

# Greenholm Primary School

## Special Leave of Absence Policy

### 1. Scope

This policy has been adopted by the governing body and applies to all members of staff. It should be read in conjunction with other relevant documents (e.g. the Burgundy Book, the Green Book) which cover the terms and conditions of specific groups of staff. Nothing in this document overrides those particular provisions.

### 2. Decisions regarding requests for time off

The Headteacher (or Chair of Governors if it is the head requesting time off) has the delegated decision as to whether to grant time off and whether it should be paid or unpaid. Appeals against the Head teacher's / Chair's decision should be made to governors via the Grievance procedure.

Any abuse of the policy will be dealt with under the school's Disciplinary procedure.

A formal record of requests including a description of the circumstances and whether or not the request was granted in accordance with the framework of the policy will be maintained.

### 3. Statement of intent

The Governors of Greenholm School Primary School recognise the importance of consistency, openness and equality in responding to requests from staff for special leave of absence for family and personal reasons.

#### **This policy recognises:**

- the statutory entitlement to unpaid time off to attend to urgent matters related to dependants national and local agreements
- best practice which seeks to maintain good working relationships between staff and management
- the operational needs of the school

It is intended that this policy will provide a clear and workable framework to enable requests for leave of absence for staff working in schools to be reasonably and fairly handled. This policy recognises that the operational needs of the school are a priority and there may be times when the Headteacher has to refuse a request for leave.

It should be noted that there might be occasions when circumstances arise not identified in this policy. In such circumstances the decision regarding leave of absence remains within the discretion of the Headteacher or Chair of Governors.

Each case will be judged on its own merits and circumstances. The granting of time off in one case will not necessarily set a precedent for other cases.

In setting this policy the school has taken into account the arrangements available for short term cover for absent teachers and the school's commitment that teachers will only rarely be required to cover.

Care will be taken in applying this policy to ensure compliance with equality legislation and Local Authority policies on avoiding discrimination.

### 4. Time off for dependants

The Employment Relations Act 1999 provides all employees with the right to take reasonable unpaid time off to deal with certain unexpected or sudden emergencies relating to dependants.

Employees taking time off under this right are requested to notify the Headteacher of their absence on the day they take time off and if possible to give notification in advance.

Circumstances when an employee may take time off are:

- If a dependant falls ill, or has been injured or assaulted
- When a dependant is having a baby
- To make longer term care arrangements for a dependant who is ill or injured
- To deal with a death of a dependant
- To deal with unexpected disruption or breakdown of care arrangements for a dependant
- To deal with an incident involving the employee's child during school hours

## **5. Compassionate leave**

Paid, compassionate leave is granted in the following circumstances:

- Sudden, serious illness of near relative, spouse or child – up to 5 days paid leave.
- Death of a near relative, spouse, partner or child – up to 3 days paid leave
- Funeral of a near relative, spouse, partner or child – 1 day of paid leave
- Employees wishing to attend the funeral of other relatives, friends or colleagues may take unpaid leave.

## **6. Sick children**

It is recognised that it can be difficult for working parents to respond to the need to care for sick children. Staff have a statutory right to unpaid time off to make arrangements for the care of a dependent child. If it is impossible to make appropriate arrangements for the care of sick children, the staff in this school may, after discussion with the Headteacher take reasonable unpaid leave to care for sick children. This arrangement applies to all staff with dependent children.

## **7. Leave to attend significant events**

The Governors recognise that from time to time staff may have the opportunity to attend a significant social event during term time. For example, the graduation ceremony for a son or daughter or the wedding of a close family member.

Teachers and term time only staff do not have a leave allowance, which can be taken during term time. This policy enables staff to take one day of unpaid leave in order to attend a significant social event. Staff must seek the express permission of the Headteacher for unpaid leave in advance of the event. The operational needs of the school will be considered before granting leave and there may be times when the Headteacher will need to refuse a request for leave.

## **8. Interviews**

All staff may take reasonable paid leave to attend selection interviews for jobs. Requests to take leave to attend an interview must be made to the Headteacher in advance of the event.

## **9. Other leave**

### ***9.1 Examination duties***

Teaching staff undertaking professional duties in connection with external examinations may take paid leave under the arrangements contained in Appendix 2 of the Conditions of Service for School Teachers in England and Wales.

## ***9.2 Study leave***

One day's paid leave will be allocated at the discretion of the Headteacher. Time off will also be paid on the day of the examination.

## ***9.3 Jury service***

Employees may take leave to undertake jury service. They are required to claim the allowance for loss of earnings from the Court and the equivalent amount will be deducted from the employee's salary.

## ***9.4 Moving house***

Staff are encouraged if at all possible to make arrangements to move house during school closures. However, if this proves impossible, staff are granted one day of paid leave in order to move house. The Headteacher is permitted to ask for documentary evidence relating to why the move could not take place during school closures.

## ***9.5 Medical and dental Appointments***

Employees are encouraged to make appointments outside normal working hours wherever possible. However if necessary paid time off to attend appointments will be granted. Staff attending such appointments must seek the permission of the Headteacher before attending. The Headteacher has the right to request to see appointment cards.

Paid time off will be permitted for the purpose of cancer screening

Fertility treatment - Employees requesting time off for fertility treatment will in general be supported. The specific needs will need to be addressed, and the various provisions for leave set out in this policy will be used to enable this to happen where reasonable. This may mean time off for medical appointments, making full use of compassionate and special leave. The leave may be paid or unpaid depending on the specific circumstances. In any event the situation will be treated with sensitivity.

## ***9.6 Time off to attend ante-natal appointments***

The Maternity Regulations provide the right for all women to take paid time off to attend antenatal care. Women staff must produce evidence of appointments if requested to do so by their line manager or Headteacher.

## ***9.7 Time off for Public Duties***

Staff who are appointed to an important office in public service, e.g., as a Magistrate, Local Government Councillor or Member of the General Teaching Councils for England will be granted up to 18 days paid leave of absence in a school year.

Staff who hold such public office should advise the Headteacher at the time of their appointment.

## ***9.8 Time off for Volunteer Members of the H.M Forces***

Volunteer members of HM Forces will be granted up to two weeks' paid leave of absence in any school year to attend summer camp where this cannot be arranged during a school vacation. If volunteers are mobilised the law protects employment and requires reinstatement on return from mobilised service.

## ***9.9 Religious festivals and Holy Days***

Staff who wish to attend significant religious festivals which fall during school term time may take unpaid leave to attend the festival. Requests for such unpaid leave must be made to the Headteacher in advance of the event.

## ***9.10 Time off to accompany a fellow employee in a disciplinary or grievance situation***

Reasonable paid time off will be granted to accompany a fellow worker at a disciplinary or grievance hearing.

### ***9.11 Trade union and professional association duties***

Staff undertaking recognised Trade Union or Professional Association duties are provided paid time off as defined in the LA's TU guidance document.

### ***9.12 National sporting fixtures***

Staff are granted reasonable paid time off where they are a national representative in sporting event.

## **10. Deductions from Pay**

Where the time off granted is unpaid, the deduction from salary will be at the following rates:- Teaching staff: 1/365th of the annual salary for each day's absence All other staff: 1/5th of a normal week's pay for each day's absence.

It is important to note that any employee who requests unpaid leave of absence understands that such leave constitutes a break in service that can affect superannuation payments and pension.

## **11. Policy Review**

This policy should be reviewed on an annual basis and will be reviewed in the light of any changes to policy and practice and changes in legislation.

OFFICIAL POLICY