

A large, decorative graphic consisting of multiple overlapping, wavy lines in various shades of blue, flowing from the left side of the page towards the right, creating a sense of movement and depth.

Leave of Absence Policy

Date approved by the Board: 31/03/2017

Next review date: As required

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This procedure has been adopted by the governing body of the Rowan Learning Trust following consultation with staff and their trade union / professional association representatives. This procedure supersedes any procedure previously in place in this School either formally or through custom or practice.

1. Purpose

The purpose of this policy is to provide the Local Governing Body (LGB) and the Headteacher with a framework. They can make decisions about the granting of leave of absence, other than sickness in accordance with legal, contractual and moral obligations.

2. Principles

Authorisation for time off is the responsibility of the LGB and/or the Headteacher within the framework of this policy.

With respect to teachers and support employees other than the Headteacher, the LGB delegates the responsibility for decision making to the Headteacher and requests a report on leave of absence granted at appropriate intervals. In the case of the Headteacher, the responsibility is delegated to the Chair of Governors.

Part-time employees will be entitled to pro rata leave of absence entitlement.

3. Finance

Financial responsibility for the cost of the absence cover is set out in section five of this policy.

4. General Guidance

Schools need to balance the needs of the students against the requests for leave of absence. The well-being and effective education of the students must be the primary consideration when decisions within the policy are made.

Staff are expected to utilise the flexibility that their non-term time periods bring to accommodate a number of situations mentioned in the tables in section five, if they are able to do this.

Any employee may find it necessary to apply for leave of absence, paid or unpaid. Individual cases will be considered on their own merits. Consistency is important when reaching a decision to ensure that employees are treated equitably.

A sympathetic consideration of requests for leave of absence on compassionate grounds where employees are not in a position to control or influence the timing of important activities will be given.

It is the responsibility of the employees to ensure that arrangements for attendance at, for example, routine medical appointments are made at times that will cause minimum disruption to their school commitments. Only specialist or emergency treatment would normally warrant special leave.

The tables in paragraph five cover most situations. If an unusual request is made which is not covered, or the question of longer term leave arises, requests for help and advice from the Human Resources Officer is recommended.

When considering applications for leave of absence, the LGB and the Headteacher will think carefully about the impact their decisions could have on:

School organisation;

- The effects on other employees;
- The need for consistency in the treatment of all employees; and
- The requirement to treat employees without discrimination and the effect refusal could have on the applicant.

Unless otherwise stated, the years referred to in section five of the document are academic years, that is, 1st September to 31st August.

Where an employee takes leave of absence for an activity occurring throughout the year, the school will record the accumulated number of days taken during the academic year.

It is the responsibility of all employees to provide the maximum period of notice of an application for leave of absence. The Headteacher will inform the employee of the decision as soon as reasonably practicable.

Some leave of absence is a legal right, although often without salary. Some are contractual entitlements and some discretionary.

All decisions will be made fairly and consistently within the context of the school's policy on equal opportunities and with regard to current legislation on discrimination on the grounds of disability, race and gender. If an employee is disabled, they may, under the disability legislation, be entitled to time off that will not be classified as sick leave but that is necessary because of the disability.

A record of all successful and unsuccessful applications for Leave of Absence made in accordance with this policy, together with the reasons for declining any application will be kept and reviewed on an annual basis to ensure consistency of approach. The findings will be shared with recognized trade unions on request with information anonymised to respect the confidential nature of applications.

When considering an application for leave of absence the test of what is “reasonable” is often used. The Headteacher will consider:

- The employees’ duties;
- The amount of leave requested;
- The impact on the running of the school; and
- How much time has already been taken as leave of absence

5. Specific Absences

5.1 Leave of Absence for Public Duties

Reason for absence	Period of absence	Paid/unpaid
Duties as a JP/Magistrate	The School will attempt to accommodate any such request for time off. Any time off authorised will be unpaid.	At the discretion of the Headteacher
School Governor duties	Up to a maximum of 3 days or equivalent number of hours in any one school year.	Paid
Jury service or witness at court	As necessary	Paid (normal pay, less any deductions for any loss of earnings paid by the tribunal or court)
Witness as summoned or subpoenaed	As necessary	Paid
Voluntary attendance as a witness	As necessary	At the discretion of the school
Service in non-regular forces – attendance at annual camp	Up to two weeks permitted	Paid for up to two weeks a year

		where it is not possible to arrange a camp in school holidays
Election duties	As necessary	Unpaid
Trade Union activities in schools (in recognised unions)	As agreed in the Burgundy and Green books.	Paid
Attendance at committee meetings as a member of: A Local Authority A Health Authority A Parish Council (in England) or Community Council (in Wales)	18 days 6 days 6 days	Paid

5.2 Leave of absence for Compassionate Leave

Reason for absence	Period of absence	Paid/unpaid
Death of a mother, father, step mother, step father, husband, wife, partner, son, daughter, stepson or step daughter, brother, sister, grandparent or grandchild or other relative if a close relationship can be demonstrated.	Up to ten days maximum including day of funeral	Paid
Death of aunt, uncle, nephew, cousin, niece, brother-in-law, sister-in-law, spouse's/partner's close relative	Up to one day to attend the funeral at the discretion of the Headteacher	Paid
Death of a close friend	Up to one day to attend the funeral at the discretion of the Headteacher	At the discretion of the school
Where a member of staff is appointed as executor of the	One day at the discretion of the Headteacher	At the discretion of the school

will of any of the above-mentioned or and is required to make all the necessary arrangements for the funeral, or have a long distance to travel to the funeral		
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5.3 Leave of Absence for Special Leave and Time off for Dependents

Reason for absence	Period of absence	Paid/unpaid
Time off to care for dependents including elderly relatives	At the discretion of the Headteacher	Paid
Time off to care for a child falling ill	Up to one day (may be taken in two half days) to make arrangements for on-going child care with discretion for longer in cases of infectious diseases	Paid
Very sick/terminally ill dependent close relative (dependent upon the employee for daily care and living needs)	Up to five days to make arrangements for on-going care Up to a further thirty days unpaid leave may be granted at the discretion of the School (time off for dependents)	Paid
End of life care for a close relative	At the discretion of the Headteacher	At the discretion of the Headteacher
Non-routine medical appointment of child or elderly close relative dependent upon the employee for daily care and living needs	Up to one day (may be taken in two half days) Subsequent time off for further appointments at school's discretion	Paid
Medical cancer screening	As necessary	Paid
Attendance at a religious ceremony or observance of principle religious festival or requirement	Up to one day for each religious festival with a maximum of three days a year	Paid

External examiner, verifier or moderator for approved courses	At the LGB's discretion. Normally up to two days for a marker and between twelve and fifteen days for a Chair of Examiners	Paid
Leave for examinations	Time off for examinations	At the discretion of the school
Time off for fertility treatment	Up to 10 days	Paid
To accompany a pregnant partner to attend ante-natal appointments	Up to two appointments	Paid
Job interview	Up to 5 days plus one day to attend an induction day Employees who are selected for compulsory redundancy will be granted reasonable time off work with pay to look for new employment	Paid
Sports representation of Country etc.	To be agreed between individual, school and the Trust	To be agreed on an individual basis
Moving House (If an employee is unable to arrange a house move on the weekend or during the holiday period)	1 day	Paid
Damage / disruption to property (e.g. house or car)	1 day	Paid
Duke of Edinburgh Award Ceremony	1 day to attend graduation/awards ceremony	Paid
Volunteering	At the discretion of the School	Unpaid
Political activity (candidate in Parliamentary election etc.)	1 day	Unpaid

University Graduation for staff or close relative	1 day	Paid
Any personal reason other than those above, which, reasonably, could not have been scheduled for a non-working day or time or within school holidays	Up to one day (may be taken in two half days)	Paid

6. Appeal system

An employee who is unhappy with the decision taken by the Headteacher can put their complaint in writing to the LGB. A panel of at least three governors will consider the complaint and the Headteachers reasons for not approving the employee's request. Both the employee and Headteacher will be given the opportunity to explain their case to the panel. The meeting will follow the protocol for a hearing. The Governors decision will be final although they may ask the employee and Headteacher to seek alternative solutions and to re-present them to the panel for consideration.

In the case of Headteacher's, requests will be considered by the Chair of Governors. If the Headteacher is unhappy with the decision made, any complaints should be put in writing and referred to the LGB for consideration.

The meeting will follow the arrangements outlined previously and will follow the protocol for a hearing.