected to organise your own wedding outside of working hours.	You are expected to organise your own wedding outside of working hours
Extended leave of absence	At the discretion of the Headteacher / Governing Body Up to one year can be requested - providing notice in line with contract of employment	At the discretion of the Headteacher / Governing Body Up to one year can be requested - providing notice in line with contract of employment
Sabbatical Normally linked to personal development outside the usual confines of the job. The employee should state the proposed objectives and perceived benefits for both the employee and employer.	At the discretion of the Headteacher / Governing Body Up to one year can be requested in the first instance Providing notice in line with contract of employment	At the discretion of the Headteacher / Governing Body Up to one year can be requested in the first instance Providing notice in line with contract of employment

CONTRACTUAL LEAVE OF ABSENCE

Sickness	} As per national or local agreement	Parental Leave	} As per national or local agreement
Adoption Leave	} As per national or local agreement	Time off for Dependants	} As per national or local agreement
Maternity Leave	} As per national or local agreement	Shared Parental Leave	} As per national or local agreement
Paternity Leave	} As per national or local agreement		

Other employee friendly documents available for School Employees.

- Time off For Dependants
- Paternity Leave Scheme
- Adoption Leave
- Maternity Scheme
- Shared Parental Leave Scheme
- Career Break Scheme for Teachers
- Career Break Scheme for Support Staff
- Part Time Working and Job Sharing for Teachers
- Part Time Working and Job Sharing for Support Staff

Pro Forma for Requesting Leave of Absence

Name		
Job Title		
Requested Date(s)	From To	AM /PM / Full Day <i>Delete as appropriate</i>
Reason for Request		
Relationship (if required) e.g brother/sister		
Type of Leave of Absence request.	Paid / Unpaid <i>Delete as appropriate</i>	
Signed		
Date		

Leave of Absence Approved	Yes / NO
Reason for refusing leave of absence (if appropriate)	
Signed	
Role/Post	
Date	

APPEALS PROCEDURE

Introduction

The employee has the right of appeal to the Schools Appeal Committee against any decision to refuse an application to take either Paid or Unpaid leave.

The appeal must be in writing and must include a copy of the pro forma request and any further explanation for the reason for appealing the decision

All appeals against a leave of absence request or payment for leave of absence should be submitted in writing to the Clerk to Governors.

Appeals should be submitted with 5 working days of the decision.

Appeal Hearing

- i) The Headteacher or Chair of Governors to outline the reasons for the meeting.
- ii) The employee (or his/her representative) to put their reasons for the absence request and put forward their case.
- iii) The members of the Schools Appeal Committee to ask questions of the Headteacher or Chair of Governors.
- iv) The Headteacher or Chair of Governors ask questions of the employee (or his/her representative).
- v) The members of the Schools Appeal Committee to ask questions of the employees (or his/her representative).
- vi) The Headteacher or Chair of Governors to sum up.
- (vii) The employee (or his/her representative) to sum up.
- (viii) Following the summing up, both parties, together with their representatives will withdraw.
- (ix) The Chair of Governors may announce its decision to the Headteacher and/or the employee and his/her representative personally or subsequently in writing. Whichever method is chosen both parties should be informed in a like manner. A decision notified orally should be confirmed in writing by the Clerk to the Governors.
- (x) The outcome of any appeal should be confirmed in writing with the employee within 10 working days of the appeal