

# **Staff Leave and Absence Policy**

Seaton Primary School recognises and values the contribution of each member of staff to the education and care of children in the school.

High levels of absence among teaching and support staff pose a serious problem for a school in terms of disruption to teaching programmes, pupil's learning and other areas of school work. The governing body is committed to managing attendance so that any disruption to the pupil's education or the effective running of the school is minimised. Equally, it recognises that during the course of employment, colleagues will occasionally be absent from work through ill health, maternity and other authorised circumstances.

Absence of any staff employed in school during term time means some impact on the children's education. Therefore, requests from any member of staff for absence to be taken during term time must be regarded by all as the exception. Requests for leave of absence for the purpose of taking holidays and/or contributing to holidays will not be granted.

This policy gives details of entitlements of member of staff in relation to absence. Part-time staff will have the entitlement to leave from work reduced in proportion to the percentage of time they work.

## **Seeking approval for Leave from Work**

All staff will be required to follow the school's procedures for requesting leave of absence and for reporting absence.

Authorised paid and unpaid absence from work for the reasons given in this policy requires prior approval.

Requests for paid or unpaid leave must be made in writing to the Headteacher with the full reasons for the request, using the staff request form available from the office. The request should be made as soon as it is known that it will be required and in any case not less than one full week in advance of the proposed absence, except in exceptional circumstance such as death of a family member.

The Governing Body has given delegated authority to the Headteacher to approve leave of absence requests for up to five days. For anything greater

the Headteacher must discuss each case with the chair of the Personnel and Finance committee, or his representative and act on the recommendation.

Requests for leave of absence will be considered taking into account:

- The principles of this policy
- The best interests of the children and the school
- Treating staff in a fair, reasonable and consistent way
- National and local terms and conditions of employment

Where the agreements refer to relatives of the first degree, this is taken to mean – husband / wife, permanent partner, brother / sister, parent and child or the corresponding relatives-in-law. Additionally, the Governing Body has decided to include grandparents or other relatives / carers who have taken on the main caring role or people who are not related but occupying a similar position in the family.

### **Dental and Medical appointments**

It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstances, such as an appointment being expected from a hospital, that this may not always be possible. However, appointments in work time should be kept to a minimum and cause as little disruption as possible.

### **Emergencies involving dependants**

All employees have the right to take a reasonable period of unpaid time off during working hours to deal with an emergency involving a dependant. A dependant is defined as a spouse, partner, child or parent, or someone who lives with the employee as part of his / her family, i.e. not someone who lives in the house as an employee, tenant, lodger or boarder. In the case of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

### **Parental leave**

Members of staff with at least one year's continuous service with Devon County Council are entitled to parental leave. It is applicable to parents of children born or adopted after 15<sup>th</sup> December 1999 or children under five on

15<sup>th</sup> December 1999 and is only available for the purpose of caring for a child for whom the employee has parental responsibility. It is applicable until the child's fifth birthday or, in the case of adoption, until five years have elapsed following placement or the child reaches 18 (whichever is the sooner).

Parental leave is unpaid and the maximum entitlement is 13 weeks' leave (pro-rata for part-time staff) for each child, in total. The leave must be taken in blocks or multiples of one week and the maximum entitlement in any leave year is 4 weeks.

If an employee has a disabled child for whom disability living allowance is awarded s/he can claim an extra 5 weeks' leave in addition to the 13 weeks to make a total of 18 weeks. Parents of disabled children are able to use their leave over a longer period, up until the child's 18<sup>th</sup> birthday and may take the leave a day at a time, if required.

The employee must give at least 21 days' written notice of the period during which parental leave is requested.

If a father wishes to take parental leave following the birth of a child (in addition to paternity leave), he is required to give at least 21 days' notice to his employer, stating the expected week of commencement of the parental leave and the duration of that leave.

In the case of adoption, a parent must give at least 21 days' notice stating the week in which he/she expects to adopt the child. The duration of the leave must also be stated.

Prior to approving the first request for parental leave the school will need to see the birth certificate, adoption paper or proof of disability living allowance.

The Governing Body is able to require an employee to postpone his/her parental leave for up to 6 months, where the school cannot cope. Notice of postponement will be given no more than 7 days after the request and will state the reasons for postponing the parental leave and when it can be taken. The leave must be granted for the same period as the original request and will begin on a date determined by the Headteacher, after consultation with the member of staff and be not more than 6 months after the original date originally requested.

Parental leave cannot be postponed when the member of staff gives notice of parental leave to be taken after the birth of their child or at the time of adoption.

The school will accurately record when an employee takes parental leave as new employers may seek a declaration of how much Parental Leave has been taken.

## **Reasons for absence**

Absence is categorised into four headings:

- Authorised absence (with pay)
- Authorised absence (without pay)
- Certificated or uncertificated sick leave
- Unauthorised absence or lateness

## Reasons for Leave with Pay

<b>Reasons for leave with pay</b>	<b>Teachers</b>	<b>Non – Teaching staff in schools</b>
Sickness	See Section 4 of the “Burgundy Book”	See Part 2, Section 10 of the “Green Book”
Annual Leave	Not Applicable	See “Green Book” for all year round staff, not applicable for term time only staff
For officials of Trade Unions to perform I.R. duties/undertake approved training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA	Authorities shall provide the necessary facilities to Trades Unions including paid leave of absence to carry out their duties.  Clarify the local agreement.
For Safety Representatives to perform duties and undertake associated training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA	Clarify the local agreement
For ante-natal care	The right to paid off time to attend for ante-natal care on production of evidence of appointments if requested. “Burgundy Book” Section 5 para 3 – Maternity Scheme	Right to paid leave - evidence of appointments e.g. appointment card, must be provided, if requested
Attendance as elected members at local authority meetings and properly established committees	Up to 20 days per year or equivalent.	Up to 144 working hours
For members of another school's Governing Body	Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request.	Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request.
Magisterial duties	Minimum attendance requirement including training and membership of a statutory tribunal not exceeding 20 working days a year	Minimum attendance requirement including training.
Candidates for Parliamentary Elections	Normally not more than 5 working days	Up to 3 weeks' paid leave of absence during period up to and including polling day.
Lecturing in professional capacity on condition that all fees to be paid to school	At the discretion of the Governing Body.	At the discretion of the Governing Body up to a maximum of 12 working days
Duties in connection with external examinations	Refer to the Burgundy Book Appendix 2.	At the discretion of the Governing Body

<b>Reasons for leave with pay</b>	<b>Teachers</b>	<b>Non – Teaching staff in schools</b>
Sitting examinations relating to professional development	Employees are entitled to be paid leave of absence for the purpose of sitting for examinations concerned with the teacher's professional development to the benefit of the school.	Employees are entitled to paid leave of absence for sitting for approved examinations. Additional leave may be granted for final revision for approved examinations.
Attendance at approved conferences	At the discretion of the Governing Body subject to conference being of benefit to school and the teacher's professional development.	Up to 12 working days in any one year  Grey Pages 4.6(b)
Weddings of close relatives i.e. sibling, parent (or another family member/carer who brought up the employee) or children or corresponding relatives in law	Reasonable period subject to prior approval from Governors.	At the discretion of the Governing Body
Times of severe weather	Permission to leave early should not be unreasonably refused.	Permission to leave early should not be unreasonably refused.  Lost hours should be made up where annual leave cannot be taken
Jury Service or attendance as a witness in Court proceedings	For the required period subject to the employee claiming for loss of earnings	For the required period subject to the employee claiming for loss of earnings.
Screening for breast and cervical cancer	For reasonable periods where attendance in school time cannot be avoided.	Necessary paid time off will be granted for the purpose of cancer screening.
Members of non-regular forces – annual training	Up to two weeks – the second of which is to be unpaid.	Up to two weeks (Grey Pages paragraph 4.6(g))
Potential redundancy	Reasonable time to seek alternative employment	Reasonable time to seek alternative employment
Interviews for other posts	For posts within any LEA.	For Local Authority posts only , attendance at interview and other selection processes (Grey Pages 4.6(k))

<b>Reasons for leave with pay</b>	<b>Teachers</b>	<b>Non – Teaching staff in schools</b>
Illness of a close relative i.e. partner/spouse, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law who lives within the members of staff or lives alone	<p>In cases of critical/serious illness of close relatives, up to one week's paid leave.</p> <p>Under legislation for Emergency Time Off for Dependants there is provision in the case of a sick child with a non-critical illness, for the first day to be taken unpaid after which it will be assumed that alternative arrangements for childcare will be made. However, contractual provisions override this and allow for up to two days to enable the teacher to nurse or make arrangements for nursing.</p> <p>In other relationships, applications for unpaid leave should be addressed in writing to the Chair of Governors to consider.</p>	<p>In the case of a sick child with a non-critical illness, after the first day it will be assumed that alternative arrangements for childcare will be made. The first day would fall under the Emergency Time Off for Dependants provisions and will be unpaid.</p> <p>For serious/critical illness up to 5 working days for all year round staff, half of which will be taken from annual leave or will be unpaid. Up to two and half days for term time only staff Can include taking children to hospital.</p>
Death or critical illness of a close relative i.e. partner/spouse, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law	Up to 5 working days.	Up to 5 working days.
House removal	1 working day with as much advance notice as possible.	1 day (term time only employees). Grey Pages 4.6(j)
Sports representation as competitor at national/ international level	At the discretion of the Governing Body.	At the discretion of the Governing body
Election duties	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.

Additional leave with pay may be granted in special circumstances by the governing body

## Reasons for Leave without Pay

Reasons for leave without pay	Teachers	Non – Teaching staff in schools
Graduation ceremony – employee’s own partner, son, daughter or close relative	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Court hearings – other than those covered under “With Pay” sections – including divorce proceedings, custody of children, maintenance payments and other Court appearance where teacher is defendant or involved in non-criminal proceedings	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Religious devotion days	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Funerals – other than close relatives as in “With Pay” section	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
House removals – in excess of 1 day	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Sporting representations below national level	1 day at discretion of Head and additional time at the discretion of Governing Body. Normally not more than 10 school days in a year.	At the discretion of the Governing Body
Delays on return to school caused by industrial disputes	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Special family flights where spouse is in the armed forces	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Hospital appointments for children where both parents wish to attend.	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Visits overseas other than for professional development	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Attendance on courses for personal development not considered beneficial to the school	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body
Weddings – Employees own wedding and for those other than relatives first degree	1 day at discretion of Head and additional time at the discretion of Governing Body.	At the discretion of the Governing Body

The Governing Body in special circumstances may grant discretionary additional leave