



# Leave of Absence for School – Based Employees

This Policy has been formally adopted by the Governing Body of  
.....on..... (date).

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# Leave of absence policy for school-based employees

## Procedure

The provisions contained herein are in line with National and Local agreements relating to time off for employees and will be updated as necessary.

Requests for time off, under the terms of this policy, will be delegated to and dealt with by the Head Teacher. The Governing Body will only consider requests for time off outside of these provisions in extenuating circumstances, such requests having been made through the Head Teacher initially.

All requests for time off must be made at the earliest opportunity and on a Leave of Absence Request Form available from the school office.

Part 2 of the Leave of Absence request form will be returned to the employee to confirm agreement to requests. If a request is to be refused, the Head Teacher will meet with the employee to discuss the reasons for refusal. Part 2 of the request form will then be given to the employee as written confirmation.

Part-time employees will be entitled to time off, under the terms of this policy, pro rata to their contractual hours. The Head Teacher will, however, take into account the working patterns of part-time employees. (For example, an employee who works on one day a week only would be granted time off with pay for the funeral of a close relative on that working day without pro rata calculations being applied).

Where practicable, the Head Teacher may agree that an employee can make up lost time as an alternative to loss of pay.

The school will either enter the absence on self-service on SBS or notify HR Services using form HR600s, or other payroll provider, of all leave that is granted **without** pay to enable pay adjustments to be made.

The Head Teacher will ensure that absence records are maintained for all employees.

The Chair of the Governing Body will consider requests made by the Head Teacher for leave of absence under the terms of this policy.

## **1. Compassionate Leave/Funerals**

The Head Teacher will grant leave of absence in respect of the following circumstances: -

In the event of serious family illness or the death of a close relative, up to three days leave of absence with pay will be granted for any one occasion.

In addition, one day's leave with pay will be granted for the funeral of a close relative. This may be extended up to three days with pay if the funeral takes place at more than half a day's journey from Sandwell.

A close relative is defined as parent/stepparent/guardian, son/stepson/daughter/stepdaughter, brother, sister, husband, wife, partner's parents, partners, grandparents and grandparents in law and grandchild. This includes adoptive relatives.

Uncles, aunts, nieces, nephews, sisters in law, brothers in law are normally excluded. However, where the Head Teacher is satisfied that exceptional circumstances exist, one day may be granted for attending the funeral of one of these relatives.

Where employees have been raised by an uncle, aunt, brother/sister in law, the maximum compassionate leave of absence may be granted by the Head Teacher.

## **2. Time off for the Emergency Care of Dependants**

Employees will be granted reasonable time off without pay to enable them to take emergency action for the care of a dependant in circumstances such as:

- when the arrangements for caring for a dependant unexpectedly break down or are terminated;
- when a dependant child is involved in an unexpected incident at school or on a school trip;
- when an elderly relative or neighbour living alone is injured and emergency arrangements/contacts need to be made.

A dependant is either a family member or other person who relies on the employee for assistance in the particular circumstances.

## **3. Carers Leave**

Employees are entitled to one week of unpaid leave annually who care for dependants with long term needs. The right to leave is available to all employees from day one of employment. 'Long term needs' is defined as:

- Anyone with a condition that meets the definition of disability under the Equality Act 2010;
- Illness or injury (physical or mental) that requires or is likely to require care for more than 3 months, or;
- Old Age

#### **4. Interviews**

If a member of staff applies for vacancies either within Sandwell Council or for another local authority, time off with pay will be granted for the actual interview, plus reasonable travelling time.

If an employee approaches the Head Teacher with the letter inviting them for interview, time off with pay should be granted as a matter of course.

Employees who are officially “at risk” of redundancy will be afforded reasonable time off with pay for interviews with **any** prospective employer.

#### **5. Household Removal**

The Head Teacher will grant one day with pay to employees who are moving house. Employees who have an annual leave entitlement will be expected to book annual leave in respect of this day.

#### **6. Short Courses/Examinations**

The Head Teacher will grant time off with pay to enable employees to attend short courses or undertake examinations where they are relevant to the post held.

#### **7. Ordinary Parental Leave**

The Head Teacher will grant leave without pay, to allow a parent to look after or make arrangements for the good of the child, where an employee meets the following criteria:

An employee must have at least one year’s continuous Local Authority Service and:

be the parent (named on the birth certificate), or have acquired formal parental responsibility, of a child who is under 18 years of age.

or

have adopted a child under the age of 18.

(The right to ordinary parental leave will end on the child's eighteenth birthday).

Eligible employees have the statutory right to request leave, which must be taken as whole weeks (e.g. 1 week or 2 weeks) rather than individual days, unless the child is disabled. Employees cannot take more than four weeks in any one year.

The request must include at least 21 days' notice and include the dates on which the leave would start and end.

The Head Teacher has the right to postpone leave, on justifiable business grounds, for up to six months, within seven days of receiving the request.

Employees have the statutory right to request up to 18 weeks leave for each child and adopted child, up to their eighteenth birthday.

## 8. Public Duties

Employees should be aware that the interests of the School should always be put first when embarking upon any of the following duties.

However, if the Head Teacher concerned is satisfied that any time granted will not be detrimental to the School's services, leave with pay may be granted:

Purpose	Amount of Leave
Service as a Justice of the Peace.	Equivalent of 20 full days' leave per year, with pay.
Service as a member of a local authority.	Equivalent of 20 full days' leave per year, with pay.
Service as a member of a public body.	Equivalent of 12 days' leave per year, with pay.
Service as a member of the National Executive of a trade union.	Equivalent of 12 days' leave per year, with pay.
Service as a member or in connection with meetings concerned with National or Provincial Council Affairs.	Equivalent of 12 full days' leave per year, with pay.
Member of reserved armed forces	Equivalent of 20 full days' leave per year with pay.

In exceptional circumstances, leave in excess of the above amounts may be granted. However, this will be conditional upon the time lost being made good i.e., forfeiture of annual leave or leave without pay.

## **9. Jury Service**

When an employee receives a summons to serve on a jury, they should immediately report the fact to the Head Teacher. Leave of absence will be granted unless an exemption is secured.

Whilst serving as a Juror, an employee must claim allowances for loss of earnings. Normally, they receive a form with the summons asking for details of their daily rate of pay. Because this form requires the **net** daily rate of pay, this form should be sent to HR Services (or other payroll provider) for completion.

After the employee has concluded their period of jury service and has received their payment from the courts, the employee should present the form which explains how the payment has been calculated, to HR Services (or other payroll provider) so that the appropriate “loss of earnings” can be deducted from their salary/wage. Any travelling and subsistence expenses that the employee claims from the courts can be retained by the employee.

The above procedure also applies if an employee is called as a witness or attends as a defendant or plaintiff on behalf of the Authority.

## **10. School Governing Duties**

Employees who are School Governors with any School will be allowed up to the equivalent of 12 days leave with pay each year to attend day time interviews, meetings etc; this would include reasonable travelling time.

## **11. Investiture with an Honour of Decoration**

If an employee has the distinction of being included in an Honours List, the Governing Body will grant paid leave to enable the employee to attend the investiture.

The employee should let the Head Teacher see any correspondence received from the Crown in connection with this, so that leave can be arranged.

## **12. Time off for Religious Festivals**

Consideration will be given to requests for time off without pay, or annual leave, for the observance of religious festivals.

### **13. Doctors and Dentists Appointments**

Employees should arrange doctors and dentists appointments outside of normal working hours. Where the Head Teacher is satisfied that the appointment is urgent or cannot be arranged wholly outside of working hours, time off with pay will be given.

### **14. Hospital/Medical Screening Appointments**

Time off with pay will be given for employees to attend hospital appointments or medical screening appointments.

### **15. Ante Natal Appointments**

Time off with pay will be given for women to attend ante natal appointments and relaxation classes during their pregnancies.

### **16. Maternity Leave**

Entitlements to maternity leave and, where eligible, pay are detailed in "Maternity Matters", the Authority's guide to the schemes.

### **17. Paternity Leave**

Entitlements to paternity leave and where eligible, pay are detailed in the Council's Paternity Leave Guidance.

### **18. Adoption Leave**

Entitlements to time off and, where eligible, pay for the purposes of adoption are detailed in the Council's Adoption Leave Scheme.

### **19. Holiday During Term Time**

Requests for time off during term time for the purposes of an annual holiday will not be considered. School employees are contractually required to attend for work during term time and should arrange for their holiday to coincide with the school holiday period.

### **20. Campaigning for Election to Public Office**

No paid time off is allowed for employees to campaign for election, either for themselves or when acting as an agent for someone else.

### **21. Absence due to Severe Weather Conditions**

Employees are expected to attend for work in the normal way during severe weather conditions.



- Employees who arrive late as a result of adverse weather conditions will not lose pay or be required to make up lost time.
- Disabled employees with mobility problems should not attempt to come to work and will not lose pay or be required to make up lost time.
- Where school is closed to both pupils and staff, time off will be with pay.
- In normal circumstances, employees who do not come to work at all on the particular day will be required to either make up lost time or book a day's holiday where this is contractually possible. Where these arrangements cannot apply, time off will be without pay.

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