



CAMBOIS PRIMARY SCHOOL

LEAVE OF ABSENCE POLICY AND PROCEDURE

In keeping with other policies and procedures, this document is issued for guidance and is not intended to have contractual effect. school reserves the right to vary, amend or depart from the contents of this policy and procedure from time to time in appropriate circumstances.

1.0 Policy

Cambois Primary school recognises that teachers and some support staff are not able to take annual leave outside of school closure times and do not, therefore, have the flexibility to arrange time off during term time.

Cambois Primary school aims to support employees to achieve a better balance between work and their other priorities and also to attend and deal with unforeseen and unavoidable circumstances.

The school is committed to considering any applications for leave of absence and believes that in doing so, this can result in a more efficient and productive school where employees are motivated.

2.0 Scope

The leave of absence policy and procedure applies to all full time, part time permanent, and temporary teacher and support staff employees.

This policy and procedure do not apply to absence due to: illness or injury; adoption, maternity, parental, and paternity leave; time off for trade union duties and activities; or time off for training, which are included in other school policies and procedures.

3.0 Definitions

Employee: full time, part time, permanent and temporary teachers and support staff who undertake to do work under an employment contract for school, personally. Employees are entitled to a wide range of employment rights.

4.0 Principles

All employees, regardless of length of service and hours worked may apply for reasonable leave of absence from work to deal with unexpected problems.

The school understands and will adhere to its duties and obligations under the relevant legislation and regulations including the Conditions of Service for School Teachers in England and Wales, the NJC Conditions of Service for Local



Government Services the Equality Act 2010 and the Part Time Workers Regulations 2000.

It is recognised that employees working term time only, usually do not have the flexibility to take annual leave outside of school closure time and that at times these employees will be faced with difficult or emergency situations where time away from work is needed to detail with these. These factors will be taken into account considering the approval of leave of absence applications and the need to balance work and life issues.

Management will give reasonable, careful, sympathetic and consistent consideration to each application for leave of absence and it will be recognised that individual circumstances and cultural differences which may exist.

Each application for leave of absence will be considered on an individual case basis and the amount of leave approved will be based on the particular needs of the case, including the reason for the application and the employees work and personal circumstances, the impact of the leave on the operational needs of the school and any costs incurred in covering the leave.

The demands of the service and employee availability will be balanced with the employee's application for leave.

5.0 Responsibility

5.1 Governing Body

The Governing Body has responsibility for adopting, developing and reviewing this policy and procedure and ensuring that effective monitoring systems and procedures are in place.

The Governing Body has delegated authority to the Headteacher, to make decisions in relation to leave of absence. Where there is a specific request or repeated requests the Headteacher will ask the governors for advice.

5.2 Headteacher

The Headteacher will:

- understand clearly this leave of absence policy and procedure and ensure that these are communicated to all employees;
- maintain accurate records of all decisions and the rationale for decision when considering applications for leave of absence;
- consider and make a decision on each application consistently objectively and fairly; and
- exercise any discretion fairly ensuring that this does not result in any discriminatory outcomes in relation to the granting of leave.



If requests are made to the Headteacher, above: Applications for leave of absence from the Headteacher will be decided by the Chair of Governors.

5.3 Employee

The employee will:

- fully understand and comply with this leave of absence policy and procedure; and
- request leave of absence with appropriate notice, where possible.

5.4 Responsibility for this policy lies with the Headteacher who has responsibility for the process for leave of absence.

6.0 **Antenatal Appointments**

Information regarding antenatal appointments can be found in the maternity policy and procedure.

7.0 **Award Ceremonies**

Employees will be granted up to 1 day's unpaid leave of absence to attend award ceremonies involving him/herself, the employee's partner or child

8.0 **Bereavement Leave**

Employees will normally be granted up to five days' paid bereavement leave of absence for the death of a close relative. Close relatives will usually include the employee's spouse, civil partner, parent, brother/sister.

The employee's role in making the funeral arrangements and in dealing with the deceased's estate, the extent of the travel involved and the relationship between the employee and the deceased will be considered when deciding the length of any leave.

Where the relationship has lapsed, is distant or there has been little communication over a period of time discretion will be applied and this may result in an application for leave not being granted.

Employees will normally be granted up to one day's unpaid leave of absence for attendance at the funeral of other close relatives or friends and will normally be granted the minimum part of the day necessary.

8.1 Parental Bereavement Leave

Parental bereavement leave is available from day one of employment. It is available to employees on the death of a child under the age of 18. Parental bereavement leave if you fall into any one of the following categories:



- A 'natural' parent.
- An adoptive parent, and those with whom a child has been placed under the 'foster to adopt' scheme, provided the placement is ongoing.
- A 'natural' parent where the child has been adopted but a Court Order exists to allow the 'natural' parent to have contact with the child.
- An employee who is living with a child who has entered Great Britain from overseas in relation to whom has received official notification that they are eligible to adopt.
- An intended parent under a surrogacy arrangement where it was expected that a parental order would be made.
- A 'parent in fact' which is someone in whose home the child has been living for a period of at least four weeks before the death and has had day to day responsibility for the child, subject to exceptions. This category includes guardians and foster parents but does not include paid carers.
- The partner of anyone who falls into the above categories, where they live in an enduring family relationship with the child and their parent.

In addition, parents who suffer a stillbirth or a child dies after 24 weeks of pregnancy are entitled to take parental bereavement leave. Details on taking Maternity Leave following a stillbirth can be found in the school's Maternity policy. Parental bereavement leave cannot be taken at the same time as maternity or paternity leave.

A total of two weeks may be taken as parental bereavement leave which can be taken as one week, two consecutive weeks, or two separate weeks. One week must be taken at a time, rather than days. Leave can be taken at any time during the first 56 days after the child's death.

To request leave after the 56th day following the child's death then one week's advance notice must be given.

You will qualify for statutory parental bereavement pay during leave if you meet the following criteria:

- You have been continuously employed with us for at least 26 weeks by the week prior to the week in which the child dies
- Your normal average weekly earnings are not less than the lower earnings limit relevant for national insurance purposes
- You are still employed by us on the date the child dies.

8.2 Parental Bereavement Pay

In order to receive statutory parental bereavement pay, you must provide us with notice of this and the following information within 28 days, or as soon as is reasonably practicable, of the first day of parental bereavement leave:



- The child's name
- The date of the death or stillbirth
- A declaration that you fall into the one of the categories listed under 'Eligibility' above.

The school will grant full pay for the parental bereavement leave taken.

9.0 Compassionate Leave

Compassionate leave will normally be defined as unforeseen absence from work taken to cover difficult, personal, emergency situations e.g., burglary, house damage or fire. Employees will be granted up to one day's compassionate leave of absence and this will be paid.

10.0 Dependant's Leave (Time Off For)

In one calendar year

Employees may be granted up to a maximum of 1day' **paid** leave of absence to deal with emergency incidents involving a "dependant".

A dependant is defined as an employee's spouse, partner, parent, child or someone else who lives in the household as part of the employee's family, and who depends on the employee for care. It does not include tenants or boarders living in the same household.

Some examples of dependant's leave are:

- where support is necessary when a dependent falls ill;
- when support is necessary where a dependent is injured or assaulted, or gives birth;
- to make longer-term arrangements for a dependent who is ill or injured;
- the death of a dependent;
- an unexpected incident involving a child of the employee when the child is at an educational establishment;
- when there is an unexpected disruption or breakdown in care arrangements for a dependent.

It is expected when time passes this leave of absence then time will not be paid and it is also expected that parents share this role for dependent leave.

11.0 Domestic Emergencies/Unavoidable Personal Business

Employees will be granted up to one day's unpaid leave to deal with an unavoidable domestic emergency or personal business.

12.0 Examination Board Duties



Teachers will normally be granted reasonable paid leave in connection with the preparation and marking of external examinations, moderator or reviewer and to attend, as examiners or advisers, meetings of approved examining bodies. The school will be reimbursed by the Examinations Board for the absence of the teacher.

13.0 Examinations/Revision Leave

Employees will be granted unpaid leave of absence to attend and sit examinations designed to lead to additional qualifications and approved by the school

14.0 Elections

An employee, who is a candidate in a local or national parliamentary election will be granted up to 2 day's leave of absence in one year [from 1 September to 31 August] and this will be unpaid.

Teachers working on elections will be paid in accordance with the Authority's policy.

15.0 Jury Service and other Attendance at Court

An employee will be granted paid leave of absence to attend court as a juror, when summoned. Although the leave is paid, employees should still claim for loss of earnings, travel costs and a subsistence rate during jury service under the Juror's Allowances Regulations. A claim form can be obtained from the Court and when completed, should be forwarded to the payroll department and this sum of money will be deducted from the employee's salary.

An employee required to attend court as a witness due to their employment, will take paid leave from work and should claim usual business travel and other expenses.

Employees will be granted unpaid leave of absence to attend court as a defendant, plaintiff but paid leave if as a witness.

16.0 Medical Appointments

16.1 Medical and Dental Appointments

Employees are expected to arrange medical and dental appointments in their own time, wherever possible. However, it is recognised that an employee may be unable to arrange a hospital appointment outside of their working hours.



Where an application for leave of absence is submitted, the employee should include evidence of the appointment. Where leave of absence is granted, this will be paid for one appointment per year. It is expected staff come back to work or come to work prior and after appointments. Dental appointments will be unpaid unless it is an emergency procedure. Treatment as an outpatient is regarded as sick leave and should be recorded accordingly.

16.2 Medical Screening

The employee should include evidence of the appointment with an application for leave of absence to attend medical screening.

Support staff will be granted necessary paid leave of absence to attend cancer screening.

Teachers will be granted necessary paid leave of absence to attend cancer screening.

Support staff will be granted necessary unpaid leave of absence to attend screening for life threatening conditions.

Teachers will be granted necessary paid leave of absence to attend screening for life threatening conditions.

Where a disabled employee requests to attend medical appointments, reasonable adjustments under the Equality Act 2010 will be considered.

16.3 Accompanied Medical and Dental Appointments

Employees will be granted paid leave of absence to accompanying their child or partner to a medical appointment but not paid for a dental appointment unless it is an emergency.

Employees **will** be granted **paid** leave of absence to accompanying their child or partner to a medical with a consultant or specialist. Routine dental appointments will not be paid.

16.4 Elective Lifestyle Procedures

Employees are required to arrange elective lifestyle procedures e.g., the removal of moles, birthmarks, warts, cosmetic surgery, during annual leave or school closure. Leave of absence will not be granted for these procedures.

However, where there is a medical recommendation for the procedure to be undertaken and written evidence is provided to confirm this, sickness absence may be taken.



16.5 Fertility Treatment

Employees are encouraged to arrange treatment in their own time, wherever possible. However, it is recognised that an employee may be unable to arrange a hospital appointment outside of their working hours.

Employees will be granted up to [five] day's leave of absence in one year [from 1 September to 31 August] to undergo fertility treatment and this will be paid.

17.0 **Moving House**

Employees are expected to make arrangements to move house outside of working hours. However, in exceptional circumstances, where this is not possible, employees will be granted one day unpaid leave of absence to move house.

Arrangements made under a relocation arrangement between the employee and the school are excluded from this policy and procedure.

18.0 **Prevention from Return from Annual Leave**

Employees will be granted up to [one] day's leave of absence where an employee's planned return from annual leave is prevented due to a situation outside of his/her control, for example, where travel times are changed by the operator. Evidence must be provided that the situation was outside of the employee's control. The leave will be paid.

19.0 **Public Duties (Time Off for)**

Employees will be granted reasonable paid leave of absence to attend the following public duties: - *(NB: paid or unpaid leave could be considered for each of the activities, rather than an overall decision applying to all.)*

- Justice of the peace (JP);
- Prison visitor;
- Member of a local authority;
- Member of a police authority;
- Member of a statutory tribunal;
- Member of certain health and education authorities e.g., a school governor;
- Member of a probation board;
- Member of youth offender panel;
- Member of a registered housing board;
- Member of a registered social landlord and tenant management organisation;
- Member of the Service Authority for the National Criminal Intelligence Service or the Service Authority for the National Crime Squad;



- Member of a board of prison visitors or a prison visiting committee;
- Member of a relevant health body;
- Member of a relevant education body;
- Member of the Environment Agency, the Scottish Protection Agency or a relevant Scottish water and sewage authority.

20.0 Religious Events

Employees **will** be granted unpaid leave of absence to attend religious observances.

21.0 Reserve Forces Membership

Employees, who are members of the volunteer reserve forces, will be granted up to [10] day's leave of absence in one year [from 1 September to 31 August] where they are required to attend the reserve forces annual camp training event for two weeks. This leave will be unpaid.

Documentation from the relevant reserve force confirming that the training is required and must take place on a specific date must be attached to the leave of absence application form.

In most cases a reservist will receive at least 28 days' notice of call up for full time service, but may receive less if needed urgently. school may delay or cancel mobilisation if it is believed that it would seriously harm the **school**.

22.0 School Closure

If a management decision is taken that the school will remain open during severe weather conditions (regardless of whether or not it is open to pupils/students) and where it is safe to do so, employees must make a genuine effort to report for work at **their** normal time. This may include leaving extra time for the journey, taking an alternative route, travelling on foot or by bicycle, where appropriate and safe. Employees who are genuinely unable to travel to work must contact the Headteacher to discuss alternative arrangements. These may include working from home where possible, or from an alternative place of work if available, taking annual leave where possible, or working the missed time once the employee is able to reach work. Where alternative arrangements are not possible, employees will be granted unpaid leave of absence.

If a management decision is taken that the school will close to pupils/students and staff, employees should undertake appropriate professional duties offsite. Where this is not possible employees will be granted paid leave of absence.

23.0 Selection Events



Employees will be granted up to three days' paid leave of absence for the purpose of attending a selection event for another appointment within the local government service. The leave is dependent upon the length of the selection process involved.

Leave of absence for the purpose of attending a selection event for another appointment with other prospective employers up to 3 days paid.

24.0 Sporting Events

Where an employee is representing their region, county or country, as an amateur competitor, or is acting a coach or judge in a regional, county, national or international sporting event, reasonable leave of absence will be granted. The length of the leave will be dependent upon the individual circumstances and will be paid if it not able to take place at other times and proof is given.

Employees will not normally be granted leave of absence to take part in a sporting event on a professional basis.

25.0 Travel Arrangements (Disruption of)

Employees will be granted paid leave of absence where disruption to daily travel facilities e.g., transport strike, delays or prevents attendance at work for that day only.

26.0 Union Duties (Time off for)

Information regarding time off for duties in connection with union membership and representation can be found in the time off for trade union duties and activities policy and procedure.

27.0 Weddings

Employees are expected to arrange their own wedding or civil partnership at a weekend or during periods of annual leave or school closure.

In exceptional circumstances, eg due to a partner's job, where the ceremony must take place during an employee's working day, employees will be granted leave of absence

Employees will not be granted leave of absence to attend the wedding or civil partnership of a close relative or friend.

28.0 Other Circumstances

It is recognised that the above list is not exhaustive. Applications for paid and unpaid leave of absence for circumstances not included above, will be considered on an individual case by case basis.



29.0 Procedure

1. A request for leave of absence form should be completed by the employee and forwarded to the Headteacher with a copy of the documentation confirming the appointment, where appropriate, for consideration.
2. Where practical, the application should be received by the Headteacher at least 10 working days prior to the first day of leave requested. It is recognised that this notice period may not always be possible to meet and in emergency situations, the employee should contact the Headteacher by telephone or email, to request the leave. Where short notice is given and the request agreed to, an application for leave of absence form should be completed at the employee's earliest opportunity.
3. Requests for leave of absence will be decided by the Resources committee.
4. Accurate records of each application for leave of absence will be kept on employees' personnel file.

30.0 Failure to Comply

Where an application for leave of absence has been refused, it is expected that the employee will attend their normal hours of work.

Any time taken off under the terms of these guidelines must be used for the purpose specified only.

Where an employee does not comply with the above, the matter will be dealt with under the disciplinary procedure and may result in disciplinary action, up to and including dismissal.

31.0 Monitoring and Review

This policy and procedure will be monitored and reviewed two yearly by Resources Committee. Where there are issues with the way the policy and/or procedure are working, these will be looked at closely with a view to identifying measures to improve their effectiveness.

Document Record

Version	Reason for Amendments/Update/Review	Date of Adoption by Cambois Primary	Date of next review
1.0	New policy and procedure provided by debbiejuddhr.	23 rd Nov 21	



Key: HR It is recommended that HR advice is sought in relation to this.