

# **Staff Leave of Absence Policy**

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## 1.0 Policy statement

Where possible, it is expected that all staff will try to arrange leave of absence during holiday periods for the Trust. However, it is recognised that the nature of the working day and terms limits the flexibility of staff to take leave for personal reasons.

It is also important to bear in mind that requests for leave must be considered against the overall working arrangements of the different categories of staff and, in particular, the need for arrangements to be made to cover such absences.

## 2.0 Scope and purpose

This policy applies to all employees of the Trust. The intention of this policy is to consider requests for annual leave and other leave which falls outside that covered under conditions of service, other policies or legislation. For example, arrangements in respect of adoption leave, maternity leave, parental leave and paternity leave can be found in the relevant policies.

Reasonable requests for leave will be considered on an individual basis by the line manager. Any subsequent disputes will be resolved by the Principal. Approval of annual leave will not be unreasonably withheld.

Applications for leave can be made by completing the relevant request form. This may be on online.

## 3.0 Teachers' annual leave

3.1 There is no provision for annual leave entitlement for teachers. Teachers are required by statutory order under the School Teachers' Pay and Conditions of Service Document to be available for work for 195 days each year (of which 190 shall be days on which they may be required to teach students).

3.2 The Principal should not normally receive any requests from teaching staff to take a holiday within term time and any requests within term time should be by exception.

## 4.0 Support staff annual leave

4.1 Entitlement to annual leave for support staff is as specified in their individual contracts of employment. The taking of annual leave is subject to the prior approval of the line manager.

4.2 The provision for support staff employed on a term-time only basis is the same as for teaching staff above. The annual leave year for support staff runs from 1 September to 31 August.

4.3 For all year round staff, the timing of holidays must be in agreement with operational requirements and some staff may be expected to take annual leave within the Trust holidays. However, there will be occasions when such staff wish to take leave during term time. Where possible, this leave will be granted, having given due regard to the exigencies of the service. All support staff are expected to take their holidays regularly through the year. Permission may be withheld if holidays have not been used and have built up, with a view to be taken in one go, or at a time that is not appropriate for the running of the academy / team.

4.4 Staff may not carry forward any holidays into the next holiday period. Any exceptions must be approved by the Principal or the Chief Operating Officer (COO).

4.5 To assist in the planning of annual leave, the management team will consider the times of year when support staff will definitely need to be present and times where there may be more flexibility. Where the management wishes to have a closure period during the holidays, this will be notified to all year round staff at the beginning of the academic year.

## 5.0 Other leave of absence

5.1 The Trust recognises that there may be times when employees will need to take additional time away from work and will comply with any statutory regulations regarding time off for employees.

5.2 Employees seeking to take leave of absence must gain approval from their line manager in advance of the leave commencing.

5.3 In exceptional circumstances, it may be necessary for employees to be absent from work before a request can be made and approved. In these circumstances, the request should be made as soon as possible, with approval or non-approval of the request being made retrospectively.

5.4 There is no intention to remove any rights previously conveyed to employees. The granting of leave is at the discretion of the Principal or the COO, but approval will not be unreasonably withheld.

5.5 Where an employee wishes to challenge a decision, an appeal should be made to the Principal or the COO.

5.6 The granting of leave will be monitored and reviewed on a regular basis to ensure fair and consistent application of the procedures for all employees.



- 5.7 There may be situations where paid leave is not appropriate, and in this case unpaid leave or time off in lieu arrangements may be considered. The following are examples of leave of absence which may be requested (this is not an exhaustive list):
- bereavement leave
  - time off to care for dependants
  - urgent domestic reasons
  - jury service / witness summons
  - justice of the Peace (Magistrate) duties
  - other public duties
  - personal health and welfare
  - examination and revision leave
  - religious observance
  - service in non-regular armed forces / volunteer reserve services
- Please see Appendix 1 for further details.
- 5.8 If an employee takes leave without permission from the Trust / academy, the leave will be considered unauthorised unpaid leave and may result in disciplinary action being taken against the employee, including dismissal. Therefore, it is important that all employees follow the relevant procedures before taking leave for whatever reason.
- 5.9 A minimum of two weeks' leave will be granted for staff who have lost a child under the age of 18, or who have suffered a still birth from 24 weeks of pregnancy.



## Appendix 1

### Leave of absence schedule (teachers' pay and conditions)

Teachers' Conditions of Service stipulate that leave will normally be granted in accordance with the following schedule. Discretion lies with the Principal only. This CANNOT be delegated to any other member of SLT.

### Excerpt from Teachers Conditions of Service - schedule for leave of absence

Reason for absence	Maximum period of absence (school days)	With or without pay	
		TTO staff	AYR staff
<b>1a</b> Death of member of immediate family (defined below).	Up to 3 days (with extra travelling time of up to 3 days if necessary)	With pay	
<b>1b</b> Death of child under the age of 18.	Minimum of two weeks	With pay	
<b>2a</b> Wedding of any member of immediate family*	1 day	With pay	Holiday request
<b>2b</b> Wedding of member of family (other than immediate family).	1 day	Without pay	Holiday request
<b>3</b> Jury service.	See conditions of service	With pay (employee must claim an allowance from court)	
<b>4a</b> Attendance at interviews – posts connected with education.	Dixons to retain discretion	With pay	Holiday request (excludes redundancy agreement)
<b>4b</b> Attendance at interviews.	As necessary	Without pay	Holiday request
<b>5</b> Attendance at meetings of Examiners for GCSE or other approved examinations.	As previously arranged with Principal	With pay	
<b>6</b> Attendance at courses (and for examination study / examination) approved by the Principal (or relevant manager for centrally employed teachers).	As necessary	With pay	
<b>7</b> Other examination leave and study where not directly related to the teacher's job.	As approved by the Principal	With or without pay	
<b>8</b> Attendance at a religious ceremony or observation of religious festival which the teacher is under a moral obligation to attend or observe by reason of his/her membership of, or office in, a church or religious order.	Up to 2 days per year	With pay	Holiday request
<b>9a</b> Moving of home by teacher or term time only staff joining the academy.	1 day and up to a further 2 days for travelling at the discretion of the Principal	With pay	
<b>9b</b> Moving of home by teacher or term time only staff moving house within the district.	1 day	With pay	
<b>10</b> Illness of member of immediate family.	2 days in an academic year	2 days in an academic year With pay	
<b>11</b> Hospital attendance of self or of immediate member of family with the exception of grandparents and grandchildren.	1 day for non chronic / non DDA	1 day with pay for non chronic / DDA conditions	
	Chronic / DDA conditions in agreement with Principal - considerations given to adaptations already made (consultant appointment - letter to evidence)	Chronic / DDA conditions in agreement with Principal - considerations given to adaptations already made (consultant appointment - letter to evidence)	
<b>12</b> Attendance at University graduation ceremony etc. where self or member of immediate family is receiving a degree, diploma or certificate.	1 day	With pay	
<b>13</b> Other urgent or private family business.	Up to 1 day discretionary	Up to 1 day discretionary	Holiday request
<b>14</b> Attendance of husband at the birth of his child. NOTE: this leave is only applicable to a teacher who does not qualify for paternity leave.	Up to 2 days at the discretion of the Principal	With pay	

#### NOTES:

Definitions of "immediate family"

For the purpose of this scheme, "immediate family" shall include: Wife, Father, Mother-in-law, Partner, Husband, Brother, Father-in-law, Stepfather, Son, Sister, Grandmother, Stepmother, Daughter, Guardian, Grandfather, Stepbrother, Mother, Ward, Grandchild, Stepsister, Stepchildren

\*EXCEPT for "Wedding of any member of immediate family" where immediate family does not include:

Self, Grandparents, Parents-in-law and Grandchildren

