



Leave of absence policy for school based employees

Victoria Park Academy



Transform Sandwell

Working together to transform Sandwell



LIBERATA

Contents

1.	Procedure	2
2.	Compassionate Leave/Funerals	3
3.	Time off for the Emergency Care of Dependants	3
4.	Interviews	4
5.	Household Removal	4
6.	Short Courses/Examinations	4
7.	Parental Leave	4
8.	Public Duties	5
9.	Jury Service	6
10.	School Governing Duties	6
11.	Investiture with an Honour of Decoration	7
12.	Time off for Religious Festivals	7
13.	Doctors and Dentists Appointments	7
14.	Hospital/Medical Screening Appointments	7
15.	Ante Natal Appointments	7
16.	Maternity Leave	7
17.	Paternity Leave	7
18.	Adoption Leave	8
19.	Holiday During Term Time	8
20.	Campaigning for Election to Public Office	8
21.	Absence due to Severe Weather Conditions	8
	Appendix 1 - Leave of Absence Request Form	9

Leave of Absence Policy

Procedure

This policy has been formally adopted by the Governing Body of Victoria Park Academy and is effective from October 2017.

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 \(Appendix 1\)](#) 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 Head Teacher will notify Employee Services (on form [ES354](#), 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.

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.

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.

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.

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.

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.

Parental Leave

The Head Teacher will grant leave without pay, in accordance with the Parental Leave provisions of the Employment Relations Act 1999, 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 5 years of age.

or

have adopted a child under the age of 18. (The right to parental leave will end on the child's eighteenth birthday or five years from the adoption date, whichever is sooner).

Eligible employees can request leave, which must be in blocks of one or more full weeks (except where a child is disabled) up to a maximum of four weeks for each child in any 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 can request up to 13 weeks leave for each child across the five year qualifying period, or up to 18 weeks leave where the child has a disability, over a longer period of up to the child's 18th birthday.

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 ie, forfeiture of annual leave or leave without pay.

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 Employee 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 Employee 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.

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.

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.

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.

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.

Hospital/Medical Screening Appointments

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

Ante Natal Appointments

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

Maternity Leave

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

Paternity Leave

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

Adoption Leave

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

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.

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.

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.

Leave of Absence Request Form

Name:

First day of absence:

Last day of absence:

Date of return to work:

Reason for which leave is requested:

Are you requesting leave of absence with pay?

Signed: Date:

For completion by Head Teacher

Request Approved with pay

Approved without pay

Not approved

Employee Services/Payroll provider informed

Absence recorded

THIS FORM IS TO BE RETAINED IN SCHOOL

Leave of Absence

To:

Your request for leave of absence from to is:

Approved with pay

Approved without pay

Not approved

Signed:

Date:

Teacher

Head

Now please complete the following [Employee Services Form](#):