

## LEAVE OF ABSENCE REGULATIONS FOR STAFF

### 1. Introduction

- 1.1 In incorporating leave of absence provisions in the locally determined conditions of service the Local Authority recognises that there are occasions when staff will find it necessary to be absent from work due to matters which are, in the main, outside their control. It must however, be understood by all concerned that absences from work have an adverse effect on the delivery of the service in which we are employed and therefore staff are required to apply for leave of absence with restraint.
- 1.2 Where leave of absence is necessary then only minimum periods of leave should be requested. This is particularly relevant to those provisions that provide for up to a given maximum – **the stated maximum must not be seen as the norm.** It is incumbent on Headteachers when approving leave of absence to take account the effect on the service and **whether the member of staff could reasonably have made other arrangements which would not interfere with their duties. This is particularly relevant in the case of part time staff.**
- \* **All absence leave is at the discretion of the Headteacher. If the policy is altered the Headteacher will inform the Management Committee members of this change through the Chair of Management Committee.**
- \* **There may also be consideration of whether the leave time can be made up in extra hours where this is possible.**
- 1.3 Applications for leave of absence from employees should always be submitted to the Headteacher on the approved leave of absence application form. Headteachers requiring leave of absence for themselves must apply to the School's Chair of Management Committee members. The maximum possible notice of proposed absence should always be given.
- 1.4 In cases of extreme necessity, where an employee is compelled to absent themselves without having obtained in writing prior consent the employee must notify the Headteacher of the school at once and complete a leave of absence application form as soon as possible after return to duty.
- 1.5 Where indicated in the regulations, salary will automatically be granted. Any additional leave requested will either be without salary or, at the discretion of the Headteacher, with salary where indicated. It will be for the Headteacher to decide whether salary is granted and then to inform the Pay & Employment of the decision. In the case of the Headteacher the Chair will make this decision.

- 1.6 All applications for leave of absence for reasons not covered by the provisions of the regulations **must** be submitted to the School's HR Management Committee members for consideration. These applications outside the provisions of the policy can only be made to the Management Committee in exceptional circumstances, at which time each case will be considered on an individual basis on its own merits.
- 1.7 When leave is granted without salary, the following rules govern the deduction from the monthly salary payment, on the basis of 1/365<sup>th</sup> of the annual salary rate for each day of absence:-
- a) For any absence of four working days or less whether including a Monday or a Friday, the deduction will take account only of working days.
  - b) For any absence of five consecutive working days, seven days (i.e. a full week's) pay will be deducted.
- 1.8 Approved absence will be with or without salary as indicated below, but in any case salary shall be reduced by an amount equal to any allowance in respect of loss of earnings which the teacher claims and receives from any other source.

<b>2. Application to take Leave</b>
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- 2.1 All leave requests should be made in accordance with arrangements in the school. Requests must be approved by the Headteacher (or delegated manager) and will be subject to the needs of the school.
- 2.2 Only where leave is approved **without pay**, should the Leave of Absence – Pay Deduction Form be completed by the Headteacher (or delegated manager) and sent to Pay & Employment.

<b>3. Annual Leave Entitlement</b>
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- 3.1 Term time only employees do not have an 'annual leave entitlement' as their leave is taken out of term time

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Please note this leave allocation is based on full time equivalent.

***Italics indicate possible Headteacher's discretionary guidance. Instances which require Headteacher discretion will be reported to HR & Partners Committee Management Committee members on a regular basis.***

Reason for Absence	Leave Entitlement		Discretionary Leave Entitlement	
	Period	With/Without Salary	Period	With/Without Salary
Death and Funeral of member of staff's immediate family, father, mother, brother, sister, spouse, residential partner or child	Minimum necessary up to a maximum of 5 days	With salary	In excess of 5 days	Normally without salary but at the <b>discretion of the Headteacher</b>
Funerals other than of member of staff's immediate family e.g. grandparents, parent-in-law, brother/sister-in-law, friend	Minimum necessary up to a maximum of 2 days	With salary	In excess of 2 days	Normally without salary but at the <b>discretion of the Headteacher</b>
N.B. Except where long distances need to be travelled the normal reasonable requirement is regarded to be one day				
Weddings of member of staff's immediate family or if attending as bridesmaid or best man	Day of wedding	With salary	In excess of 1 day	Without salary
N.B. Leave of Absence to attend own wedding is only granted in exceptional circumstances				
In cases of dependant/close family illness	Minimum necessary up to a maximum of 2 days	With salary (for 3 occasions per academic year)	In excess of 2 days or where this is the 4th occasion	Without salary

			onwards in the academic year)	
Attendance at a hospital/doctors appointment or similar where the arrangements are beyond the control of the employee <b>and cannot be arranged at a time outside normal working hours.</b>	Minimum necessary to maximum of 1 day	With salary		
N.B. This provision is in respect of appointments for the member of staff only				
Dependent's Leave	First 2 days with pay there after unpaid leave <b>Frequency at the discretion of Headteacher</b>			
Parental Leave	LA parental leave entitlements			
House removal	Minimum necessary up to a maximum of 2 days	With salary	In excess of 2 days	Without salary
N.B. Except where long distances need to be travelled leave of absence for house removal will be a maximum of 1 day				
Interview for other post	Minimum period of absence required to be able to attend up to a maximum of 2 days	With salary	In excess of 2 days	With salary
Attendance at annual camp as volunteer member of the territorial army	As may be necessary	With salary		

Transport Failure	As may be unavoidably necessary	With salary		
N.B. Once it has become known that normal transport arrangements have failed staff are expected to immediately take steps to use alternative forms of transport				
Holiday with residential partner	As may be considered reasonable	Without salary		
N.B. This provision is intended to meet cases where the employee's residential partner is compelled to take his or her main holiday during term-time for such reasons as staggering of holidays in industry. Leave for short industrial breaks should not be approved.				
Significant Award to self or member of immediate family e.g. University Graduation Ceremony, National Honours	1 day	With salary	In excess of 1 day	Without salary
Sitting for an examination	Minimum period required to attend examination	With salary		
Studying for an examination related to work as a teacher	½ day per paper on days immediately prior to examination	With salary	In excess of ½ day per paper	Without salary
Attendance at a religious ceremony or religious observance	Refer to School Policy on Leave for Religious Observance			
a) Witness at court or Jury Service	As may be required			

b) Petitioner or defendant	As may be required	With salary (no claim for loss of earnings to be made under Jurors' Allowances Regulations or other similar regulations). This will be reclaimed by the Authority		
Attendance at examiners' meetings or undertaking duties for educational bodies not connected with the work of the school or college	Minimum required up to a maximum of 10 days	With salary	In excess of 10 days	With salary at the discretion of the authority
Delegate of Professional Association at conference or meeting of executive or other National Committees of Association	As may be required	With salary except where pursuit of industrial action		
Duties of Justice of the Peace	As may be necessary up to 30 half days annually	With salary		
N.B. Salary will be reduced by the amount of the financial loss allowance claimable from the court				
Attendance as a member of an Authority at meetings of a Committee or Sub-Committee set up by another Authority	As may be necessary up to a maximum of 208 hours in any financial year	With salary up to the 208 hours. Without salary for any period in excess of 208 hours		
	As may be necessary	With salary		

Attendance at a Board of Management Committee members/ Board of Visitors				
Accompanying child for interview/school or college	As may be necessary	Without salary		
Standing as Local Councillor at Election	Day of election	With salary		
Duly appointed agent at an election	Day of election	With salary		
Visit to a new school after appointment	1 day	With salary (in negotiation with new employer)	In excess of 1 day	With salary
Driving Test	Up to ½ day	Without salary		

For Covid situations to look after dependents/children with COVID or for children who have to isolate:

- Work from home (if possible), if not possible
- Employer to consider some flexibility in working hours to assist with childcare arrangements - if possible
- Statutory Parental leave – Employees with children are **entitled** to 18 weeks **unpaid leave** per child until the child is 18. Employees can take **four** weeks in any one year taken in **full week blocks**.
- Emergency time off for an ill dependent - to a maximum of 2 days with pay (for 3 times per year) then unpaid leave for the remainder (as per current LOA policy)
- If not an emergency then unpaid leave

For Covid situations where the employee has to isolate themselves;

- If not ill – work from home where possible – paid time off
- If ill – sickness, therefore normal sick pay as per the contract

**Date of policy:** January 2022

**Date of Review:** January 2024

**Signed** ..... ( Headteacher)

**Signed** ..... ( Chair of Management Committee)