

Winchelsea



All Individuals Matter

WINCHELSEA PRIMARY SCHOOL
RUSKINGTON

LEAVE OF ABSENCE POLICY

Part 1: Introduction

Within this policy there are a number of occasions where leave of absence can be granted, many of which are statutory requirements (contained within for example the Employment Rights Act 1996, the Employment Relations Act 2004 and the Work and Families Act 2006) or form part of the National and Local Conditions of Service for the groups of staff employed in schools.

All applications for leave of absence should be made to the Head teacher in the first instance. They should be considered in line with this policy and the decision with reason communicated to the member of staff as soon as possible.

After granting any leave of absence, the time off should be recorded on the appropriate staff return indicating whether the period of absence is given with or without pay or a combination of both.

Part 2: Leave of Absence

2.1 Conditions of Service

The conditions of service which refer to leave of absence for each category of staff are as follows:-

Teachers – contained in the National and Local Schemes of Conditions of Service for Schoolteachers, a copy of which should be available at each school.

Support staff – contained in the National and Local Schemes of Conditions of Service for Local Government Employees.

2.2 Granting Leave of Absence

The decision whether or not to grant leave of absence rests with the Governing Body in consultation with the Head teacher including whether it should be with or without pay staying within the relevant conditions of service and any statutory requirements.

2.3 Leave for Extraneous Duties – All Staff in Schools

In cases where full salary is payable during leave of absence, it shall not be paid where the employee is entitled to claim full reimbursement from another source appropriate to the time lost. Attendance for Magistrate duties for example attract a financial loss allowance can then be deducted from the employee's pay.

Leave of absence for extraneous duties shall not be given or taken in any case where, in the judgement of the Governing Body, the work of the school would be seriously or adversely affected or without the prior knowledge and approval of the Governors and Head teacher.

Subject to the above leave of absence will be granted to enable staff to attend their extraneous as:-

Extraneous Duty	Provision Determined By	With/Without Full Pay	Max. Leave of Absence Within Any Period Of 12 Months
(i) Magistrates/Justices of the Peace.	Statutory Requirement	With Pay	18 Whole or 36 Half days
(ii) Members of a Local Authority as defined by the Local Government Act 1972 or members of any committee or sub-committee thereof, Members of Councils, are restricted in law to a maximum of 208 hours paid leave in any one financial year. This restriction does not apply to the Chair of the Council.	Statutory Requirement	With Pay	9 Whole or 18 Half days
(iii) A member of a Regional Health Authority or Health Authority or NHS Trust.	Statutory Requirement	With Pay	9 Whole or 18 Half days
(iv) A member of a board of visitors for prisons, remand centres or young offenders institutions.	Statutory Requirement	With Pay	9 Whole or 18 Half days
(v) Governors of grant maintained schools, higher education corporations or educational establishments maintained by Local Authority.	Statutory Requirement	With Pay	9 Whole or 18 Half days
(vi) Persons appointed to represent organisations of employees whose objectives included the improvement of the remuneration, status and conditions of employment of the members thereof except as provided for in paragraphs (xii) and (xiii) above and accredited Trade Union Officials (see later).	Conditions of Service	Without Pay	9 Whole or 18 Half days
(vii) Persons appointed as examiners for University and similar examining bodies, or as occasional lecturers on subjects appertaining to the local government services.	Conditions of Service	Without Pay	9 Whole or 18 Half days

Extraneous Duty	Provision Determined By	With/Without Full Pay	Max. Leave of Absence Within Any Period Of 12 Months
(viii) Members of an “ad-hoc” or joint committee, panel, tribunal or other similar body when appointed or nominated by a Local Authority other than the County Council.	Conditions of Service	Without Pay	9 Whole or 18 Half days
(ix) Persons appointed or nominated by a minister of the Crown, the County Council, or an association of which the County Council is a member to serve on a Committee, Tribunal, panel or other similar body.	Conditions of Service	With Pay	18 Whole or 36 Half days
(x) Members of non-political organisations whose principal objects include the improvement of the standard of Local Government services (but whose objectives do not include the improvement of remuneration, status or conditions of employment of employees), in order that such employees may attend meetings of these organisations.	Conditions of Service	With Pay	9 Whole or 18 Half days
(xi) Persons appointed to represent a Trade Union or professional association of employees at meetings of organisations of both employers and employees (e.g. joint industrial councils) established to recommend terms and conditions of employment of employees of Local Authorities.	Conditions of Service	With Pay	9 Whole or 18 Half days
(xii) Persons attending a national conference which is considered to have value in relation to the County Council’s services, and is not called primarily for discussion of pay or conditions of service, notwithstanding that the conference is arranged by a Trade Union or professional association.	Conditions of Service	With Pay	9 Whole or 18 Half days

Extraneous Duty	Provision Determined By	With/Without Full Pay	Max. Leave of Absence Within Any Period Of 12 Months
(xiii) Persons appointed as members of National Executive or National Governing Bodies of recognised (from the local list of recognised Trade Unions for collective bargaining purposes) trade unions or professional associations.	Conditions of Service	With Pay	9 Whole or 18 Half days
(xiv) Persons appointed to the office of Mayor or Chair of a Local Authority.	Conditions of Service	With Pay	9 Whole or 18 Half days
(xv) Employees requested to give their service voluntarily for activities in which their knowledge, skill, experience and judgement would be of particular value to the committee or organisation or body concerned subject to the approval of the Governing Body.	Conditions of Service	With Pay	9 Whole or 18 Half days
(xvi) Accredited trade union officials and lay members of a recognised trade union to participate in an activity properly authorised by that trade union.	PLEASE REFER TO THE AGREEMENT ON TRADE UNION FACILITIES, which can be found in Section K of the Personnel Handbook for more details.		

Note:

The responsible Governing Body may agree further leave of absence where deemed necessary in such cases.

2.4 Leave for Study Purposes and Examinations

Support staff

Leave with pay will be granted for study on an approved qualification subject to the school being able to release them. Leave with pay for associated examinations will be granted as well as an equivalent amount of time for pre-examination revision allowable for the first attempt only.

Teaching staff

Leave of absence with no formal limit with full pay will be granted for taking approved examinations and essential travelling time subject to paragraph 2.2 (Granting Leave of Absence).

2.5 Jury Service and Attendance at Court

(i) Jury Service all staff – the summons to serve on a jury must be provided to the Head teacher who will advise the Governors and grant leave of absence unless exemption is secured. Employees must claim for loss of earnings and the County Council will deduct this amount from pay. The Payroll Manager will complete the “earnings” form and will make appropriate deductions on notification from the school. Note that superannuation contributions will continue to be deducted for the whole period of absence.

(ii) Attendance at Court all staff – where an employee is required to attend following a subpoena or as a witness and loss of earnings can be claimed from public funds the “Jury Service” procedure should be followed. Where an employee attends court where loss of earnings cannot be claimed from public funds leave will normally be without pay, the employee to seek to recover costs from the court.

2.6 Military Reservists and Volunteers

Volunteer members of the Non Regular Forces who attend Summer Camp will be granted 2 weeks leave with pay additional to normal entitlement. Wherever possible staff should arrange attendance at Summer Camp during school holiday periods.

Members of the non-regular forces who are required to undertake additional training should arrange for this training to be carried out on days where they would not normally be working. If this is not possible mutually acceptable dates should be found and leave with pay granted.

2.7 Time Off to Attend Interviews

Leave of absence with pay will normally be granted for job interviews within the public sector.

Employees under notice of redundancy (with at least 2 years service) or “At Risk” for another reason will be allowed paid time off to attend interviews (both internal and external) and to search for alternative employment.

To qualify the employee must be under formal notice to terminate their employment.

2.8 Time Off for Medical Screening

Necessary paid time off shall be granted to employees for the purposes of being screened for cancer.

2.9 Hospital, Doctors and Dental Appointments

Employees should arrange Doctors/Dentists/Opticians visits to take place outside of normal working hours.

However, when unavoidable, employees will be allowed time off inside work time subject to the agreement of the Head teacher. Requests will be considered on an individual basis.

Hospital appointments are considered authorised absence and time off will be paid. Employees should be able to provide their manager with proof of their appointment (e.g. an appointment card or a copy of the appointment letter) when requesting time off to attend hospital appointments.

2.10 Leave for Family or Personal Reasons

Leave with/without pay may be approved for those occasions when employees need time off for family or personal reasons.

This may be for:-

- Reasons where there has been a close family relationship who has died, is ill, is injured, or assaulted or gives birth
- Specific caring responsibilities
- Family emergencies
- Personal reasons

Up to 10 working days paid leave plus amounts of unpaid leave may be approved in any 12 month period.

The above supplements the statutory right to reasonable unpaid time off for dependents (partner/spouse, civil partner/same sex partner, child, parent, someone living in the same household or someone who reasonably relies on the employee) for caring responsibilities or where arrangements for care unexpectedly break down.

2.11 Parental Leave

All employees with one year's service and are the parents of a child under the age of 5 are entitled to take a total of 13 weeks unpaid leave during the first 5 years of the child's life. For an adopted child, the right is 13 weeks for the first 5 years after the child was adopted up to the age of 18. For parents of a child with disabilities the right is 18 weeks during the first 18 years of the child's life. This is a statutory entitlement.

Leave should be taken in blocks of one week up to a maximum of 4 weeks in any year subject to the individual giving 21 days notice but can be postponed by the Head teacher/Governors for up to 6 months for operational reasons. The leave may not however be postponed when the individual has given notice to take it immediately after the birth or adoption of the child.

2.12 Paternity Leave

Subject to qualifying conditions, Paternity Leave is a statutory right to enable the father of the baby, including adoptive fathers, the mother's husband or partner to have one or two consecutive weeks' leave within 56 days of the birth or if the child is

born early between the birth of 56 days from the expected week of birth. An individual may take one or two week's leave however if the two week option is chosen they must be consecutive weeks.

Employees may be entitled to Statutory Paternity Pay (SPP) which is paid at the same rate as Statutory Maternity Pay.

2.13 Maternity Support Leave – Support staff only

Maternity Support Leave is a contractual right to a minimum entitlement of 5 days for the child's father or the partner or nominated carer of an expectant mother at or around the time of the birth. The purpose of granting Maternity Support Leave is to meet the needs of employees in addressing commitments outside work. In most cases such care and support would be provided by the father, however, the role may be fulfilled by a relative or someone who has a caring relationship with the mother and/or child and would normally be limited to one 5 day period in any 12 months.

All arrangements will need to be agreed between the member of staff and Head teacher with the individual expected to provide as much notice as possible prior to taking leave.

2.14 Other Leave Provisions

There will be other requests that do not fall under any of the above categories, for example:-

- For new appointees to move house into the local area
- To represent the school/County Council at a sporting event
- To attend degree ceremonies involving near relative and award ceremonies such as passing out parades
- Educational courses run by Teachers professional associations.

Up to 3 days with pay may be granted and up to 20 days without pay in any one 12 month period.

Part 3: Applications for Leave

All applications for leave of absence should be made to the Head teacher in the first instance. Where it is the Head teacher making the application this should go to the Chair of Governors.

Signed: _____
Chair of Governors

Dated: _____