

## Special Leave of Absence



### **The Spinney Primary School Special Leave of Absence Policy**

#### **1. Introduction**

- 1.1 The Governing Body recognises that the success of the school depends upon the contribution of all staff and gives full acknowledgement that a fair and effective policy on Leave of Absence contributes to the maintenance of staff morale and thereby to the success of the school.
- 1.2 The Governing Body recognises that absence from duty by staff may occur for a wide variety of reasons including compassionate grounds, jury service or for other reasons. Personal illness or injury is covered by the employee's sickness absence scheme.
- 1.3 The Governing Body will observe its statutory obligations. Broadly these are:
  - Time off for trade union duties in accordance with provisions in Section 61 and 62 of the Employment Rights Act 1996.
  - Time off with pay for safety representatives, appointed/elected by recognised trade unions both to carry out safety functions and to undergo relevant training.
  - Paid time off for ante-natal care under section 55 of the Employment Rights Act 1996, as part of the provisions for maternity leave.
  - Unpaid time off for parental leave, dependants and domestic emergencies.

#### **2. Study/Examination Leave**

- 2.1 If the Governing Body receives a request from an employee for leave of absence for the purpose of revision immediately prior to an examination for a recognised qualification or leave of absence for the day(s) on which the examinations take place the request will be considered according to the following principles:
  - The cost to the school of the leave in terms of salary, cover arrangements and organisational disruption.
  - The relevance of the qualification to the better performance of the post the individual holds.
  - The individual's career development and personal circumstances.
- 2.2 The maximum amount of leave under this heading will normally be 3 days paid leave in one academic year.

#### **3. Secondments/Extended Unpaid leave of Absence**

- 3.1 In the event that an employee requests an extended period of unpaid leave of absence the Headteacher will discuss the matter with the employee and consider the matter in relation to:

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- The cost to the school of the leave in terms of, cover arrangements and organisational disruption.
- The circumstances of the individual.

3.2 The Headteacher will make a recommendation to the committee of the Governing Body. The recommendation, if not acceptable to the employee, will be accompanied by a written statement from the employee of his/her request, with reasons.

### **4. Adoption and Maternity Support Leave**

4.1 *Information on Maternity Support Leave and for Adoption Leave can be found in Section M of the manual.*

### **5. Time Off for Public Duties and Activities**

5.1 Subject to the needs of the school employees are entitled to reasonable time off in order to carry out the following public duties and activities:

- A Justice of the Peace
- A Member of the Magistrates Courts Committee
- A Member of a Family Practitioner Committee
- A Member of a Local Authority (inc. Teacher Representative)
- Such other public duties as are referred to in of the Employment Rights Act 1996
- Serving on such other local or regional public bodies as the Governors may authorise
- Campaigning as an official candidate for a General Election
- Campaigning as an official candidate for a European Election

5.2 For a full-time employee carrying out the above activities, a reasonable amount of time off will be a maximum of 5 days (3 for duties as a JP) or the equivalent in part days per year. Time off for part-timers will be calculated proportionately to X (or Y) by reference to the working hours and working weeks.

5.3 In granting a number of days leave of absence to an employee the Governing Body require that the employee, wherever possible, will draw up a schedule of days, as far in advance as possible, in consultation with the Headteacher. In the case of the Headteacher seeking time off, consultation will be with the Chair of Governors.

5.4 In the event that the employee requests so much time off for public duties and activities that in the opinion of the Headteacher (or Chair of Governors in the case of the Headteacher) the operational effectiveness of the school suffers the Headteacher (or Chair of Governors) will discuss the need to reduce the amount of time off or make some alternative arrangements with the employee, together with his/her trade union official if requested. In the event that the matter is not resolved it will be referred to the Resources Committee of the Governors whose decision is final.

### **6. Pay for Time Off**

6.1 Time off for public duties is with pay subject to the limits of reasonableness and the provisions of 5.2, 5.3 and 5.4 above.

6.2 Pay is the normal pay that would have been earned in that period of absence.

### **7. Leave of Absence - Service in Non-Regular Forces**

7.1 Paid leave of absence will not normally be granted for Summer Camp. Additional leave of absence may be granted without pay where there are exceptional circumstances.

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7.2 Members of the Territorial Army who are required to undertake training additional to attendance at summer camp and who are unable to arrange for such training to be on days when they would normally not be working will be granted up to 5 days unpaid leave of absence.

### 8. Leave Requested in Special Circumstances

8.1 Applications for exceptional leave should be made to the Headteacher in writing as soon as the need to be absent is known. In an emergency the school should be informed by telephone.

8.2 In dealing with requests for leave of absence in special circumstances the Headteacher will apply the principles set out below.

- The cost to the school of the leave in terms of salary, cover arrangements and organisational disruption
- The circumstances of the individual including previous paid and unpaid leave granted relative to the period of employment

8.3 The list of examples is non-exhaustive and the Headteacher may exercise discretion up to the limits described.

<b>Absence Without Pay</b>	<b>Days Per Annum - All Staff</b>
<ul style="list-style-type: none"> <li>• any personal reason other than those above which, reasonably, could not have been scheduled for a non-working day or time or within annual leave e.g. dentist, optician, driving test, family occasions, sports,</li> </ul>	maximum of 3 days
<ul style="list-style-type: none"> <li>• leave in accordance with the Parental and Dependants Leave Regulations 1999</li> </ul>	as required by statute

<b>Absence with Pay</b>	<b>Days per Annum – All Staff</b>
<ul style="list-style-type: none"> <li>• Interviews for posts in the education service (This limitation does not apply where the employee is redundant or a fixed term contract is not renewed)</li> </ul>	Period reasonably necessary but not normally more than 3 days
<ul style="list-style-type: none"> <li>• Illness or injury of a significant other giving rise to serious domestic difficulties</li> </ul>	Period reasonably necessary but not normally more than 3 days
<ul style="list-style-type: none"> <li>• Death (inc. funeral) of a significant other</li> </ul>	Period reasonably necessary but not normally more than 3 days
<ul style="list-style-type: none"> <li>• Moving house</li> </ul>	1 day
<ul style="list-style-type: none"> <li>• Personal events or emergencies i.e. an event which, if response were to be delayed, would result in significant personal loss to the individual</li> </ul>	1 day
<ul style="list-style-type: none"> <li>• Representing the school in any capacity with approval</li> </ul>	unlimited
<ul style="list-style-type: none"> <li>• <u>Accepted impossible</u> travel because of weather or other public crisis</li> </ul>	Period reasonably necessary but not

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8.4		normally more than 3 days
	<ul style="list-style-type: none"> <li>Attendance as witness either on subpoena or other direction from a court or the direction of the police, or voluntary attendance at an inquest as a witness</li> </ul>	Period of attendance as necessary.

The list of examples is non-exhaustive and the Head teacher may exercise discretion up to the limits described.

- The special leave year commences on 1<sup>st</sup> September

8.5 In the event that an individual wishes to appeal against the decision of the Headteacher the matter will be considered by the Committee of Governors, whose decision is final.

8.6 The Headteacher will keep a record of all leave granted under this policy which the Committee of the Governors will review from time to time.

8.7 The Headteacher has attended the recommended course “Information Sharing in Practice” and has a duty to regularly remind staff of the school’s expectations as outlined in the Staff handbook and this Special Leave of Absence Policy.

8.8 This Policy must be reviewed annually.

### **POLICY HISTORY**

	<b>DATE</b>
Senior Leadership Team	January 2013
L Mawson (Deputy Head teacher)	March 2015
S Jelliman (School Business Manager)	October 2016
S Jelliman (School Business Manager)	April 2017

Next review due April 2018