



**SCHOLARS ACADEMY TRUST**

Fulfilling every child's potential

# Leave of Absence Policy

**Written / reviewed:** March 2021

Next review: April 2023

**Signed:** .....*SMS*.....

**Chair of Trustees:**

**Date:** .....*23/3/21*.....

## **Leave of Absence Policy**

Scholars Board of Trustees recognises the diverse workforce its employees which includes a high percentage of people with caring responsibilities, as well as those with other personal commitments, interests and beliefs and who, at some point within their working lives, may require leave of absence to deal with matters that fall outside of the Attendance Management Policy.

This policy sets out the Trust's approach for dealing with requests for leave of absence and employee's entitlements to paid or unpaid leave. It does not form part of employees' terms and conditions of employment and therefore may be subject to change at the discretion of the Trust Board.

Scholars Academy Trust Board will, wherever possible, seek to achieve for its employees a balance between home and work/life and whilst every effort will be made to grant leave in line with this policy, it is recognised that due to the structured nature of the school timetable some requests for leave may not be approved. Any decisions on the granting of leave must be made in a fair and consistent way and also take into consideration the impact of the request on the delivery of teaching and learning within the school.

These leave arrangements have been discussed with the recognised Trade Unions and Professional Association.

### **The Law**

Under the Employment Rights Act employees are entitled by Law to take reasonable unpaid time off work to deal with unexpected or sudden emergencies involving dependents and to make any longer-term arrangements. This right to time off arises in circumstances such as death, sudden illness/hospitalisation, injury or assault of a dependent or the unexpected disruption of a dependents care arrangements.

Other types of leave requested by employees may include statutory leave which the school must adhere to, unless the necessary exemptions can be obtained by the employee and the school.

In the interests of equality, fairness and consistency the granting of leave of absence in this school will be made within the framework of this policy which adheres to specific legislation and relevant conditions of service. For teachers these can be found in the Conditions of Service for School Teachers in England and Wales (Burgundy Book) and for support staff in the National Joint Council (NJC) for Local Government Services (Green Book).

Leave of absence will normally be granted on the basis of a twelve-month 1 April to 31 March period for teachers, as specified in the Burgundy Book. For support staff this is a rolling twelve-month period. Leave granted for Part Time staff will be pro rata.

### **Procedure**

Scholars Academy Trust has delegated the authority to grant leave of absence to the Headteacher of each academy.

Employees requesting leave of absence must complete the Leave Request Form and submit it in advance of the proposed absence dates to the Headteacher, giving as much notice as possible and stating the reason for the request and date(s).

Where it is not possible to submit the request in advance due its urgent nature the employee must follow the normal reporting procedures by contacting the Academy with immediate effect. The Leave Request Form must then be submitted for consideration retrospectively.

The right to appeal is in line with the appeals policy.

Note: When taking unpaid leave, it may have an impact on your pension so you may need to seek advice.

The table below reflects the trust's position in relations to all aspects of leave. It has been produced to ensure that the school adopts a consistent approach to dealing with all requests for leave and in addition the decisions on pay.

### Leave of Absence Reference Table

Leave	Duration	Paid / Unpaid
<b>Compassionate leave</b>		
a. Emergency leave: <i>(unforeseen domestic issues)</i>	Immediate 24 hours. Up to 48 hours (max) in crisis situation	Paid, up to 1 days max.
b. Compassionate Leave: <i>(usually confined to cases of bereavement or extreme dependent care situations/hospitalisation)</i>	Up to 5 days  (or an addition 3 days where this follows 1 day's emergency leave)	Up to 5 days paid.
c. Additional compassionate leave: <i>(granted in exceptional/life threatening circumstances)</i>	Up to an additional 5 days  (a max. of 10 days leave in total at the headteacher's discretion)	Paid
<b>Medical and Welfare Appointments</b>		
a. Attendance at medical /dental/optician appointments <i>(for employee or dependent)</i>	Time off to be agreed where this cannot be arranged outside of work.  Proof of appointment to be provided.	Paid leave <b>may</b> be granted
b. Medical screening i.e. cancer screening / cervical smear test / breast examination		Paid leave <b>may</b> be granted
c. Blood Donors	To be agreed	Unpaid
d. Day surgery or inpatient treatment	Proof of appointment to be provided.	To be recorded as sick leave.
e. Bone Marrow Donors	To be agreed	Unpaid
f. Fertility/IVF Treatment	Proof of treatment / appointment required.	Unpaid  Absence to be recorded as sick leave if accompanied by GP fit note.
g. Gender Reassignment	Proof of treatment / appointment required.  To be agreed between Head Teacher & employee	Unpaid for non-medical treatment.  Absence to be recorded as sick leave if accompanied by GP fit note.

Leave	Duration	Paid / Unpaid
<b>Domestic Reasons for Absence</b>		
a. Moving house	1 day	Unpaid
b. Attending wedding / civil ceremony of parent/sibling /child	1 day	Paid
Attending relatives wedding /civil ceremony	1 day	Unpaid
c. Graduation	1 day	Paid
d. Interviews	Up to 5 days within one year	Paid
<b>Training and Examinations</b>		
<b>All staff</b>		
Required Training <i>(as part of their role)</i>	<ul style="list-style-type: none"> <li>Attendance at exam</li> </ul>	Paid, including payment of all fees & relevant expenses NB. Part time employees attending training outside of their contracted hours will be paid.
Revision & Examination <i>(relating to their role in school &amp; is approved/funded by school)</i>	<ul style="list-style-type: none"> <li>Attendance at exam <i>(Revision time is not paid for)</i></li> </ul>	Paid
Individual Training / CPD Examinations not school related		Unpaid
See Appendix II of the Burgundy Book, <b>MEMORANDUM OF AGREEMENT FOR THE RELEASE OF TEACHERS</b> for additional details on teachers who may be External Examiners, Markers, Chairman of Examiner etc.		
<b>Other Leave</b>		
a. Lecturer <i>(during contractual hours)</i>	Approval required by Head teacher / Governors	Paid leave <b>may</b> be granted. Any fees received by employee should be paid directly to the school.
b. Professional Bodies	Approval required by Head teacher / Governors	Paid leave <b>may</b> be granted where operational needs permit.
c. Participation in Sporting Activities	To be agreed by Governing Body <i>(Supporting information to be provided where applicable)</i>	Unpaid
d. Career Breaks /Sabbatical	See guidance on Career Breaks & Sabbatical	Unpaid

Leave	Duration	Paid / Unpaid
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a. Redundancy – support for job seeking/training	Reasonable time – to be agreed between Head teacher & employee	Paid
b. Jury Service or: Formal attendance at court /tribunal or as a witness on behalf of The Crown, Police or Defence,	On average up to 10 days but can be longer	Paid
c. Magisterial Duties (Justice of the Peace)	Up to a maximum of 13 days, or equivalent half days per annum.	Paid. Employees can claim additional loss of earnings from the court.
d. Other Public Services Duties, including: <ul style="list-style-type: none"> <li>• Local Councillor</li> <li>• A School Governor / Trustee</li> <li>• Member of any statutory tribunal, e.g. employment tribunal</li> <li>• Member of health authority</li> <li>• Member of the Environment Agency</li> <li>• Member of the prison independent monitoring boards.</li> <li>• Parish councillor</li> </ul>	An <u>aggregate total</u> of 15 days (or 18 in the case of JP's or 20 in the case of LA Councillors) per annum)  1 days leave on day of poll  } Up to 5 days per Academic Year.	Unpaid
e. Trade Union Duties:	Reasonable time off may be granted (as per section 168 of TULRA).	Paid
f. Reserve Forces a. Time off for Training b. Mobilisation	To be agreed between Head teacher & employee.	Unpaid Unpaid. The employee will receive a salary from the MoD
g. Retained Firefighters, Special Constables and Cadet Corps	Up to 5 days per annum	Unpaid
h. Religious Observance & Beliefs	To be agreed between Head teacher & employee. A maximum of 5 days may be granted (Leave for the purpose of religious observance will be granted, unless there are exceptional circumstances which make it impossible for the employee to be released.)	Unpaid



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**Scholars Leave of Absence Request Form**

<b>Section A (Employee to complete)</b>	
<b>Name</b>	
<b>School</b>	
<b>Dates of Request</b>	
<b>If partial day, number of hours</b>	
<b>Reason for request</b>	
<b>Section B - Authorisation</b>	
<b>Name</b>	
<b>Date</b>	
<b>Request is</b>	<b>Approved</b> <input type="checkbox"/> <span style="margin-left: 100px;"><b>Denied</b> <input type="checkbox"/></span>
	<b>Paid</b> <input type="checkbox"/> <span style="margin-left: 100px;"><b>Unpaid</b> <input type="checkbox"/></span>
<b>Reason</b>	
<b>Signature of Headteacher</b>	
<b>Date</b>	
<b>Employee informed</b>	