

St Matthew's RC High School



ST. MATTHEW'S
Roman Catholic High School

We Pray, We Care, We Achieve

Leave of Absence Request Policy and Procedure

Reviewed: July 2019

To be reviewed: July 2022

We Pray, We Care, We Achieve

All policies and procedures are underpinned by our School Mission Statement;

- **We pray** as a community with Christ and with the teachings of the Gospel at our centre, shown in the things we do and in the ways we worship together.
- **We care** for everyone in our school community, respecting them as individuals created by God and recognising and celebrating talents and successes. We see caring for others in the world outside of our school as part of our Christian responsibility.
- **We achieve** the best we can in all aspects of school life by learning in lessons, succeeding in examinations and committing to extra-curricular activities.

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Purpose

1. The general purpose of this document is to provide guidance to Headteachers and Governors to assist them in making fair decisions on granting leave of absence. This document sets out to clarify the responsibilities of both Headteachers and Governors.
2. Some leave of absence is a legal right although often without salary. Employees have some contractual entitlements and some are discretionary. All decisions should be made fairly and consistently within the context of the school's policy on equal opportunities and with regard to current legislation on discrimination on the grounds of disability, race and gender. If an employee is disabled they may, under disability legislation, be entitled to time off that will not be classified as sick leave but this is necessary because of the disability.

Section 1 General Guidance

- 3. The IEB will delegate responsibility for decision making in most cases to the Headteacher. Advice is always available.**
 - a) When considering applications for leave of absence consideration should be given to the impact on the school organisation including arrangements for cover, the effect on other staff and the need for consistency without discrimination.
 - b) In some circumstances it may be considered appropriate to grant up to 2 days' additional leave for travel if the employee has to travel a considerable distance, which may also include an overnight stay.
 - c) Headteachers should request documentary evidence (e.g. appointment cards) where necessary.
 - d) Employees should seek to arrange medical appointments (hospital, dental, etc) outside the normal working hours wherever possible.
 - e) All requests for leave of absence must be made at the earliest opportunity and in writing. Absences for emergency reasons must be followed up in writing immediately after the event. Requests must be made to the Headteacher. Requests for leave by the Headteacher must be made to the Chair of the IEB.
 - f) Headteachers have discretion to allow leave for other good or urgent reasons not covered by this document.

Section 2 Public Duties

4. For absences for duties such as Member of Local Authority; Member of other Public Authority; Justice of the Peace: Up to a maximum of 18 days' paid leave in any one school year. Any additional leave must be taken as unpaid. Where possible the dates of the leave should be negotiated with the Headteacher in order that the work of the school does not suffer unduly. The member of staff and the Headteacher should consider the impact of the absences on the organisation of the school including cover arrangements.

5. **Jury Service or witness at court.**

Granting time off for Jury Service is **not** discretionary. Where a member of staff is realised by the court for a full or half day they should attend work as normal. Where a member of staff is on jury service they **must** claim the allowances to which they are entitled and they **must** inform the relevant payroll provider of the allowances they receive. The onus for claiming allowances lies with the member of staff. The employee retains the allowance and their salary is reduced by the same amount. Failure to claim allowances will result in the amount that could have been claimed being deducted from salary.

6. Time off to attend Court as a summoned or subpoenaed witness is **not** discretionary. Any witness expenses must be claimed and declared to the relevant payroll provider. Time off to attend court as a voluntary witness is discretionary. The Headteacher will need to consider the individual circumstances including the impact on the school organisation and the cover arrangements.

7. **Non-Regular Forces (territorial army)**

5 days' paid leave plus 5 days' unpaid to attend the annual conference. Paid time off for attendance at summer camp is **not** discretionary. Wherever possible staff should negotiate to attend a camp outside term time. Evidence that this has not been possible may be requested when applications for leave in term time are considered.

8. **Service as a school governor**

Normally a maximum of 4 days' paid leave in any one school year. Additional days at full or not pay may be given at the Headteacher's discretion. The Headteacher will need to consider the individual

circumstances including the impact on the school organisation and the cover arrangements.

9. **Health & Safety**

Under the Safety Representatives and Safety Committees Regulations 1977, reasonable paid leave **must** be granted to safety representatives to undertake their functions and enable them to received training.

10. **Trade union activities**

There is a separate Facilities Agreement for time off for recognised trade union activities

11. **Accredited school representatives of local or national office holders**

1 day for basic training plus 1 day per year for further training. Where possible the dates of the training should be discussed with the Headteacher in advance.

12. **Candidate at an election (Local Council Elections)**

1 day's paid leave for Polling day only.

13. **Candidate at an election (Parliamentary Elections)**

Up to a maximum of 15 days' paid leave. The period of leave allowed is negotiable between Nomination Day and the day after Polling inclusive.

14. **Candidate at an election (attendance at Party Conference)**

Up to 3 days.

Section 3

Leave of Absence for Personal and Domestic Reasons.

15. **Illness of a Child or Dependant**

Up to 3 days paid leave in any one year. Headteachers may consider extending this having taken account of the individual circumstances.

*It is important to note that under the Employment Rights Act employees are entitled to reasonable **unpaid** leave in order to make arrangements for the provision of care of a dependant.*

16. **Ante-Natal Care**

Any pregnant employee has the right to paid time off to attend for ante-natal care made on the advice of a registered medical practitioner, registered midwife or registered health visitor. Except in the case of her first appointment the employee **must** produce a certificate showing that an appointment has been made.

17. **Paternity Leave**

With effect from April 2003, under the terms of the Employment Act 2002, employees have a right to Statutory Paternity Leave. Separate policy documents cover this issue for both teaching and support staff as different contractual entitlements apply.

N.B. Where a teacher chooses not to take statutory paternity leave, up to 3 days' paid leave of absence may be granted instead.

18. **Medical Appointment**

Wherever possible employees should arrange medical appointments outside of the normal working day. Paid leave will normally be granted where this is not possible. The employee must be willing to produce evidence that an appointment has been made.

19. **Death of a close Relative**

Up to 4 days' paid leave inclusive of 1 day for the funeral.

*It is important to note that under the Employment Rights Act employees are entitled to reasonable **unpaid** leave in order to take action in consequences of the death of a dependant.*

20. **Death of a close Friend**

Up to 2 days' paid leave to attend the funeral.

21. **Religious Observance**

During the school year a maximum of 3 days' paid leave to observe the days of obligation of their main religious festivals, e.g. Eid, Diwali and Passover.

22. Weddings

Leave of absence for attending a wedding of either the employee or a close friend or relative should rarely be granted. The Headteacher will need to consider the individual circumstances including the impact on the school organisation and the cover arrangements. Where such leave is granted this one day should be **unpaid**.

23. Holidays in term time

For teachers and term-time-only staff, leave of absence for holidays in term time will not normally be granted. Only in very exceptional circumstances should such leave be granted and this should be **unpaid**. For all-year-round support staff, the normal expectation is that leave will be taken during school holidays. Headteachers are advised to sympathetically consider requests due to special circumstances where flexibility is in the best interests of the school. However, the Headteacher will need to consider the individual circumstances including cover arrangements.

24. House Removal

Where the removal cannot be on any other day than a working day, one day's paid leave is recommended. It is to cover that day only and is not an allowance that can be taken in lieu.

25. Urgent Family Business – not relating to dependants. (e.g. house burglary)

This is intended to cover emergencies or major incidents, which cannot be dealt with on any other day than a working day. Up to one day's paid leave.

26. Transport Failure or Car Breakdown

Acknowledging that Schools do not place restrictions on where staff live and the responsibility for arriving at work lies with the member of staff.

If there is a major disruption to the public transport system because of a strike or bad weather it is recommended that staff who use this means of transport and have no alternative be treated sympathetically.

If a member of staff's car breaks down and they make every effort to come in to work as soon as possible by other means they too should be treated sympathetically.

27. Higher Education Award Ceremony and similar ceremonies

The aware ceremony must be for the employee or a member of his/her immediate family. 1 day's paid leave for the ceremony may be considered. The Headteacher will need to consider the individual circumstances including the impact on the school organisation and the cover arrangements.

28. Study Related Educational qualifications (Exam leave)

1 day's paid leave per examination with up to 10 days' unpaid leave. This leave should be taken immediately before the examination.

29. Job Interview

1 day's paid leave for the interview, subject to a reasonable total within any one term. The Headteacher's agreement **must** be sought beforehand.

30. Visits to new school

1 day's paid leave for teachers going to work in another school to allow them to visit the new school. The Headteacher's permission **must** be sought beforehand.

31. Sports and Cultural Representation

Up to a maximum of 3 days' paid leave in any one school year. Usually only agreed if participating in National or International events. The Headteacher will need to consider individual circumstances including the impact on the school organisation and the cover arrangements.

Section 4.

Time off for Dependants.

Under the Employment Rights Act employees are entitled to reasonable unpaid time off in order to take action that is necessary in one of the following circumstances:

- a) To provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted;
- b) To make arrangements for the provision of care for a dependant who is ill or injured;

- c) In consequence of a dependant;
- d) Because of the unexpected disruption or termination of arrangements for the care of a dependant;
- e) To deal with an incident which involves a child of the employee and which occurs unexpectedly in a period in which an education establishment that the child attends is responsible for him/her
- f) In order to qualify for the right the employee must tell the Headteacher as soon as he/she can, why he/she is absent and how long he/she expects to be absent for.

NOTE:

Please note that separate policies are available on;

- Maternity Leave
- Paternity Leave
- Parental Leave
- Adoption Leave
- Right to request flexible working