



Thistly Meadow Primary School

LEAVE OF ABSENCE POLICY



Leicestershire
Traded Services

Leave of Absence Policy for Thistly Meadow Primary School

1. Purpose

- 1.1 The Governing Body recognises the diverse workforce it employs 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.
- 1.2 This policy sets out the school's approach for dealing with requests for leave of absence and employees 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 Governing Body.
- 1.3 The Governing Body 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.
- 1.4 These leave arrangements have been discussed with the recognised Trade Unions and Professional Association.

2. The Law

- 2.1 Under the Employment Rights Act 1996, as amended, 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.
- 2.2 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.
- 2.3 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).

2.4 From 1st July 2022 the following medical professionals, who have received the relevant training to do so, will be able to certify and issue fit notes to individuals who have been absent from work due to illness for more than 7 days:

- registered nurses,
- occupational therapists,
- pharmacists, and
- physiotherapists

Fit notes will only be issued following an assessment of an individual's fitness for work and will not be issued on request or via over-the-counter services. This update will enable patients to see the most relevant healthcare professional and have better conversations about work and health.

These healthcare professionals should be treating an employee under NHS services.

For more information on fit notes please see:

<https://www.gov.uk/government/publications/the-fit-note-a-guide-for-patients-and-employees/the-fit-note-guidance-for-patients-and-employees>

3. Leave of Absence Table

3.1 The table over the page reflects the school'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
1. Emergency & Compassionate Leave		
a. Emergency leave: <i>(unforeseen domestic issues)</i>	Immediate 24 hours. Up to 48 hours (max) in crisis situation	Paid, up to 2 days max. Additional time off required after the emergency has passed may be taken using annual leave / working additional hours or as unpaid leave
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 2 days emergency leave)	Up to 5 days paid. Or time off may be unpaid / taken as annual leave or working additional hours unless extenuating circumstances
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)	Paid
2. Medical & Welfare Appointments		
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 may be granted
b. Medical screening i.e. cancer screening / cervical smear test / breast examination		Paid leave may be granted
c. Blood Donors	To be agreed	Paid leave may be granted
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.	Paid/Unpaid Absence to be recorded as sick leave if accompanied by a medical fit note. See guidance for more details.
g. Gender Reassignment	Proof of treatment / appointment required. To be agreed between Head Teacher & employee	Paid/Unpaid for non-medical treatment. Absence to be recorded as sick leave if accompanied by a medical fit note.

Leave	Duration	Paid/unpaid
3. Domestic Reasons for Absence		
a. Moving house	2 days	Paid leave may be granted
b. Attending relatives wedding/civil ceremony	1 day	Paid leave may be granted
c. Examination & Revision <i>(for study directly relating to their role in school & is approved/funded by school)</i>	<ul style="list-style-type: none"> • Day release • Final revision for exam <i>(equal to the duration of the exam)</i> • Attendance at exam • 3 days study leave <i>(for those undertaking correspondence exams)</i> 	Paid
d. Graduation	1 day	Paid leave may be granted
e. Interviews	Up to 5 days <i>Plus additional 5 days granted at Governors Discretion</i>	Paid/Unpaid
4. Training & Examinations		
All staff		
Required Training <i>(as part of their role)</i>	<ul style="list-style-type: none"> • Day release, • Final revision for exam purposes <i>(equal to the duration of the exam)</i> • Attendance at exam • 3 days study leave for those undertaking correspondence courses <i>(in addition to revision, exam leave)</i> 	Paid, including payment of all fees & relevant expenses NB. Part time employees attending training outside of their contracted hours should be paid.
Individual Training / CPD	Academies policy does not go into any detail under this section.	Paid/Unpaid
Individual Training / CPD Examinations		Paid/Unpaid
See Appendix II of the Burgundy Book, MEMORANDUM OF AGREEMENT FOR THE RELEASE OF TEACHERS for additional details on teachers who may be External Examiners, Markers, Chairman of Examiner etc.		

Leave	Duration	Paid/unpaid
5. Other Leave		
a. Lecturer <i>(during contractual hours)</i>	Approval required by Head teacher / Governors	Paid leave may be granted. Any fees received by employee should be paid directly to the school.
b. Professional Bodies		Paid leave may 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>	Paid/Unpaid
d. Career Breaks /Sabbatical	See guidance on Career Breaks & Sabbatical	
6. Statutory Leave		
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, or for either side in a civil case.	On average up to 10 days but can be longer	Paid/Unpaid If unpaid, employees can claim loss of earnings from the court. Where an employee claims from the court, employers can chose to pay a “top up” to ensure that the employee sees no reduction to pay during this time.
c. Magisterial Duties (Justice of the Peace)	Up to a maximum of 18 days, or equivalent half days per annum.	Paid/Unpaid Employees can claim loss of earnings from the court.
d. Other Public Services Duties, including: <ul style="list-style-type: none"> • Local Councillor • A School Governor / Trustee • Member of any statutory tribunal, for example employment tribunal • Member of health authority • Member of the Environment Agency • Member of the prison independent monitoring boards. 	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.	Paid/unpaid Paid Paid

6.Statutory Leave continued		
Trade Union Duties:	Reasonable time off may be granted (as per section 168 of TULRA). Please contact your HR Adviser	Paid/Unpaid
Reserve Forces a. Time off for Training b. Mobilisation	To be agreed between Head teacher & employee. Maximum duration of full time service when call out is usually no more than 12 months, although the exact duration will depend on the nature of the deployment.	Paid/Unpaid 2 weeks paid leave may be granted for the annual training camp Unpaid. The employee will receive a salary from the MoD For more details please visit: https://www.gov.uk/employee-reservist
Retained Firefighters, Special Constables and Cadet Corps	Up to 5 days per annum	Paid/Unpaid
Religious Observance & Beliefs	To be agreed between Head teacher & employee. 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 or work additional hours.

*Green boxes (as detailed in Sections 2.e, 2.f, 2.g and 3.e): schools have discretion to decide on whether to implement these aspects. Where schools' chose not to have these elements they should be deleted from table.