

Leave of Absence Policy

To be read in conjunction with;

- Staff Equal Opportunities and Diversity Policy
- Staff Code of Conduct
- Disciplinary Procedure – Employee Handbook
- Staff Grievance Procedure
- Employee Handbook

Introduction

The Proprietor will ensure that all employees are treated equally and consistently when applying for leave of absence, in accordance with the school's Staff Equal Opportunities and Diversity Policy and taking account of differing national and local conditions of employment.

The Proprietor has responsibility for establishing the school's Leave of Absence Policy. The Head of School has responsibility for ensuring that it is followed and for monitoring staff absence rates. Unauthorised absence will be dealt with under the school's Staff Code of Conduct and Disciplinary Procedure. As in the majority of cases a quick response will be required, the responsibility for implementing this policy is delegated to the Head of School, or to the Proprietor in the case of applications for leave of absence from the Head of School.

Where an employee wishes to make representations against a decision made by the Head of School or Proprietor, as applicable, they may refer to the Staff Grievance Procedure and write to the School Business Manager giving full details of the request.

Employees have certain entitlements to leave of absence, in particular circumstances, under their conditions of service. In other circumstances the Head of School will grant leave of absence on a discretionary basis in accordance with this policy.

Entitlement

The Head of School will grant leave of absence in the following circumstances:

Entitlement: with Pay

- Examiners and Moderators for Examining Bodies
Chief Examiners and Chief Moderators will be given up to 10 school days' leave with pay in any one financial year. Examiners and Assistant Moderators will be given up to 5 school days' leave with pay in any one financial year.

Employees shall not be required to pay the school any fees or expenses received for examining and moderating duties.

- **Jury Service and Other Public Service**
An employee receiving a summons to serve on a jury must report this to the Head of School who will grant them leave of absence unless exemption from jury service is secured. The Head of School should report the dates of jury service to the payroll provider so that the necessary financial adjustments can be made. An employee serving as a juror is required to claim the allowance for loss of earnings to which they are entitled under the Juror Allowance Regulations currently in force. The school will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.
- **Witness Summons**
An employee who is subpoenaed as a witness to appear before the court should report this immediately to the Head of School, who will grant them leave of absence with pay for such time as is necessary to discharge the duty as witness.
- **Examination Leave**
All staff will be granted a maximum of 5 days' leave with pay in any academic year to sit approved examinations: this is normally half a day per examination subject.
- **Maternity, Parental, Paternity and Adoption Leave**
The school will follow national legislation.
- **Appointments with Dentist, Doctor, etc.**
These appointments should be made outside normal working time except in emergencies or where consultants, etc. are inflexible over timing.

Discretionary

The Head of School will normally apply a limit of 5 days' discretionary leave with pay per academic year, although additional time (either with or without pay) may be granted in exceptional circumstances. Applications for leave must be made 2 weeks before the proposed date(s) of leave, except in emergencies. Leave of more than one day must be sanctioned by the Proprietor. In an emergency, the Head of School can authorise up to 5 days' discretionary leave, with or without pay.

The Head of School may grant leave (either with or without pay) for a period of time in excess of the limits quoted above, and for any other good reason.

These could include any of the circumstances listed below:

Discretionary: with Pay

- **Compassionate Leave**
 - Absence necessary as a result of the death or serious illness/injury of a close member of the family, spouse, or child.
 - Breakdown of normal childcare arrangements.
 - Leave associated with their spouse's/partner's maternity at short notice to deal with unforeseen circumstances.
 - Other occasions when care of dependants is necessary.
- **Dependants Leave**
 - The Employment Relations Act 1999 provides a right for employees, regardless of length of service, to take a 'reasonable' amount of time off work to deal with certain

unexpected or sudden emergencies involving dependants and to make any necessary longer-term arrangements.

○ Dependant is defined as a spouse or cohabitee, child, parent or anyone who reasonably relies on the employee either for assistance if the person falls ill, is injured or assaulted, or to make arrangements for the provision of care in the event of illness or injury. The right does not include an entitlement to paid

dependants leave.

○ It is at the Head of School's discretion whether to pay dependants leave. Staff should have a clear understanding of the notion of 'emergency' action on these occasions; there is an expectation that they will do everything in their power, as quickly as is practicable, to make satisfactory arrangements for the dependant so that the staff member can attend work.

○ The Head of School will handle dependants leave sensitively; however, staff should acknowledge any shared responsibility for dependants, for example with their partner (where this is applicable). Staff should also understand that it is at the Headteacher's discretion as to whether they are paid for time that they take off from school to care for a dependant. Staff will not be paid, in any circumstances, for the second and subsequent days of absence of Dependants Leave.

- **Revision/Study Leave**

This is available to employees undertaking work-related qualifications.

- **Religious Festivals**

Leave will be granted. A limit of 5 days' leave in any academic year is normally applied, although additional time may be granted in exceptional circumstances.

- **Special Family Occasions**

Leave will be granted at the discretion of the Head of School.

- **Participation in National Sporting, Cultural and Similar Events**

Leave will be granted at the discretion of the Head of School.

- **Moving House**

For employees whose contractual arrangements do not allow them to take annual leave during term-time and where the move cannot be effected in a school closure period, 1 day's leave will be granted.

Discretionary: without Pay

- **Secondment for Other Paid Employment**

Leave may be granted without pay for an agreed period of time.

Applications for Leave of Absence

Requests for leave of absence (either with or without pay) should be made on the "Application for Leave of Absence" form (see Appendix 1).

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Document Review			
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0.1	Initial draft	B Gooding	06/07/2020
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Appendix 1

APPLICATION FOR LEAVE OF ABSENCE

SECTION ONE - to be completed by the Applicant

NAME:

POST HELD:

I hereby request leave of absence on the following date(s):

.....
.....

for the following reason:

.....
.....

(If there is insufficient room, continue overleaf.)

Signed Date

When this section has been completed the form should be given to the Head of School or School Business Manager in their absence.

SECTION TWO - to be completed by the Head of School or School Business Manager.

*(i) The Head of School agrees this application for leave of absence with pay.

*(ii) The Head of School agrees this application for leave of absence without pay.

*(iii) The Head of School does not agree this application for the following reason:

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.....

Signed Date

A copy of the completed form should be returned to the Applicant.