



Mayfield Primary School

24. Leave of Absence (Teachers & Support Staff)



Our Vision. Our intention. Always start with why!

Valuing



Every Achievement

Social - Academic - Moral - Personal

We know that intention can be easy words that look and sound effective. Our true intention is one that is enabled and implemented by the actions we take to show that we mean what we say. Mayfield is committed to building a school that is viewed from the children's eyes. We ask ourselves: How will they approach this? What do they already know? What skills will they bring? Which groups require input? How do we need to teach this? What will engage them? How long do they need? What do they need us to teach them now?

So....

we know our children must be the busiest people in any room. Children must have 'active purpose' and we must erase 'learned helplessness'. Our children's starting points are a vital consideration. We must keep teaching groups as small and precise as possible. Their independence and resilience is imperative. Their strong attendance and punctuality is paramount. We want **everyone** to embrace mistakes and never be afraid to learn from them. We will draft, repeat, refine and polish to achieve lasting progress. Learning is not a rapid, one stop shop. We will talk, listen, perform and present to foster confidence. We must rapidly build vocabulary. Marking **must** have a clear purpose, a response and be as 'live' as possible. We are constantly developing a curriculum that meets our children's needs and it must utilise and embrace our unique location. Classroom layout and design is essential. A unique environment must be generated. We must provide a flexible and responsive timetable and lesson structure. Our teachers must adopt and explore many teaching styles. Social times are a chance for new ideas and to be viewed as a new opportunity and we must be insistent and consistent to foster positive behaviours. We are not afraid to change. We will dare to do and learn. We will challenge **established thinking**.

We will use common sense. We accept the fallibility of being human. We are not perfect.

We are proud to accept and respect everyone.

Enabling

Every Achievement

Genuine. Honest. Passionate. Take our hand. Change the landscape.

*** Mayfield Primary School is committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents/carers and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities. We recognise that it is unlawful to take into account anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age or sexual orientation. ***



Mayfield Primary School

LEAVE OF ABSENCE: TEACHERS

THIS IS THE GENERIC LCC POLICY ADOPTED BY MAYFIELD PRIMARY SCHOOL.

INTRODUCTION

1. This document sets out the policy framework for leave of absence for schoolteachers (including those on the Leadership Spine).
 - 1.1 This scheme applies to teaching staff in Community and Voluntary Controlled Schools and centrally managed services. It is commended to the Governing Bodies of Voluntary Aided and Foundation Schools.
 - 1.2 Leave of absence is a contractual right and minimum entitlements to paid and unpaid leave within the scheme must be met. Schools may exercise discretion to award leave, paid or unpaid in excess of the minimum. All requests for such leave should be considered on an individual basis, with due sensitivity to the circumstances.
 - 1.3 This scheme does not apply to sickness absence, maternity/adoption leave or time off for Trade Union activities for which there are separate provisions.
2. Arrangements for Supply cover for teacher absence is a matter for individual schools.
3. Leave of absence is considered in terms of 5 separate areas as follows:-
 - (a) Contractual Leave - (Section 6)
 - (b) Public Service Leave - (Section 7)
 - (c) Personal and Dependency Leave - (Section 8)
 - (d) Professional Leave - (Section 9)
 - (e) Discretionary Leave - (Section 10)

4. APPLICATIONS FOR LEAVE OF ABSENCE

The following procedures should be followed:-

- (a) Applications for leave of absence must, normally, be received at the point when the Teacher is first aware that leave of absence will be required or at least seven days prior to the first day of intended absence (except in the case of emergency/unforeseen circumstances when the Headteacher should be informed at the earliest opportunity). Failure to give adequate notice of the request without good reason so that alternative arrangements can be made to meet the teacher's commitments may result in the request not being approved.
- (b) All applications for leave of absence shall initially be made to the Headteacher on a standard pro forma. (See sample attached at **Appendix A**).
- (c) For requests for Leave of Absence which clearly fall within this scheme, these should be considered by the Headteacher who will be responsible for communicating the decision (using the sample pro-forma attached at Appendix A) to the individual.



- (d) For requests for Leave of Absence which do not clearly fall within this scheme (or any other scheme) these should be referred by the Headteacher to the relevant Governors Committee who will take into account the following:-
- The reason for the request
 - If the request is for paid or unpaid leave
 - The impact granting such leave will have on the continuity of education, any additional burden on colleagues and the impact on the school budget
 - Whether any similar requests have been approved or not approved previously
 - The precedent that may be set by granting such leave
 - Any advice sought from the Schools HR Team
 - The impact on equality

In these circumstances the relevant Committee should communicate their decision in writing giving full reasons for approving or not approving the leave using the sample pro-forma attached at **Appendix A**.

5. NOTES

- (a) Periods of leave are expressed in days. In practice, leave may be taken as days, half days or lesser periods as may be agreed.
- (b) Maximum periods of leave allowed relate to an academic year.
- (c) For teachers in Centrally Managed Services, references to the Headteacher should be taken as referring to the relevant Senior Manager. In such cases, the functions ascribed to the Governing Body will be undertaken by the relevant Head of Service. Reference to 'school' should be taken as referring to the 'service'.
- (d) Where leave of absence without pay is granted, deductions from salary will be made on the basis of 1/365 of annual salary for each day of absence.
- (e) For those schools who have entered into a Service Level Agreement with the BTLS Payroll and Pension Service all absences granted under this scheme, whether paid or unpaid, should be entered promptly onto the Oracle system.
- (f) The amount of approved leave will be reduced pro-rata for part-time teachers.
- (g) Separate provisions exist for [Maternity Leave](#), [Adoption Leave](#), [Paternity Leave](#), [Maternity Support Leave](#), [Shared Parental Leave](#) and [Parental Leave](#).
- (h) The employee is prevented from entering into any other contracted/paid employment with the Council or any other employer during either the paid or unpaid leave period.

6. CONTRACTUAL LEAVE

- (a) This refers to leave granted to teachers as a contractual entitlement under the terms of such national or local agreements as may be in force.

These are currently as follows:-

Teachers Sick Pay Regulations – See separate Absence Management Procedures

Maternity and Adoption Leave Provisions – See separate Maternity and Adoption Leave Schemes

Trade Union Facilities Agreement – See separate Facilities Agreement

Health & Safety Representatives - Leave of absence with pay will be available to Safety Representatives as necessary for performing duties as defined in the Health and Safety at Work Regulations.



7. PUBLIC SERVICE LEAVE

- (a) Teachers undertaking public service or civic duties will normally be given leave WITH PAY as follows:-
- (i) Members of local authority councils and committees will be allowed not more than 21 days paid leave for the purpose of undertaking approved duties.
 - (ii) Justices of the Peace will normally be allowed up to 18 days paid leave to undertake duties in connection with their Magistracy. On application by the teacher concerned, the relevant Committee of the Governing Body may exceptionally authorise further paid leave where necessary.
 - (iii) Teachers appointed by a Minister of the Crown, by an Association of Local Authorities or by a Local Authority to serve on a Committee, Tribunal, Panel or similar body, will be allowed up to 12 days paid leave in connection with these duties. On appointment or election to such bodies, teachers should ascertain from the outset the extent of their likely commitment and any other relevant terms and conditions of their appointment such as the payment of fees or honoraria. These details should be submitted with the initial request for leave and will be taken into account in determining the extent of any leave and on what basis it may be granted. (See also 7(b)(v) below).
 - (iv) Teachers **required** to attend a court or tribunal as a juror or witness will be allowed leave with pay as necessary. Individual teachers should complete a "loss of earnings" claim supplied by the Court. Where attendance allowances are paid in connection with public service, the amount paid will be recouped by the Human Resource, Payroll and Pension Service. The teacher should contact AskHR to agree arrangements for this recoupment. Where on jury service or other activities, the absence extends over 30 days, the teacher's superannuation position can be affected and in these cases, advice should similarly be sought through AskHR/Teacher Association Representatives.

In the case of Jury Service, the Court will provide a form to the teacher which should be forwarded to the Human Resource, Payroll and Pension Service for the insertion of the daily rate of pay. The completed form is then returned to the teacher to produce to the Court - where the amount payable by the Court will be inserted and payment made direct to the teacher - the form should then be forwarded to the Human Resource, Payroll and Pension Service who will make the necessary deduction from salary, to ensure total income is as normal.

Where teachers are required to attend a court or tribunal other than as a juror or witness, leave of absence will be granted as necessary. The question of salary payment for such absences will be at the discretion of the relevant Committee of the Governing Body.

- (v) A Childrens Services case conference on a child who is "at risk" may recommend that a Core Group be set up. Once such a Group is set up, it is important that all members participate. Occasionally, a child's teacher may be part of a Core Group, particularly where they are the only stable adult with whom the child has a relationship.

Meetings of Core Groups normally take place every six weeks and last about an hour. If a teacher is a member of a Core Group it should be possible to schedule meetings for times which cause no disruption to the school day. Where this is not possible, however, membership of a Core Group will be regarded as Public Service.

- (vi) Leave of absence with pay will be granted to teachers attending training or active service with the reserved armed forces. Any pay received by the teacher for attendance at such training or active service must be notified to the schools payroll provider so that the necessary adjustments to salary can be made. NB If a Teacher is called up for service (mobilised) they should be placed on Leave Without Pay as they will be paid an allowance by the Ministry of Defence for the period of the mobilisation. Further details can be found [here](#).



- (b) Teachers undertaking public service or civic duties will normally be given leave WITH/WITHOUT PAY as follows:-
- (i) Teachers who are Parliamentary candidates (including the European Parliament) will be allowed up to 20 days leave of absence, the first 15 days with pay and 5 further days without pay.
 - (ii) Teachers who are candidates for election to a local authority will be allowed to take unpaid leave on the day of the election only.
 - (iii) Teachers selected as official delegates to the national conference of a political party will be allowed leave without pay for the duration of the conference.
 - (iv) Leave is not normally available for polling duties or to be a party worker or for duties as a census officer or enumerator.
 - (v) Teachers appointed or elected by a Minister of the Crown, by an Association of Local Authorities or by a Local Authority to serve on a Committee, Tribunal, Panel or similar body will be allowed, where necessary, up to an additional 6 days unpaid leave in connection with these duties.
- (c) Discretionary Leave
- (i) The relevant Committee of the Governing Body may extend paid leave for teachers who are members of local authorities, or Justices of the Peace or carrying out other duties where this is necessary to enable the duties of the office to be carried out satisfactorily.

8. PERSONAL LEAVE

- (a) Teachers will be allowed leave WITH PAY for personal reasons as follows:-
- (i) **Attendance for an interview for any employment** – Reasonable time off will be available, taking into account the circumstances of individual schools. Advice should be sought from the Schools' HR Team where necessary. Pre-interview visits will be allowed at the discretion of the Headteacher.
 - (ii) **Illness of a dependant** - normally granted for emergency/unforeseen circumstances. The expectation is that the leave will be granted in order for alternative caring arrangements to be made. For each occasion, unless there are exceptional circumstances, any leave beyond 1 day will be **without pay** and a total of 6 days per year will be granted.
 - (iii) **Paternity Leave, at or around the time of the birth** - Up to 2 weeks leave for qualifying employees paid at the standard SMP Rate (See separate guidance on School Portal)
Maternity Support Leave, at or around the time of the birth - 5 days paid leave will be available. (See Maternity and Childcare Information Pack on School Portal) *(NB Employees who are entitled to both Paternity and Maternity Support Leave are only entitled to 2 weeks leave in total)*
 - (iv) **Attendance at the funeral of a close relative e.g. parent, grandparent, spouse/partner, son, daughter, brother, sister, father-in-law, mother-in-law or a dependant** – 1 day. The allowance for paid leave will normally be one day, with provision for a second, or exceptionally a third day of paid leave to be available where this is essential and unavoidable due to the travelling distances involved or where acting as the personal representative of a deceased close relative as defined above.
 - (v) **Attendance at a degree conferment or similar ceremony (eg passing out parade) involving the teacher's spouse/partner, son or daughter** - 1 day's paid leave as necessary. The allowance



for paid leave will normally be one day, with provision for a second or exceptionally a third day of paid leave to be available where this is essential and unavoidable due to the travelling distances involved.

- (vi) **Foster care/*Special Guardianship** – 1 day will be available to facilitate the fostering of a child. (Except in cases where the child has special needs when 2-3 days will be available) (*visit <https://www.gov.uk/government/publications/special-guardianship-guidance> for further information)
- (vii) **Prospective Parents (other than the expectant mother)** – 1 ante-natal visit and reasonable time off for scans as necessary

(b) Time off for medical treatment eg fertility treatment

Absences as a hospital outpatient or GP appointments (for tests etc.) will be allowed as necessary, outside the Leave of Absence Scheme, where appointments cannot reasonably be arranged outside working time.

If an employee is admitted to hospital as a day patient or in-patient this would fall within the sickness absence provisions, as they would not be in a position to attend work even if they wished to. Should a school have concerns regarding the length of any subsequent period of sickness absence following medical treatment they are advised to contact Occupational Health Unit who will advise on any likely recovery period and expected length of absence from work, which may differ from the former.

Where it is considered that the number of repeated requests for time off for medical treatment have reached unreasonable proportions any decision to refuse a request must be based upon a clear business reason(s).

Elective Surgery (eg eye laser surgery, plastic/cosmetic surgery/vasectomy) – it is expected that such procedures should be undertaken outside of normal working hours taking into account the relevant recovery period. Where this is not possible leave **without** pay may be granted.

- (c) Notwithstanding Section 8, Paragraph (a) (iii), Teachers will be allowed leave WITHOUT PAY for personal reasons as follows:-

(i) **Time off for dependants.**

There is the right to take a reasonable amount of unpaid leave to deal with incidents involving a 'dependant' - defined as the teacher's parent, spouse/partner, child or someone who lives as part of the family or for whom the teacher is the main carer.

The time off may be:-

- to help when a dependant falls ill or is injured;
- to cope when the arrangements for caring for a dependant unexpectedly break down;
- when a dependant gives birth;
- when a dependant dies or
- to deal with an unexpected incident involving a dependant child during school hours/or on a school trip

(ii) **House removal** - One day.

- (iii) **Religious Observance** necessarily undertaken in school time - not more than three days unpaid leave.

- (iv) **Attendance at the wedding** of a close relative - 1 day

- (v) **Speed Awareness Course** – Teachers opting to attend this course as an alternative to prosecution will be expected to make every attempt to attend this course outside of their normal working hours. In circumstances where this is not possible time off WITHOUT PAY will be granted.



- (vi) The Headteacher, acting in accordance with arrangements agreed by the Governors, may approve unpaid leave of absence not exceeding two days per school year for personal circumstances beyond those specified above.

9. PROFESSIONAL LEAVE

- (a) Approval for leave of absence for teachers undertaking in-service training or other professional activity outside the auspices of the school will be determined by the relevant Committee of the Governing Body having regard to the needs of the school, to the need of all teachers for professional study and extension.

NOTE: Teachers in receipt of Teacher Association Facility time should not be expected to use such time for INSET courses

- (b) Where leave of absence has been approved, the following terms and conditions will apply in respect of the activities specified.
 - (i) Except where otherwise provided, where the School has approved the attendance of a teacher on an in-service training course or for full-time secondment to an extended course of study, leave with pay will be granted for the duration of the course.
 - (ii) Not more than 18 days leave will normally be available for a teacher to participate in the work of recognised examination boards, including committee and panel work of which up to 12 days will be paid leave.

This refers to work other than that associated with the preparation and assessment of candidates under the auspices of the teacher's school.

On notification of intended nomination for, or prior application for appointment or reappointment to such positions with examination boards, teachers should ascertain, from the outset, the extent of their likely commitment and any other relevant terms and conditions of their appointment including reimbursement for supply cover. These details should be submitted with the initial request for leave and will be taken into account in determining the extent of any leave and on what basis it may be granted.

Where leave of absence for more than 10 days in an academic year is involved in connection with external examination work, the Head (and where appropriate the Governors) should seek the views of the Authority's advisory staff and take these into account together with any representations made by the teacher in determining their response to the request for leave.

- (iii) Up to 10 days leave will be available for a teacher to undertake work outside the auspices of the Authority in connection with the education service, eg television or radio work or to give lectures. Of the 10 days available the first 5 days will be with pay and any further days up to a maximum of 5 will be without pay.
- (iv) Where a teacher is undertaking approved private study for a recognised degree or diploma, not more than 20 days paid leave will be available over the duration of the course as a whole. The amount of paid leave granted for specific courses shall be determined by the relevant Committee of the Governing Body.
- (v) Paid leave of one or two days, as necessary, is available for a teacher attending for interview, undertaking an examination or attending a degree/diploma conferment ceremony in connection with a recognised course of study.
- (vi) Headteachers or teachers engaged by OFSTED for school inspection work or by DfE contractors for performance management purposes should ascertain the extent of their likely commitment and any



other relevant terms and conditions including reimbursement for supply cover. Release is at the discretion of the School. Where paid leave of absence is granted, this will include agreement as to the use of any payment by OFSTED or DfE contractors.

10. DISCRETIONARY LEAVE

- (a) The relevant Committee of the Governing Body may approve leave of absence for reasons not contained in the scheme, or for longer periods than those stipulated not exceeding four months.

APPENDIX A

LEAVE OF ABSENCE REQUEST

Please ensure this form is submitted to the Headteacher as soon as possible. Forward planning is vital and staff absence must be planned for.

Name:

Dates & Times:

Please outline reasons (with supporting document/s as relevant).

Are you requesting with or without pay?

Response from Senior Leadership

Request for leave of absence APPROVED/NOT APPROVED

Request will be WITH PAY/WITHOUT PAY

Headteacher Signature:

Date:

* A copy will be returned to the employee and the school Business Manager to record on the Oracle absence system – if required

LEAVE OF ABSENCE: SUPPORT STAFF

THIS IS THE GENERIC LCC POLICY ADOPTED BY MAYFIELD PRIMARY SCHOOL.

SPECIAL LEAVE AND OTHER LEAVE ENTITLEMENTS FOR SUPPORT STAFF IN SCHOOLS (AT MAY 2020)

(All applications for special leave shall be initially be made to the Headteacher on a standard pro-forma – Appendix A)

	PAID/ UNPAID	MAXIMUM ENTITLEMENT	QUALIFYING CIRCUMSTANCES (NB entitlements for part-time staff will be pro-rata)
SPECIAL LEAVE	With Pay	6 Days (in total)	<p>Normally granted for emergency/unforeseen circumstances eg sudden illness of dependant. However, such leave will also be granted in the following circumstances:</p> <ul style="list-style-type: none"> - Funeral of a *close relative or dependant (one day); - Funeral of a close relative or dependant where applicant is the personal representative (three days); - To facilitate the fostering or **Special Guardianship of a child (one day); - To facilitate the fostering or **Special Guardianship of a child with Special Needs (two or three days); - Prospective fathers - one antenatal visit, and one for the antenatal scan - Accompanying a dependant (ie spouse, child, parents or another person who reasonably relies on the employee for the assistance), on a medical appointment (where they need to be accompanied) <p>(*close relatives may include spouse/partner, child, parent, sibling, step-parent (including in-law equivalents), although management may choose to exercise discretion with any other relatives). (** visit https://www.gov.uk/government/publications/special-guardianship-guidance for further information)</p>
	Without Pay	2 Months (unless otherwise specified)	<p>Special Leave without pay will be considered at the discretion of School Management. Such leave should not normally extend beyond two months in any leave year other than in exceptional circumstances. Requests for any period in excess of this should be considered by the Governing Body, on their merits against the following guidelines:</p> <ul style="list-style-type: none"> - In the case of full-time courses of study/training. These should be related to the individual's current and future employment with the School and should be for the duration of the specific course with appropriate allowances for assessments etc. (See below for study leave provisions) - Special leave to care for relatives who are seriously ill/terminally ill. These can only be related to individual circumstances having particular regard to the difficulties being experienced by the employee involved. - Special leave for extended visits to members of employee's family living outside the Country, or for religious, etc purposes. These should normally be for a maximum period of three months unless there are particularly exceptional circumstances.
MEDICAL APPOINTMENTS	PAID/ UNPAID	MAXIMUM ENTITLEMENT	QUALIFYING CIRCUMSTANCES (NB entitlements for part-time staff will be pro-rata)



	With/Without Pay	N/A	<p>Absences for the purposes of attending for a medical appointment as deemed reasonable eg as a hospital outpatient, non-routine GP appointments or emergency dental visit will be allowed <u>with pay</u> as necessary (where appointments cannot reasonably be arranged outside working time). Evidence of such appointments may be requested.</p> <p>Elective Surgery (eg eye laser surgery, plastic/cosmetic surgery – it is expected that such procedures should be undertaken outside of normal working hours taking into account the relevant recovery period. Where this is not possible leave <u>without</u> pay may be granted.</p>
FERTILITY TREATMENT	With Pay	N/A	<p>Time off for any GP/hospital appointments would be allowed under the usual arrangements, that is, they should be arranged outside working hours where possible. This is additional to any special leave allowed for other purposes. If the employee is admitted to hospital as a day patient or in-patient this would fall within the sickness absence provisions, as they are not in a position to attend work even if they wished to.</p>
EXTRANEIOUS DUTIES	With/ Without pay	As detailed	<p>In the course of any one year, leave of absence for extraneous duties as outlined below duties may be granted at the discretion of the Headteacher/Governing Body for 18 whole days or 36 half days of which no more than 12 whole days or 24 half days will be with full pay:-</p> <ul style="list-style-type: none"> • Justices of the Peace • Employees who are elected to serve on the Governing Body of another school • Employees who are elected to service on a Board of Visitors to Prisons, Remand Centres and Young Offender Institutions
TRADE UNION DUTIES AND ACTIVITIES	With/ Without pay		<p>Time off for Trade Union Duties And Activities See Appendix B</p>
OTHER PROVISIONS			



	With/Without Pay	N/A	<p>In the course of any one year, leave of absence for the following reasons may be granted for 18 whole days or 36 half days of which no more than 12 whole days or 24 half days will be with full pay (unless specified below):</p> <p>Parliamentary Election</p> <p>Candidates - Any member of staff adopted as a candidate in a parliamentary election (including an election for the European Parliament) is granted up to four weeks leave of absence, no more than <u>three with pay and one without</u>, to enable him/her to conduct the electioneering campaign. If the candidate is elected to Parliament, he/she is required to terminate his/her employment with the School.</p> <p>Agents - Any member of staff who acts as an official agent in a parliamentary election may be granted up to three weeks leave of absence <u>without pay</u> to enable him/her to assist in the conducting of the electioneering campaign.</p> <p>Leave of absence - service in non-regular forces</p> <p>Employees who are members of the reserved armed forces will be granted up to two weeks leave <u>with pay</u> for the purposes of attending summer camp, if this falls within the person's normal working time. NB If an employee is called up for service (mobilised) they should be placed on Leave Without Pay as they will be paid an allowance by the Ministry of Defence for the period of the mobilisation. Further details can be found here.</p> <p>Election duty</p> <p>Leave <u>with pay</u> will be allowed to employees performing election duty.</p> <p>Open University</p> <p>The Open University organises summer schools of one or two weeks duration in order that those studying for a degree can meet to discuss parts of the syllabus with tutors and other students. Where the School has provided financial assistance to undertake the course it will allow students up to two weeks leave <u>with pay</u> each year for the purpose of attending the summer school, if this falls within the person's working time.</p> <p>Attendance as a Witness in Court</p> <p>Absence due to attendance as a witness in court will be allowed as necessary, <u>with pay</u>, outside the Special Leave arrangements.</p>
TIME OFF FOR DEPENDANTS	Without pay	N/A	See Appendix C for full details.



STUDY LEAVE	With pay	6 Days	In cases whereby the School Management has deemed a particular course of study to be relevant to the individual's employment, up to six days study leave <u>with pay</u> per year <i>may</i> be granted, to be calculated on the general principle of one day study leave per examination subject. The timing of such leave is a matter of discretion for the School Management.
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Note:

Separate provisions exist for [Maternity Leave](#) , [Adoption Leave](#) , [Paternity Leave](#) , [Maternity Support Leave](#) , [Shared Parental Leave](#) and [Parental Leave](#).

- (i) This scheme does not preclude the consideration of individual cases which do not appear to fall clearly within the specific definitions, any such considerations to be approved by the School Management who may seek advice from the Schools HR Team if necessary.
- (ii) The employee is prevented from entering into any other contracted/paid employment with the Council or any other employer during the unpaid leave period.
- (iii) All entitlements are pro-rata for staff who work less than 5 days per week
- (iv) It is for each school to determine the specific leave year for granting and monitoring requests, eg 1st September – 31st August or 1st April to 31st March.

APPENDIX A

LEAVE OF ABSENCE REQUEST

Please ensure this form is submitted to the Headteacher as soon as possible. Forward planning is vital and staff absence must be planned for.

Name:

Dates & Times:

Please outline reasons (with supporting document/s as relevant).

Are you requesting with or without pay?

Response from Senior Leadership

Request for leave of absence APPROVED/NOT APPROVED

Request will be WITH PAY/WITHOUT PAY

Headteacher Signature:

Date:

* A copy will be returned to the employee and the school Business Manager to record on the Oracle absence system – if required



APPENDIX B

GUIDANCE FOR MANAGERS ON TIME OFF FOR TRADE UNION DUTIES AND ACTIVITIES

Introduction

Trade union representatives have a statutory right to reasonable paid time off from employment to carry out trade union duties and trade union training. They also have a statutory right to reasonable unpaid time off when taking part in trade union activities.

There are positive benefits for schools in supporting the role of the trade union representative. Effective trade union representatives can aid in the resolution of problems and conflicts at work and, by granting reasonable time off to represent or accompany members, formal procedures can be progressed more speedily.

The role of the trade union representative can be demanding and complex and, in order to perform effectively, sufficient time off should be given from their normal duties, where appropriate, to undertake trade union duties and relevant training.

It is important to draw a distinction between trade union duties, which are paid, and trade union activities, which are unpaid.

Trade union duties

Duties are likely to be the following:

- providing advice to trade union members;
- meetings to prepare for and represent/accompany trade union members at formal hearings etc.;
- attending meetings with school management representatives to discuss individual cases/disputes;
- meetings with officer representatives as part of formal/informal consultation/negotiation.

Trade union activities

Activities are organised and conducted by the trade union and can be, for example:

- attending workplace meetings to discuss and vote on the outcome of negotiations with the Local Authority and/or School;
- voting in union elections;
- having access to services provided by a Union Learning Representative;
- branch meetings of the union where the business of the union is under discussion.

Considering a request for time off

When a trade union representative submits a request for time off, the request should be reasonable and the time off sufficient to undertake the duty or activity. Time off should be granted subject to a balance between the needs of the school and the needs of the employee to be represented.

The trade union representative should provide the Headteacher with the following information when making a request for time off, giving as much notice as possible:

- the reason for the request (but preserving personal confidential information);
- the date, time and duration of time off required;
- details of any training course to be attended (for example, the content of the training course).



A mutually convenient time should be agreed where possible which minimises the effect on school.

Factors to take account of when considering a request for time off:

Reason

The reason for the time off and the scale or complexity of the issue.

Time

The amount of time that has already been granted to deal with this particular issue, or to undertake TU duties for other members.

Availability

Whether other trade union representatives are available to undertake these duties.

How the workload of the employee can be managed during their absence and the likely impact on the service.

Needs of the TU member

The needs of the employee requesting representation.

The working patterns of the trade union representative and the employee requesting representation.

Headteachers should consider each request for time off on its merits, taking into account the above factors and must act reasonably when considering requests and balance each request for time off with the needs of the school. Headteachers should be flexible wherever possible, particularly where the trade union representative is involved in matters where their non-release may delay a disciplinary hearing, for example.

The amount of time requested to be taken off will fluctuate depending on the nature and complexity of matters trade union representatives are involved in and the numbers of trade union representatives available at a given time to undertake the duties.

Procedure for recording time off for trade union duties/activities

Trade union representatives should submit any request for time off to the Headteacher using the Oracle system. The Headteacher will approve the request or otherwise and record on Oracle.



APPENDIX C

TIME OFF FOR DEPENDANTS

Employees have a right to reasonable unpaid time off during working hours in order to care for or provide assistance to Dependants.

The right to reasonable unpaid leave is available:

- to provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted;
- to make arrangements for the provision of care for a dependant who is ill or injured;
- In consequence of the death of a dependant;
- because of the unexpected disruption or termination of arrangements for the care of a dependant;
- to deal with an incident which involves a child of an employee and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for him/her.

Notification: In order to obtain such leave the employee must inform his/her line manager as soon as he/she can, stating why there is a need for the absence and how long the absence is expected to be.

For these purposes a "dependant" means a spouse, child (of any age) parent or someone who lives in the same household as the employee (not an employee, tenant, lodger or boarder) or another person who reasonably relies on the employee for the assistance.

Reasonable Time Off Calculation: For the above purposes the School Management will consult with the employee in deciding what is a reasonable period of absence and will consider what is practically to be done and how much time this would reasonably take, the particular circumstances which might justify a longer period in particular circumstances, the needs of the School and where appropriate a considered balance between these factors.

An approach which is consistent, which allows for management discretion and which reflects individual circumstances will be taken.

In this respect, clarification provided by direct.gov.uk indicates that, for example, if an employee's child falls ill, the time off must be sufficient to enable the employee to cope with the crisis - to deal with the immediate care of the child (visiting a doctor if necessary) and to make alternative, longer-term care arrangements. But the right will not enable a mother to take a fortnight off while her child is in quarantine.

In most cases, whatever the problem, one or two days will be the most that is needed to deal with the immediate issues and sort out longer term arrangements if necessary.

NB. *The above entitlements to unpaid time off do not preclude the granting of Special Leave with pay within a six day allowance where the circumstances are appropriate and such leave should always be considered first where appropriate.*