



# Leave of Absence Policy

Version	2.0
Approved By	Trustee Board
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VERSION NO.	DATE OF CHANGE	CHANGE SUMMARY	PAGE NO.
1.0	24.6.20		
2.0	12.9.22	<p>Updated in new brand.</p> <p>Checked to Scheme of Delegation.</p> <p>Updated following recommendations from employment lawyer.</p>	

**This policy applies to all staff including the Headteacher based at each school.**

**In accordance with the Trust's Scheme of Delegation and Articles of Association, application of this policy is devolved to individual Academies within The Trust, unless otherwise stated.**

**The constitution of formal panels will be determined by the Trust's Scheme of Delegation.**

**Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation.**

## **1. PURPOSE**

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- 1.1 The Board of Trustees 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 Trust'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 Board.
- 1.3 The 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 take into consideration the impact of the request on the delivery of teaching and learning within the school.
- 1.4 For everything, other than an emergency, we would expect staff to give reasonable notice.

## **2. THE LAW**

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- 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. A dependent could be a spouse, partner, child, grandchild, parent, or someone who depends on an employee for care.

2.2 Other types of leave requested by employees may include statutory leave (such as maternity 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 the 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).

### 3. LEAVE OF ABSENCE TABLE

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

3.2 This policy will use a rolling 12-month period for calculation purposes.

Leave	Duration	Paid/Unpaid
<b>Rolling 12-month period used for calculation purposes</b>		
<b>1. Emergency and Compassionate Leave</b>		
a. Emergency leave: <i>(unforeseen domestic issues)</i>	Immediate 24 hours. Up to 48 hours (max) for a crisis situation	Paid
b. Compassionate Leave: <i>(usually confined to cases of bereavement or extreme dependent care situations/hospitalisation)</i>	Up to 5 days (or an additional 3 days where this follows 2 days emergency leave).	Up to 5 days paid. Or time off may be unpaid.
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

d. Funeral	1 day for immediate family	Paid
<b>2. Medical and Welfare Appointments</b>		
a. Medical screening i.e. cancer screening, breast examination at hospital	Time off to be agreed where this cannot be arranged outside of work. Proof of appointment to be provided if requested.	Paid
b. Day surgery or inpatient treatment	Proof of appointment to be provided if requested	To be recorded as sick leave.
c. Fertility/IVF Treatment	Proof of treatment / appointment required if requested.	1 paid day to attend initial appointment. <i>(Absence to be recorded as sick leave if accompanied by GP fit note).</i>
d. Gender Reassignment	Proof of treatment / appointment required if requested.	Unpaid for non-medical treatment. Absence to be recorded as sick leave if accompanied by GP fit note.
<b>Leave</b>	<b>Duration</b>	<b>Paid/Unpaid</b>
<b>Rolling 12-month period used for calculation purposes</b>		
<b>3. Domestic Reasons for Absence</b>		
a. Moving house	1 day	Paid
b. Attending relatives wedding / civil ceremony	1 day	Unpaid
c. Graduation ceremony	1 day	Unpaid
d. Interview	Up to 5 days	1 day paid / 4 days unpaid
<b>4. Other Leave</b>		
Participation in Sporting Activities	Up to 2 days <i>(Supporting information to be provided where applicable)</i>	Unpaid
<b>5. Statutory Leave</b>		
a. Jury Service or formal attendance at court /tribunal or as a witness on behalf of The Crown, Police or Defence, or for	On average up to 10 days but can be longer	Unpaid Employees can claim loss of earnings from the court.



Special Constables and Cadet Corps		
g. Religious Observances and Beliefs	To be agreed between Headteacher and 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.	1 paid day