

HASSENBROOK SCHOOL Specialist Technology College



LEAVE OF ABSENCE POLICY

This Essex County Council model policy and guidance was

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Staff were consulted on this document on:

.....

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Body on:

.....

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Summary of changes to the policy – Sept 2010

Item No	Heading	Change details
Item 1.2	Definitions	Additional definition of 'mandatory'
Part 2	Table of Leave	Deletion of Column 'Code' and clarification of statutory, mandatory and discretionary leave and pay according to each type of absence
Part 2	Table iv, Training	Item 1 Post Entry Learning deleted, replaced by Item 3 Time off to Train

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Part 1 Leave of absence policy

1. Introduction

This policy sets out the types of leave of absence which can be requested by staff, including whether it is a statutory entitlement or discretionary and whether it is paid or unpaid. It further explains how staff should request such leave and how decisions will be made.

1.1 Policy statement

Essex schools/academies aim to deliver high quality services whilst enabling staff to combine their working life with the increasing demands on their personal life. This requires mutual flexibility from both the employee and the employer. This policy supports the need for employees to be allowed reasonable time off for a range of circumstances. The Headteacher/Principal and Governors will consider all applications for leave of absence in a fair and equitable manner within the table set out in this policy document.

The Governing Body (GB) will ensure that all requests for leave of absence are dealt with sensitively, professionally, speedily and fairly.

1.2 Definitions

- **Statutory absence**

This is an entitlement under employment legislation.

- **Mandatory absence**

This is an entitlement as part of an employee's terms and conditions of service.

- **Discretionary absence**

This is not an entitlement, but absence/pay is at the discretion of the Headteacher/Principal & Governors and each request will be considered on its individual circumstances.

- **Current employer**

Current employer means continuous employment at an Essex community school/ voluntary controlled school(s), or, current service at a foundation school/voluntary aided school.

2. Scope of policy

The policy applies to all employees and covers a wide range and type of leave, including where statutory rights exist and where Headteachers/Principals and Governors have discretion over approvals.

The policy is intended for matters affecting people personally.

Requests by the Headteacher/Principal for leave of absence must be directed to the Chair of Governors.

Indicated in the following tables are the maximum levels of absence. The Headteacher /Principal is authorised to deal with the majority of cases which are unlikely to exceed the stated number of days per year or term as an immediate decision is often needed, particularly for compassionate reasons. The Governing Body only need to authorise leave of absence in exceptional cases.

If a part time member of staff requests leave of absence, the maximum days given in the table should be pro rata'd.

Where indicated, managers and employee guidance is available as part of this policy document.

3. Roles and responsibilities

It is the responsibility of the **Governing Body** to:

- establish, maintain and monitor relevant policies and procedures;
- ensure that cases are dealt with effectively and fairly;
- ensure governors and staff have appropriate training;
- nominate a governor to deal with cases where a manager would be inappropriate.

It is the responsibility of the **Headteacher/Principal and other managers** to:

- promote an open environment, free from harassment, in which everyone is treated fairly and reasonably;
- provide appropriate induction and training;

- ensure all concerns are taken seriously and implement relevant policies and procedures in a timely and reasonable manner;
- manage staff in a fair and professional way;
- provide adequate support in respect of complaints;

It is the responsibility of **all staff** to:

- make every effort to ensure that appointments are made outside of their working hours. Where this is not possible, leave of absence may be requested.

4. Procedure for applications of leave of absence

All applications for leave of absence should be directed to the Headteacher/Principal in the first instance regardless of whether he/she has authority to approve such applications.

Applications for leave of absence should be in writing, however, in some circumstances, such as an emergency, depending on the reason for and duration of the leave requested, a written request may not be necessary.

Employees should give as much notice as possible for any request for leave of absence and where specific notice is required, this is indicated in this policy.

5. Appeals

Any appeal lodged against a decision relating to leave of absence will be heard by the Governing Body appeals committee. The employee and chosen representative (normally the representative of a recognised trade union, or some other appropriate person), will have an opportunity to attend any such meeting and to make representation on their behalf.

The Committee's decision will be final.

Part 2 i) Table of family related leave

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
1. Adoption	<p>To qualify for statutory adoption leave, an employee must have at least 26 weeks continuous local government service by the week in which they are notified of being matched with a child or children and have notified the Headteacher within 7 calendar days of this notification.</p> <p>Employees who qualify for statutory adoption leave are entitled to 26 weeks ordinary adoption leave followed by up to 26 weeks additional adoption leave.</p> <p>The school and employee can agree to up to a maximum of 10 days paid 'keeping in touch' days during the period of absence, Payment will be made for actual hours worked on the employee's return to work or last day of service.</p>	Statutory 52 weeks	<p>Statutory - - subject to qualifying conditions.</p> <p>Eligible employees may receive up to 39 weeks statutory adoption pay. Those who have over 1 year's local government service may also be entitled to contractual adoption pay.</p>	See Family Friendly Guidance	<p>Maternity and Parental Leave Regulations 1999. Employment Rights Act 1996, 1999.</p> <p>Maternity and Parental Leave (Amendment) Regulations 2002. Employment Act 2002. Family Friendly Guidance 2009.</p>
2. Pre - Adoption support	Employees should apply in writing to the Headteacher/Principal who will give consideration to the request and the following factors:	Time off is discretionary	Pay is discretionary	See Family Friendly Guidance	Nothing in Green or Burgundy book. Family friendly guide 2009.

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<ul style="list-style-type: none"> - the circumstances surrounding the request. - where applicable, any outstanding annual leave, the employee may have (although having unused annual leave would not rule out leave being granted) - any previous requests for leave of absence. - the employee's attendance and absence record. - the number of day's special leave requested. - the employees employment history e.g. length of service. - staff cover arrangements and workload. 				
3. Ante-natal Care	All pregnant employees have a statutory right to reasonable time off work for ante-natal care but are encouraged to arrange appointments outside of their working hours wherever possible.	Statutory – reasonable time off	Statutory - paid	See Family Friendly Guidance	Maternity and Parental Leave Regulations 1999. Employment Rights Act 1996, 1999. Maternity and Parental Leave (Amendment) Regulations 2002. Employment Act 2002.

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
3a. <i>Fathers to be/ partners and nominated carers</i>	In exceptional circumstances, absence with pay may be granted where a father-to-be or partner of an expectant mother is required to provide support. For example where there is a medical emergency resulting in a stay in hospital, or a non-routine medical examination.	Time off is discretionary	Pay is discretionary	See Family Friendly Guidance	
3b <i>Parentcraft and routine antenatal classes</i>	Requests to attend parent craft classes or routine antenatal classes will be considered against existing leave provisions including annual/ flexible leave (where applicable). (Also see paternity leave and dependent leave)	Time off is discretionary	Pay is discretionary		Green book 4.5, 1.2: "authorities may grant time off for ante-natal care to fathers-to-be, partners or nominated carers"
4. Bereavement	May be granted when a request is made due to the bereavement of a relative. Leave will normally be taken at the time of bereavement only.				Nothing in Green or Burgundy book
4a. <i>Close relative</i>	A close relative is defined as a husband, wife, partner, son, daughter, father, mother, father-in-law, mother-in-law, brother or sister.	5 days – discretionary	Pay is - discretionary	Any further requests for leave for this bereavement requires approval by the Headteach	
4b. <i>Other relatives</i>	Consideration will be given to requests for leave for other relatives e.g. extended family members	3 days – discretionary	Pay – discretionary		

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
				er/Principal	
5. Child care	<p>It may be necessary for an employee to deal with an immediate crisis and set up alternative care arrangements when their child's normal carer is suddenly taken ill or when normal childcare arrangements are not available due to the child's illness.</p> <p>An employee may be able to extend their leave up to a total of 5 days per term as per illness/injury of family members Table i) item 13 Where an employee needs to take more than a total of 5 days leave per term, then they may be entitled to unpaid dependant leave. (Also see Dependants)</p> <p>Note: Employees must not claim sick leave to look after sick children.</p>	2 days - discretionary	<p>Pay is discretionary</p> <p>Any reasonable requests for further leave to deal with such emergencies will be without pay.</p>		<p>Nothing in Green or Burgundy book.</p> <p>See Dependents</p>
6. Dependants	<p>Employees have a right to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and make any necessary longer term arrangements. The emergency must involve a dependent of the employee. A dependant is defined, as the employee's parent, wife, husband or partner child, or someone who lives as part of the family, but not the employee's tenant, lodger or boarder.</p>	Statutory - the length of leave authorised will depend on individual circumstance, and leave for this	Statutory - unpaid		Employment Rights Act 1996, 1999

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	It also includes someone for whom the employee is the main carer. In cases 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. (Also see child care, injury & illness and elder care)	reason may be offered in addition to other leave provisions available.			
7. Domestic crisis	The school/academy recognises that circumstances may make it necessary and unavoidable for an employee to be absent due to a domestic crisis (including damage or disruption to property).	2 days - discretionary	Pay is discretionary		Nothing in Green book or Burgundy book
8. Elder care	The school/academy will treat requests from carers sympathetically to deal with unexpected emergencies to care for an elderly person who is an immediate family member such as father, mother, father-in law, mother-in law or other elder dependent who requires care. An employee may be able to extend their leave up to a total of 5 days per term as per illness/injury of family members Table i) item 13 Where an employee needs to take more than a total of 5 days per term, then they may be	2 days - discretionary	Pay is discretionary. Any reasonable requests for further leave to deal with such emergencies will be without pay		Nothing in Green or Burgundy book See dependents

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	entitled to unpaid dependent leave (Also see dependents) In more extended circumstances, it may be necessary to discuss the possibility of a mutually agreed change to reduced working hours and/or a different working pattern to accommodate the need for time away from the workplace (Also see flexible working and dependants)				
9. Fertility treatment	Each request will be considered individually in the context of the particular circumstances. Note: The woman undergoing IVF treatment is regarded as pregnant for the period following implantation of the fertilised ova until the end of the protected period*	As agreed with Headteacher - discretionary	Pay is Discretionary		Green Book: Part 4.5, 1.5 – 'authorities are recommended to make reasonable time off arrangements'. * s 3A(3)(a)SDA
10. Flexible working	The statutory right to request flexible working applies to employees who have a child aged 16 years or under (or up to 18 years in the case of a disabled child and carers if they are or expect to be caring for an adult (18 years or over). However as a matter of good practice all requests should be given equal consideration and looked at in a fair and	Not applicable (statutory right to request flexible working)	Not applicable	See Family Friendly Guidance	Employment Rights Act 1996, 2002 Employment Act 2002 Flexible working regulations 2002, 2009

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<p>equitable manner.</p> <p>Flexible working allows an employee to request a change in their hours of work (including part time and job share), a change to their start and finish times or to request to work from home.</p> <p>Eligible employees must have 26 weeks continuous service with their current employer at the date the request is made.</p> <p>An employee can only make one request in any 12 month period. Therefore, if a request has already been made in relation to a child, another request cannot be made for another 12 months even if it is in relation to caring for an adult.</p>				
11. Foster care	Leave will be given to foster carers to attend meetings and/or attend training commitments.	Up to 5 days per year - discretionary	Pay is discretionary		Nothing in Green or/Burgundy book. No statutory provision

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
12. Graduation of child/partner	Leave to attend graduation ceremony.	1 day per year per graduate - discretionary	Pay is discretionary		Nothing in Green or Burgundy book.
13. Illness/Injury of family members	The absence must be shown to be necessary and unavoidable for the absence with pay to be granted. Where employees need to take more than the leave allocated in this section, then an employee may be entitled to unpaid dependent leave. (Also see Dependent leave)				Nothing in Green or Burgundy book.
<i>13a. Immediate family</i>	This leave is available to an employee whose immediate family member (husband, wife, partner, son, daughter, father, mother) or other dependant suffers an illness or injury.	5 days - discretionary	Pay is discretionary		
<i>13b. Other relatives</i>	Including father-in-law, mother-in-law, brother or sister	5 days - discretionary	Pay is discretionary		
<i>13c. Other</i>	Other cases involving illness/injury where an	3 days -	Pay is		

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
<i>Illness and injury Cases</i>	employee can show it to be necessary and unavoidable for leave of absence to be granted will be considered.	discretionary	discretionary		
14. Maternity	<p>All pregnant employees have a statutory entitlement to 26 weeks ordinary maternity leave and 26 weeks additional maternity leave regardless of length of service or hours worked.</p> <p>An employee must notify the Headteacher /Principal of her pregnancy, her expected week of childbirth (EWC) and the date on which she intends to start her leave, before the end of the 15th week before the EWC (or if that is not reasonably practicable, as soon as it is reasonably practicable).</p> <p>Maternity pay is made up of two separate elements; Statutory Maternity Pay (SMP) and Contractual Maternity Pay (CMP). The qualifying conditions for SMP and CMP are different. This means that whilst an employee may qualify for CMP they may not qualify for SMP and vice versa. It is essential to check the employee's contract and conditions of service to clarify entitlements to statutory and contractual maternity pay.</p>	Statutory - 52 weeks leave	Statutory - paid/unpaid subject to qualifying conditions	See Family Friendly Guidance	Maternity and Parental Leave Regulations 1999 Employment Rights Act 1996, 1999 Maternity and Parental Leave (Amendment) Regulations 2002 Employment Act 2002

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<p>Contact must be maintained during maternity leave. Agreement must be made prior to the maternity leave how contact with be maintained.</p> <p>An optional 10 'keeping in touch' days are available during her maternity leave without losing payments or ending her maternity leave. This must be agreed between the Headteacher /Principal and the employee.</p> <p>Note: Provisions are different for teachers and support staff due to the different terms and conditions of employment.</p>				
15. Maternity support leave	<p>Maternity support leave of 5 days shall be granted to the child's father or partner or nominated carer of an expectant mother at or around the time of birth.</p>	<p>5 days – mandatory due to conditions of service</p>	<p>Pay is mandatory due to conditions of service</p>		<p>Green book Part 2, 7.6 states 'maternity support leave of 5 days with pay shall be granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the</p>

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
					mother to assist in the care of child and to provide support to the mother at or around the birth'
16. Medical appointments for dependents	Where an employee requires time off to attend routine medical appointments (ie doctors and dentists) with a dependant, then the employee should arrange to attend these medical appointments outside of their normal working hours. Where this is not possible, or where emergency treatment is needed, time off may be granted. (see Dependent leave)	Discretionary - subject to the operational needs of the school	Pay is discretionary		Mirrors medical appointments
17. Parental leave	<p>The right to parental leave entitles all eligible employees who have completed one year's qualifying service to take a period of unpaid leave to care for each child under 5 (or under 18 in the case of a disabled child). Parental leave is for parents, adoptive parents and guardians to care for their children.</p> <p>To be eligible the employee must meet one of the following criteria:</p> <ul style="list-style-type: none"> • is the parent of a child born after 15 December 1999 who is under 5 years old. 	<p>Statutory - 13 weeks in total for each eligible child.</p> <p>Statutory - 18 weeks in total for each disabled child.</p>	Statutory - unpaid	See Family Friendly Guidance	Employment Rights Act 1996, 1999. Maternity and Parental Leave Regulations 1999, 2006.

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<p>The right lasts up to the child's 5th birthday, unless the child is entitled to disability living allowance, where the right is extended up to the child's 18th birthday, or</p> <ul style="list-style-type: none"> • has a child placed for adoption after 15 December 1999. The right lasts for 5 years from the date on which the child is placed for adoption, or until the child's 18th birthday, whichever is the sooner, or • has acquired formal parental responsibility for a child who is under 5 years old, or • registered as the father on the birth certificate <p>21 days written notice must be given to the Headteacher /Principal specifying the start and end date of the requested parental leave. Applications for leave can be postponed for up to six months if the 'operation of the school would be unduly disrupted' except in the case of requests for leave at or around the time of birth or adoption or immediately following statutory, contractual maternity, paternity,</p>	<p>Statutory - Please Note: – it is only possible to request parental leave in blocks of one week. It is not permissible to request individual days except for parents of disabled children. No more than four weeks parental leave can be taken in any one year.</p>			

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	adoption leave periods.				
18. Paternity Leave	<p>Paternity leave is available for fathers/partners and adoptive fathers/partners. The provisions extend to an adoptive mother or the partner of an adoptive father, who may take paternity leave if the other partner chooses to take any entitlement under the statutory adoption leave provisions.</p> <p>Employees must have 26 weeks continuous service with their current employer by the 15th week before the expected week of childbirth, or the week of being notified of being matched to a child. Eligible employees who meet the qualifying length of service criteria may be entitled to Statutory Paternity Pay (SPP).</p> <p>Leave must be taken within 56 days (8 weeks) of the actual date of birth of the child or in the case of adoption, 56 days (8 weeks) of the placement date. If the child is born early, leave can be taken within the period from the actual date of birth up to 56 days (8 weeks) after the expected week of childbirth.</p> <p>Individuals must notify the Headteacher /Principal of their intent to take paternity leave</p>	Statutory - up to 2 consecutive weeks leave for each pregnancy or adoption (regardless of number of babies born or children adopted)	<p>Statutory - paid.</p> <p>The first week of paternity leave is paid at full pay.</p> <p>The second week of paternity leave is paid at statutory paternity rate.</p>	See Family Friendly Guidance	Employment Act 2002. Paternity and Adoptive Leave Regulations 2002.

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	by the end of the 15th week before the expected week of childbirth. For an adopted child, the employee must give notification within 7 days (unless not reasonably practicable) of being notified by the adoption agency of a match with a child.				

ii) Table of health related leave

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
1. Blood donors	Subject to operational requirements employees may be given reasonable time off.	Time of is discretionary	Pay is discretionary		Mirrors ECC policy
2. Bone marrow donors	Subject to operational requirements employees may be given time off to donate bone marrow. This may include examinations prior to the donation and hospitalisation and recuperation.	Up to 3 weeks per year - discretionary	Pay is discretionary		Mirrors ECC policy
3. Cancer screening	Routine cancer screening (for example cervical cancer screening and breast examinations) should take place outside normal working hours. Where this is not possible, or where the screening is non-routine, leave of absence should be granted for the purpose of attending such appointments	Time off as and when – mandatory due to conditions Of service	Paid – mandatory due to conditions of service		Green Book, Part 2 Item 7, 7.7. "Necessary paid time will be granted for the purpose of cancer screening"
4. Dental treatment	All dental appointments should where possible be arranged for outside the employee's normal working hours. However, the school recognises that in emergencies it may be unavoidable for an employee to be absent during the normal working day for urgent dental treatment.	Up to 2 days for urgent treatment - discretionary	Pay is discretionary	Any further requests for leave for this reason require approval by the	Nothing in Green or Burgundy book

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
				Headteacher	
5. Disability	The Disability Discrimination Act 1995 provides the right for disabled people to request to work reduced hours if this will enable them to remain in post and it is a reasonable adjustment for the employer. Employers also have a duty to make reasonable adjustments to the workplace, provisions, criterion or practice.	N/A	N/A	See Employment of Disabled Persons Guidance, Section 7	Disability Discrimination Act 1995, 2005
6. Elective surgery	Requests to attend medical appointments relating to elective surgery will be considered in the light of individual circumstances and the opportunity for the applicant to use annual leave (where applicable) or school closure periods for all or part of the absence.	Time off is discretionary	Pay is discretionary		Nothing in Green or Burgundy book
7. Medical appointments and treatment	Wherever possible employees should arrange to attend medical appointments outside of their normal working hours. Where this is not possible, or where emergency treatment is needed, time off may be granted.	Time off is discretionary subject to the operational needs of the school.	Pay is discretionary		Nothing in Green or Burgundy book
8. Sickness absence	An employee who is unable to attend work due to sickness must contact the school as soon as		Paid according to statutory and	See Sickness	Social Security Contributions and Benefits

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<p>possible on the first day of absence.</p> <p>Wherever possible contact should be made by telephone to the Headteacher / Principal/ Deputy Headteacher, other member of senior staff, giving an indication of the nature of the illness and its likely duration, any work matters that may need to be attended to; the first day of illness; and if the sickness absence results from an accident at work this should be reported immediately, together with details to whom the accident was initially reported.</p>		contractual provisions	Absence Management Policy	Act 1992

iii) Table of Public service and duties leave

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
1. Court Appearances					Green book item 7, 7.5 'paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the employing authority'.
<i>1a. As a witness</i>		20 days - discretionary	Pay is discretionary		
<i>1b. As the accused</i>		10 days - discretionary	Pay is discretionary		
<i>1c. As a juror</i>	Employees are entitled under national	Duration of	Paid, less the loss	See Leave	

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	conditions of service to receive paid leave of absence for jury service	service	of earning entitlement under the juror's allowance regs	of Absence Managers Guidance	
2. Criminal injuries compensation board	Subject to operational requirements employees who make a claim to the criminal injuries compensation board may take paid time off to attend the board.	Time off is discretionary	Pay is discretionary		Mirrors ECC policy. Nothing in Green or Burgundy book
3. Elections – candidates	Employees standing as a candidate at local or central government elections.	Discretionary – 1 day on the day of the poll 1 day if the count is carried out on a different day	Pay is discretionary Pay is discretionary	Authorisation is discretionary depending on operational requirements.	
4. Fire-fighters - retained	Subject to operational needs, retained fire-fighters are entitled to paid time off for fire fighting duties.	Discretionary - 2 weeks per year	Pay is discretionary		Mirrors ECC policy.
5. Police officers and	Subject to operational requirements, discretionary leave can be given in recognition	Time off for support staff	Pay is	Authorisation to	Partly mirrors ECC policy.

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
Special constables	of employees who are special constables. The expectation is that this leave will be given at or around the time of any training in recognition of an employees extra work as a special constable.	is discretionary. Due to conditions of service teachers will only be granted leave in exceptional circumstances	discretionary	become a special constable should be obtained from the Headteacher /Principal in advance to ensure that the duties of a special constable will not conflict with their role	
6. Professional bodies – service on	E.g. National Joint Council for Local Government Services.	15 days per year - discretionary	Pay is discretionary		Nothing in Green or Burgundy book
7. Public bodies – service on	<ul style="list-style-type: none"> • Justices of the Peace • Members of a local authority • Members of a statutory tribunal 	. Statutory right to have time off Up to 26 days per year	Pay is discretionary		Nothing in Green or Burgundy book

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<ul style="list-style-type: none"> • Members of a relevant health body for example health trusts • Members of a relevant education authority for example Maintained school or college Governing Body. • Members of a board of visitors for prisons, remand centres and young offender's institutions • Members of a police authority • Members of general teaching council 				
8. Reservist Duties	<p>Volunteer reservists for example Territorial Army, Royal Naval Volunteer Reserves, Royal Marines Reserves and Royal Auxiliary Air Force or regular reservists, ex regular servicemen who may retain a liability to be mobilised.</p> <p>Teachers- Leave of absence is at the discretion of the Headteacher/Principal and due to conditions of service will only be granted in exceptional circumstances.</p>	<p>Teachers will only be granted discretionary leave in exceptional circumstances.</p> <p>Support staff may be granted 2</p>	<p>Pay is discretionary</p> <p>Pay is</p>	<p>See Leave of Absence Manager's guidance</p>	<p>Reserve Forces (Safeguard of Employment) Act 1996. Nothing in Green book or Burgundy book.</p>

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	Support staff – Leave of absence for training or voluntary service is at the discretion of the Headteacher/Principal.	weeks leave per year. (15 day continuous training).	discretionary		
9. Trade Union (TU) activities (including union learning reps)	<p>Reasonable time off will be granted for recognised TU stewards and TU members to attend official TU meetings. Subject to operational requirements reasonable paid time off will be granted for recognised TU shop stewards, health and safety reps, learning reps for the purposes of representing branch members, attend official TU meetings etc.</p> <p>Reasonable paid time off will also be granted for any training necessary for the TU role undertaken. Branch members may be given paid time off to travel to and attend the branch AGM.</p>	Statutory – reasonable time off and according to the agreements reached between the employer and the appropriate TU.	Statutory - paid		Trade Union and Labour Relations Act 1992. Employment Act 2002. Nothing in Green or Burgundy book New Code of Practice 1 Oct 09.

iv) Table of training related leave

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part time staff	Paid/Unpaid	Further information	Reference
1. Time off to Train	An employee has a statutory right to request leave to undertake training which they believe will improve their effectiveness in their role and overall performance of the school/academy.	Discretionary - depends on the course requirements and operational needs of the school	Pay is discretionary – depends on the course and its benefits to the individual and the school	See Leave of Absence Managers Guidance & Leave of Absence Employee Guidance	Apprenticeships, Skills, Children & Learning Act 2010 Nothing in Green or Burgundy book
2. Study leave and examinations	Leave may be requested for periods of study to prepare for examinations. The employee must notify the Headteacher /Principal as soon as possible of dates and reasons for leave.	Time off to study for exams is discretionary	Pay is discretionary	See Leave of Absence Managers Guidance	Nothing in Green or Burgundy book

v) Table of other leave

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	General				
	<p>The school/academy recognises that employees may on occasion need to take time off for a variety of reasons that do not fall within any of the other categories set out within this policy. The Headteacher /Principal will consider the following factors:</p> <ul style="list-style-type: none"> • the circumstances surrounding the request. <p>where applicable, any outstanding annual leave the employee may have (although having unused annual leave would not rule out leave being granted, especially for compassionate or carers leave);</p> <ul style="list-style-type: none"> • any previous requests for leave of absence; • the employee's attendance and absence record. • the number of day's special leave requested. 	Time off is discretionary	Pay is discretionary		

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	<ul style="list-style-type: none"> the employee's employment history staff cover arrangements and workload. 				
1. Career Breaks	<p>An extended period of absence from work, after which the employee intends to return to work. To be eligible the employee must have:</p> <ul style="list-style-type: none"> at least 2 year's service with their current employer satisfactory performance in all aspects of work. a satisfactory attendance and conduct record <p>The scheme is likely to be attractive to employees who wish to take a break for care commitments, either for children or elderly relatives, or other reasons ie to undertake fulltime education</p> <p>An employee needs to satisfy the Headteacher that the reason for the break is justified. Note: a career break will result in a break in continuous service. However, where a career break is taken for reasons connected with caring for</p>	Discretionary - up to a maximum of 5 years after date of resignation.	Unpaid	See Leave of Absence Manager's Guidance	Mirrors ECC scheme.

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
	children/dependants, the employee is entitled to have previous service taken into account for maternity leave and sick leave purposes only, as long as the break hasn't exceeded 8 years and the individual hasn't taken up any full time, permanent paid jobs during their break from service. Reasonable contact between the employee and the school/academy must be maintained during the period of absence.				
2. Holiday	All employees are entitled to paid time off. Details are set out in the contract of employment and Teachers pay, terms and conditions.		Statutory - paid		Employment Rights Act 1996. Working Time Directive 1996. Green Book Part 2, item 7
3. Job-seeking and retraining in a redundancy situation	An employee who is being made redundant can take reasonable time off with pay to look for another job or to arrange training. If an employee is undertaking normal job seeking, consideration will be given to the operational requirements of the school and individual circumstances.	Statutory – reasonable time off Time off is discretionary	Statutory - paid Pay is discretionary		Collective Redundancies and Transfer of Undertakings Regs 1995, 1999. Employment Rights Act 1996 Collective Redundancies Regs 2006. Trade Union and Labour

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
					Relations Act 1992.
4. Moving house	Employees should make all efforts to move house outside of their normal working hours. Where this is not possible or where an employee is moving to take up his/her post at the school/academy, sympathetic consideration will be given to granting leave of absence.	1 day – on the day of removal discretionary	Pay is discretionary		Nothing in Green or Burgundy book
5. Religious observance	The school/academy recognises the importance of religious observance and will attempt to accommodate the needs of the employee, including for example, time away from work during the day for prayer or to accommodate periods of fasting. Employees whose religious duties are not covered by weekends or the current statutory bank holidays may request time off for religious festivals.	15 days per year – discretionary	Pay is discretionary		Race Relations Act 1976. Employment Rights Act 1996. Independent School (Employment of Teachers in Schools with a Religious Character) Regulations 2003. Racial and Religious Hatred Act 2006. Equality Act 2006. Employment Equality (Religion or Belief) (Amendment) Regulations 2007. Nothing in Green or

Type of absence	Details of leave provision	Maximum days per term (unless stated otherwise) n.b pro-rata for part-time staff	Paid/Unpaid	Further information	Reference
					Burgundy book.
6. Secondments	A temporary transfer of an employee from one organisation to another associated organisation for operational or project purposes. The secondment will be governed by an agreement between all parties involved. The employee will usually be expected to have worked for 12 months before being considered for a secondment. Secondments will not break continuous service.	Normally up to 12 months. Discretionary – according to operational needs of the school/academy	Paid, the employer remains the same and therefore terms and conditions will remain the same.	See Leave of Absence Managers Guidance	Mirrors ECC Policy.
7. Weather – severe conditions	Where severe weather conditions prevail for example snow or flooding, employees are expected to make every effort to attend work, using alternative modes of transport where possible. Where an employee, as a result of using an alternative form of transport (or where there are severe traffic/ weather conditions using their normal mode of transport) arrives at work late and/or has to leave work early, they will be credited with a standard working day. Employees who are genuinely unable to attend work should where possible and with the agreement of the Headteacher /Principal work from home or attend an alternative place of work.	N/A	Pay is discretionary		Mirrors ECC Policy

