

CHULMLEIGH ACADEMY TRUST

STAFF LEAVE POLICY

This policy was adopted by the Directions on: 5th February 2020

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1 INTRODUCTION AND PURPOSE

- 1.1 The Trust recognises and values the contribution of each member of staff to the education of the children in the Trust.
- 1.2 High levels of absence among teaching and support staff pose a serious problem for a school in terms of disruption to teaching programmes, pupils' learning and other areas of a school's work. The Board of Directors is committed to managing attendance so that any disruption to the pupils' education or the effective running of the Trust 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.
- 1.3 Absence of any staff employed in schools 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 where staff are employed to work term time only.
- 1.4 This policy gives details of entitlements of members of staff in relation to absence. The number of days' entitlement given in the table below are days per occasion of absence.
- 1.5 Part-time staff will have the entitlement for leave from work reduced in proportion to the percentage of time they work.
- 1.6 The Sickness Absence Policy assists managers in taking action to arrange any appropriate support that may prevent maximum attendance of staff. This Staff Leave Policy will therefore be used in conjunction with the Sickness Absence Policy if the amount of absence taken under this Staff Leave and Absence Policy is not considered reasonable.

2 SEEKING APPROVAL FOR LEAVE FROM WORK

- 2.1 All staff will be required to follow the Trust procedures for requesting leave of absence and for reporting absence.
- 2.2 Authorised paid and unpaid absence from work for the reasons given in this policy requires prior approval.
- 2.3 Requests for paid or unpaid leave must be made in writing to the Executive Headteacher with full reasons for the request. Requests by the Executive Headteacher should go to the Chair of Directors. The request should be made as soon as it is known that it will be required, and in any case not less than one full week in advance of the proposed absence, except in exceptional circumstance such as the death of a family member.
- 2.4 The Board of Directors has given delegated authority to the Executive Headteacher to approve leave of absence requests for up to five days. For anything greater the Executive Headteacher must discuss each case with the Chair of the Resources Committee, or his/her representative, and take into account the recommendation made.
- 2.5 Requests for leave of absence will be considered taking into account

- 2.5.1 the principles of this policy;
 - 2.5.2 the best interests of the children and the school;
 - 2.5.3 treating staff in a fair, reasonable and consistent way; and
 - 2.5.4 national and local terms and conditions of employment.
- 2.6 Where the agreements refer to relatives of the first degree, this is taken to mean - husband/wife, permanent partner, brother/sister, parent and child or the corresponding relatives-in-law. Additionally the Board of Directors has decided to include grandparents or other relatives/carers who have taken on the main caring role or people who are not related but occupying a similar position in the family.

3 DENTAL AND MEDICAL APPOINTMENTS

It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstance, 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 EMERGENCIES INVOLVING DEPENDENTS

All employees have the right to take a reasonable period of unpaid time off during working hours to deal with an emergency involving a dependant. A dependant is defined as a spouse, partner, child or parent, or someone who lives with the employee as part of his/her family, i.e. not someone who lives in the house as an employee, tenant, lodger or boarder. In the case of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

5 PARENTAL LEAVE

- 5.1 Members of staff with a child up to the age of 18 years and with at least one year's continuous service with the Trust are entitled to parental leave.
- 5.2 Parental leave is only available for the purpose of caring for a child, for whom the employee has parental responsibility. A child is a person under the age of 18.
- 5.3 Parental leave is unpaid and the maximum entitlement is 18 weeks' leave (pro rata for part-time staff) for each child, in total. Parental leave is for each child, so if twins are born each parent will be entitled to 18 weeks' leave for each child.
- 5.4 The leave must be taken in blocks or multiples of one week and the maximum entitlement in any leave year is 4 weeks, unless the child is disabled. Parents of children who are registered as disabled may take the leave a day at a time, if required.
- 5.5 The member of staff must give at least 21 days' written notice of the period during which parental leave is requested.
- 5.6 If a father wishes to take parental leave following the birth of a child (in addition to

paternity leave), he is required to give at least 21 days' notice to his employer, stating the **expected** week of commencement of the parental leave and the duration of that leave.

- 5.7 In the case of adoption, a parent must give at least 21 days' notice stating the week in which he/she **expects** to adopt the child. The duration of the leave must also be stated.
- 5.8 Prior to approving the first request for parental leave the school will need to see the birth certificate, adoption paper and/or evidence of the child's disability.
- 5.9 The Board of Directors is able to require an employee to postpone his/her parental leave for up to 6 months, where the Trust cannot cope. Notice of postponement will be given no more than 7 days after the request and will state the reasons for postponing the parental leave and when it can be taken. The leave must be granted for the same period as the original request and will begin on a date determined by the Executive Headteacher, after consultation with the member of staff and be not more than 6 months after the date originally requested.
- 5.10 Parental leave cannot be postponed when the member of staff gives notice of parental leave to be taken immediately after the birth of their child or at the time of adoption.
- 5.11 The Trust will accurately record when an employee takes Parental Leave as new employers may seek a declaration of how much Parental Leave has been taken.

6 REASONS FOR LEAVE WITH PAY

| Reasons for leave with pay | Teachers | Non – Teaching staff in schools |
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| Sickness | See Section 4 of the “Burgundy Book” | See Part 2, Section 10 of the “Green Book” |
| Annual Leave | Not Applicable | See “Green Book” for all year round staff, not applicable for term time only staff |
| For officials of Trade Unions to perform I.R. duties/undertake approved training | <ul style="list-style-type: none"> i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA | <p>Authorities shall provide the necessary facilities to Trades Unions including paid leave of absence to carry out their duties.</p> <p>Clarify the local agreement.</p> |
| For Safety Representatives to perform duties and undertake associated training | <ul style="list-style-type: none"> i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA | Clarify the local agreement |
| For ante-natal care | The right to paid off time to attend for ante-natal care on production of evidence of appointments if requested. “Burgundy Book” Section 5 para 3 – Maternity Scheme | Right to paid leave - evidence of appointments e.g. appointment card, must be provided, if requested |
| Attendance as elected members at local authority meetings and properly established committees | Up to 20 days per year or equivalent. | Up to 144 working hours |
| For members of another school’s governing body | Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request. | Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request. |

| Reasons for leave with pay | Teachers | Non – Teaching staff in schools |
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| Magisterial duties | Minimum attendance requirement including training and membership of a statutory tribunal not exceeding 20 working days a year | Minimum attendance requirement including training. |
| Candidates for Parliamentary Elections | Normally not more than 5 working days | Up to 3 weeks' paid leave of absence during period up to and including polling day. |
| Lecturing in professional capacity on condition that all fees to be paid to school | At the discretion of the Board of Directors. | At the discretion of the Board of Directors up to a maximum of 12 working days |
| Duties in connection with external examinations | Refer to the Burgundy Book Appendix 2. | At the discretion of the Board of Directors |
| Reasons for leave with pay | Teachers | Non – Teaching staff in schools |
| Sitting examinations relating to professional development | Employees are entitled to paid leave of absence for the purpose of sitting for examinations concerned with the teacher's professional development to the benefit of the Trust. | Employees are entitled to paid leave of absence for sitting for approved examinations. Additional leave may be granted for final revision for approved examinations. |
| Attendance at approved conferences | At the discretion of the Board of Directors subject to conference being of benefit to the Trust and the teacher's professional development. | Up to 12 working days in any one year |
| Weddings of close relatives i.e. sibling, parent (or another family member/carer who brought up the employee) or children or corresponding relatives in law | At the discretion of the Board of Directors | At the discretion of the Board of Directors |
| Times of severe weather | Permission to leave early should not be unreasonably refused. Executive Headteacher to ascertain whether possible for teachers to undertake work activities at home in order to fulfil their statutory obligation to work for 195 days in the school year. | Permission to leave early should not be unreasonably refused. Lost hours should be made up where annual leave cannot be taken |

| Reasons for leave with pay | Teachers | Non – Teaching staff in schools |
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| Jury Service or attendance as a witness in Court proceedings | For the required period | For the required period |
| Screening for breast and cervical cancer | For reasonable periods where attendance in school time cannot be avoided. | Necessary paid time off will be granted for the purpose of cancer screening, where attendance in school time cannot be avoided |
| Members of non-regular forces – annual training | Up to two weeks – the second of which is to be unpaid. | Up to two weeks |
| Potential redundancy | Reasonable time to seek alternative employment | Reasonable time to seek alternative employment |
| Illness of a close relative i.e. partner/spouse, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law who lives with the member of staff or lives alone | <p>In cases of critical/serious illness of close relatives, up to one week's paid leave.</p> <p>Under legislation for Emergency Time Off for Dependants there is provision in the case of a sick child with a non-critical illness, for the first day to be taken unpaid after which it will be assumed that alternative arrangements for childcare will be made. However, contractual provisions override this and allow for up to two days to enable the teacher to nurse or make arrangements for nursing.</p> <p>In other relationships, applications for unpaid leave should be addressed in writing to the Chair of Directors to consider.</p> | <p>In the case of a sick child with a non-critical illness, after the first day it will be assumed that alternative arrangements for childcare will be made. The first day would fall under the Emergency Time Off for Dependants provisions and will be unpaid.</p> <p>For serious/critical illness up to 5 working days for all year round staff, half of which will be taken from annual leave or will be unpaid. Up to two and half days for term time only staff Can include taking children to hospital.</p> |
| Death or critical illness of a close relative i.e. partner/spouse, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law | Up to 5 working days. | Up to 5 working days. |

| Reasons for leave with pay | Teachers | Non – Teaching staff in schools |
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| House removal | 1 working day with as much advance notice as possible. | 1 day (term time only employees). Grey Pages 4.6(j) |
| Sports representation as competitor at national/ international level | At the discretion of the Board of Directors. | At the discretion of the Board of Directors |
| Election duties | Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections. | Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections. |

Additional leave with pay may be granted in special circumstances by the Board of Directors

Reasons for Leave without Pay

| Reasons for leave without pay | Teachers | Non – Teaching staff in schools |
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| Graduation ceremony – employee’s own partner, son, daughter or close relative | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| 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 | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Religious devotion days | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Funerals – other than close relatives as in “With Pay” section | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| House removals – in excess of 1 day | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Sporting representations below national level | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. Normally not more than 10 school days in a year. | At the discretion of the Board of Directors |
| Delays on return to school caused by industrial disputes | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |

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| Special family flights where spouse is in the armed forces | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Hospital appointments for children where both parents wish to attend. | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Visits overseas other than for professional development | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Attendance on courses for personal development not considered beneficial to the school | 1 day at discretion of Executive Headteacher and additional time at the discretion of Board of Directors. | At the discretion of the Board of Directors |
| Weddings – Employees own wedding and for those other than relatives first degree | 1 day at discretion of the Executive Headteacher and additional time at the discretion of the Board of Directors. | At the discretion of the Board of Directors |

The Board of Directors in special circumstances may grant discretionary additional leave.

END OF POLICY