



MODEL POLICY ON LEAVE OF ABSENCE

FOR

SCHOOL EMPLOYEES (incl. teachers)

**Adopted by the Governing Body of Kenmore Park Infant & Nursery
School**

8th February 2017

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PREFACE TO MODEL POLICY:

This model policy is recommended by Harrow Council for adoption by the Governing Bodies of schools in the London Borough of Harrow. This policy intends to make reference to the majority of reasons for which school-based employees might request leave during term-time. Care has been taken to use plain English wording and ensure leave provisions are articulated in a way that is concise and easy to understand. The amount of paid/unpaid time off granted with respect to various reasons for absence is broadly in line with the recommendations made in the model policies of other London Boroughs and English County Councils, however the Governing Body of each school should review the provisions and ensure they are appropriate for the needs of the school. Governing bodies can consult with employees and their representatives about specifying lower/higher limits of paid/unpaid time off, or even additional reasons for special leave.

1. INTRODUCTION

- 1.1 Teachers and other term-time employees are normally expected to take holidays and other leave outside of term time. However, the School recognises that there may be circumstances where an individual may need to be absent during the school term. The purpose of this policy is to provide school staff with an understanding of the options relating to paid and unpaid leave of absence that may be available to them during term time.
- 1.2 Leave will not be automatically granted and the Headteacher will make decisions based on the circumstances of each particular case and the operational needs of the school.
- 1.3 This policy applies to teaching and support staff. It should be read in conjunction with other relevant documents, e.g. the Burgundy Book and NJC terms and conditions ('Green Book').

2. SCOPE

- 2.1 The policy set out in this document applies to all Schools based staff, whether they work to Teachers Pay & Pension Conditions or another set of terms. This policy does not cover maternity/paternity/parental/adoption leave; please refer to the documents specifically covering those issues. It is important to note that this policy does not cover ongoing arrangements for time off requests that are recurring (e.g. weekly) due to issues such as childcare commitments or a desire to attend a place of worship. Any such requests would need to be forming part of the employee's regular working patterns

3. ROLES AND RESPONSIBILITIES

- 3.1 The Governing Body has responsibility for establishing the School's Leave of Absence Policy, for ensuring that the Leave of Absence Policy is followed and for monitoring staff absence rates.
- 3.2 The Headteacher is responsible for implementing this policy within their School. The authority to make decisions under this Policy rests with the Headteacher (or Chair of Governors in the case of applications for leave of absence from the Headteacher).
- 3.3 Employees requesting special leave need to make every effort to provide the Headteacher with adequate notice of their proposed absence. Advance notice of at least one academic term needs to be given for special leave that can be pre-planned (e.g. for religious observance).

4. PRINCIPLES

- 4.1 The Policy and Procedure contained within this document is founded on the following principles:
 - a. All employees will be treated as consistently as possible when applying for leave of absence, in accordance with the School's Equal Opportunities Policy and taking account of differences in the circumstances of each individual case as well as national and local conditions of employment.
 - b. Where an employee wishes to make representations against a decision made by the Headteacher, they may write to the Chair of the Governing Body giving full details of the request. The decision of the Chair will be final.
 - c. Unauthorised absence will be dealt with under the School's Disciplinary Policy and Procedure.
- 4.2 Requests for leave of absence (with or without pay) should be made on the Application for Leave of Absence form (see Appendix 1 of this document).
- 4.3 Requests for absence due to reasons not explicitly covered by this policy will only be approved in exceptional circumstances and on an unpaid basis. However, if an employee does not feel comfortable sharing personal/confidential reasons for an absence request, they will be able to apply for unpaid leave. When an employee submits such a request, they should be mindful of the fact that the Headteacher will be deciding whether to approve it without having access to the relevant information.

4.4 References to allowances in numbers of days apply to employees who work a constant number of hours per day over five days per week. Pro-rata allowances will apply to other staff.

4.5 Appeals against decisions made under this policy should be directed to the Chair or designated Panel of Governors, whose decision will be final.

5. CIRCUMSTANCES WHERE LEAVE MAY BE GRANTED

5.1 The Headteacher will consider applications for leave of absence in accordance with this policy and national and/or local conditions of service in the following circumstances:

5.2 Examiners and Moderators for Examining Bodies

Chief Examiners, Chief Moderators, Examiners and Assistant Moderators will be given up to 5 school days' leave with pay in any one academic year. Employees shall not be required to pay the School any fees or expenses received for examining and moderating duties.

5.3 Jury Service and Other Public Service

An employee receiving a summons to serve on a jury must report this to his/her Headteacher who will grant him/her leave of absence unless exemption from jury service is secured. Headteachers should report the dates of jury service and forward the relevant paperwork to Payroll so that the necessary adjustments can be made. An employee serving as a juror is required to claim the allowance for loss of earnings to which they are entitled under the Juror Allowance Regulations currently in force. The payroll provider will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

Employees may request leave for performing other public duties (e.g. as school governors, elected members of local Councils). Should such a request be granted, the Headteacher will decide whether to grant paid time off, unpaid time off or, where applicable, request for the time to be made up at a later date.

5.4 Witness Summons

An employee who is subpoenaed as a witness to appear before the court should report this immediately to the Headteacher who will grant them leave of absence. Headteachers should report the dates of court appearances and forward any relevant paperwork to Payroll so that the necessary financial adjustments can be made. An employee appearing as a witness is required to claim any allowance for loss of earnings to which they may be entitled. Where possible, the payroll provider will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

5.5 Service in Non-Regular Forces

Employees must obtain the Headteacher's consent before joining the Non-Regular Forces (e.g. Army Reserve, Royal Air Force Volunteer Reserve). The Headteacher will grant two weeks' additional paid leave to volunteer members of the Non-Regular Forces who are required by the Forces to attend summer camp. Such employees are required to show the Headteacher a copy of their Forces' payslip for the period of the summer camp, so that the Headteacher can arrange for a deduction to be made from the employee's salary of an amount equal to the pay received from the Forces for each normal working day of the absence.

Any such employees who are called-out by the Secretary of State for service with the armed forces will be granted leave of absence without pay for the duration of that service (unless the Governing Body applies for and gains exemption, deferral or discharge on the grounds that their absence would cause serious harm to the school in which they are employed). Similar provisions will apply to any employees who need to serve in non-UK forces (e.g. Swiss reservists).

5.6 Magistrates

Employees who are appointed as magistrates will be granted leave of absence with pay for up to 12 days in each academic year. Headteachers should report the dates of absence and forward any relevant paperwork to Payroll so that the necessary financial adjustments can be made. An employee appointed as a magistrate is required to claim any allowance for loss of earnings to which they are entitled. Where possible, the payroll provider will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

5.7 Union Duties

The School will fulfil its obligations for releasing staff members for trade union duties in accordance with the provisions of applicable collective agreements and facility time funding arrangements. Information on current arrangements is available from Harrow Council and the officials of the relevant trade unions for teachers and support staff.

5.8 Job Interviews

Up to 3 days' paid leave will be granted in any academic year for interviews within education or local government. Further interview leave can be requested on an unpaid basis.

5.9 Revision/Study Leave

The Governing Body will approve up to a maximum of 5 days' revision/study leave with pay to employees undertaking work-related qualifications within an agreed timeframe. Leave will

also be granted for completion of CPD courses, as agreed at the start of the appraisal cycle, and while the teacher is still in post.

5.10 Examination Leave

A maximum of 5 days' leave with pay will be granted for staff wishing to sit approved examinations: this is normally half a day per examination subject.

5.11 Appointments with Dentist, Doctor etc.

These appointments should be made outside normal working time except in emergencies or where consultants etc. are inflexible over timing. If an employee needs to attend an appointment during working time, the Headteacher will decide whether to grant paid time off, unpaid time off or, where applicable, request for the time to be made up at a later date. The Headteacher may request the employee to produce written evidence of medical appointments.

5.12 Compassionate Leave

Compassionate leave concerns absence that is necessary as a result of the death or serious illness/injury of a close relative or partner. A maximum of 5 days' paid leave will be granted, with employees able to request further leave on an unpaid basis.

5.13 Special Leave for Domestic Emergencies

This includes issues such as the unexpected breakdown of normal care arrangements for an employee's dependant, emergencies relating to a partner's pregnancy or household emergencies (e.g. fire, flood, burglary). A maximum of two days' paid leave will be granted. In exceptional circumstances, if a longer period of absence is required, the employee will be able to request further leave on an unpaid basis.

This section will apply to requests for time off arising from the sudden illness of children or other dependants of the employee. When such a request is granted, employees should use the time off in order to make alternative care arrangements as opposed to the employee themselves providing the care required by the affected individual(s).

5.14 Election Candidates

Parliamentary and European elections: Unpaid leave will be granted on request from the date when the candidate's nomination is accepted until the date of the election.

Local elections: Up to two days' unpaid leave will be granted.

5.15 Religious Observance

Unpaid leave may be requested by employees wishing to attend religious ceremonies/celebrations/festivals. A limit of 3 days' unpaid leave is normally applied although additional time may be granted in exceptional circumstances. While the School is keen to encourage its employees to participate in their chosen religions, the Headteacher should be mindful of the potential operational impact of a large number of staff taking religious leave at the same time and should consider whether carrying out an equality impact assessment would be appropriate to the circumstances.

Where the School believes that a substantial number of staff and pupils would require to take a particular day off for religious reasons, the Governing Body may stipulate a school closure on one or more specific dates, in accordance with the appropriate protocols and school year dates published on the website of Harrow Council.

5.16 Significant Personal/Family Events

Unpaid special leave can be requested by staff wishing to attend ceremonies or significant events in their lives or those of relatives or close friends (e.g. university graduation of a child/stepchild, wedding/civil partnership ceremony of a sibling). While it is expected that the majority of such requests will concern only one or two days, the School will consider granting more unpaid leave in cases where substantial travel is involved, subject to the staff member giving adequate notice.

5.17 Moving House

For employees not allowed by their contract to take annual leave during term-time, and where the move cannot take place during a school closure period, one day's leave will be granted with pay.

APPENDIX 1 – APPLICATION FOR LEAVE OF ABSENCE

KENMORE PARK INFANT & NURSERY SCHOOL

APPLICATION FOR LEAVE OF ABSENCE

This form should be completed electronically and e-mailed to the Headteacher/School Business Manager (delete as applicable). Where that is not possible, handwriting must be in **BLOCK CAPITALS**.

SECTION ONE - to be completed by the Applicant

NAME:

POST HELD:

I hereby request leave paid/unpaid of absence on the following date(s):

.....

for the following reason/s:

.....

(If there is insufficient room, continue overleaf.)

[Please attach a copy of any relevant form, letter or appointment card.](#)

Name (signature if handwritten): Date:

When this section has been completed the form should be given to the Headteacher.

SECTION TWO - to be completed by the Headteacher (please circle as appropriate)

- (i) The Headteacher **approves** this application for leave of absence **with** pay.
- (ii) The Headteacher **approves** this application for leave of absence **without** pay.
- (iii) The Headteacher **approves** this application for leave of absence and grants..... day(s) **with** pay and day(s) **without** pay.
- (iv) The Headteacher **does not approve** this application for the following reason(s):

.....

.....

Name (signature if handwritten):Date:

*Headteacher

A copy of the completed form should be returned to the Applicant.

APPENDIX 2 – APPEAL AGAINST LEAVE OF ABSENCE DECISION

If you wish to appeal against a refusal to grant a leave of absence request, then please explain your reasons below and return this form to the Chair/Panel of Governors making this decision within 5 days of the decision as recorded above.

Name (signature if handwritten):.....Date:.....



APPLICATION FOR SPECIAL LEAVE

(Please complete this form and return it to your Manager)

Name: _____
Designation: _____

Kenmore Park Infant & Nursery School.

Section: _____ Workplace location: _____

| Current | Annual Leave Outstanding (Complete if applicable) | Other absences sickness/ unpaid leave – Since 1 Sept | Special paid leave taken since 1 Sept. |
|---------|---|--|--|
| | | | |

Pre-booked annual leave should be counted as having been taken when considering the amount of leave outstanding.

| |
|--|
| Dates requested: Start: _____ End: _____ |
| Reason why you are requesting special leave: _____ _____ |
| State why unpaid leave and / or annual leave cannot be taken. (Not necessary when requesting leave for Bereavement/Care if a terminally ill person or if term time only employees). _____ _____ |
| To be completed by the Headteacher I approve/do not approve (delete as appropriate) the above request. Give reasons if not approved: _____ _____ Signed: _____ Date: _____ Designation _____ |
| To be completed by the Chair of Governors (if leave is not deemed an entitlement under the exceptional leave criteria adopted in school), I approve/do not approve (delete as appropriate) the above request. Give reasons if not approved: _____ _____ Signed: _____ Date: _____ For Chair of Governors |
| To be completed by Headteacher. I approve/do not approve (delete as appropriate) Give reasons if not approved: _____ _____ Signed: _____ Date: _____ |

1. Except in emergencies no member of staff should be absent from school without prior arrangements for any reason other than personal illness.
2. Absence for reasons other than personal illness will be paid for leave deemed exceptional circumstances therefore there is no legal obligation for the HT and Governing Body to approve such leave or for it to be paid **(E) in any one school year on a pro-rata basis** and any other request for leave are deemed not exceptional circumstances **(NE)** and therefore there is no obligation by the Governing Body/HT to approve or for it to be paid. This leave is as follows:

| | | | Up to | Criteria |
|------|---|---------|-------|----------|
| | Paid exceptional leave | | | |
| i | Examiners and Moderators for Examining Bodies. | 5 days | E | Paid |
| ii | Moving house – refer to 5.17 | 1 day | | Paid |
| iii | Attending interview (maximum 3 days in one year) | 3 day | E | Paid |
| iv | Revision / Study leave (maximum 5 days in one year) | 5 days | E | Paid |
| v | Examination leave (maximum 5 days in one year) | 5 days | E | Paid |
| | Head teacher will report the dates of jury service, subpoenaed as a witness to appear before the court to payroll along with the necessary paperwork so that the necessary adjustments can be made. | | | |
| vi | Jury service and other public duties - refer to 5.3 | | | |
| vii | Witness summons – refer to 5.4 | | | |
| viii | Service in Non-Regular Forces – refer to 5.5 | 10 days | E | Paid |
| ix | Magistrates | 12 day | E | Paid |
| x | Union duties | | | |
| | Unpaid exceptional leave in any one school year. In some instance due to the nature of the request and number of persons making a request for similar leave at the same time the HT will conduct a risk assessment and may either decline the request for leave or ask staff to reconsider the amount of time requested and then re assess the risk to ensure the safe operation of the establishment. | | | |
| xi | Election Candidates | 2 days | NE | Unpaid |
| xii | Religious observance – refer to 5.15 | 3 days | NE | Unpaid |
| xiii | Significant Personal/ Family Events – graduation, wedding – refer to 5.16 | 2 days | NE | Unpaid |

3. Requests for leave of absence should be made as far ahead as possible using the form available from the Headteacher.
4. Requests for leave of absence other than for the reasons set out above should be made in writing to the Chair or Governors with a copy for the Headteacher.
5. For further information about leave of absence please see the Headteacher.

6.

