

Maplewell Hall School



Leave of Absence Policy

adopted from LA

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| DNCC Meeting | 15 February 2024 |
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1. Purpose

The Governing Body/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.

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.

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 take into consideration the impact of the request on the delivery of teaching and learning within the school.

These leave arrangements have been discussed with the recognised Trade Unions.

2. The Law

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.

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.

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).

The following medical professionals (once adequately trained) will be able to certify and issue fit notes to individuals who have been absent from work due to illness for more than seven days:

- Registered nurses.
- Occupational therapists.
- Pharmacists.
- 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.

There is more [information on fit notes online](#) maintained by Gov.uk.

3. Leave of Absence Table

The table contains 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 corresponding pay available.

Leave of Absence Reference Table

| Leave | Duration | Paid/Unpaid |
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| Emergency & Compassionate Leave | | |
| a. Emergency leave: (unforeseen domestic issues) | Immediate 24 hours. Up to 48 hours (max) in a crisis situation | Unpaid, up to 2 days max (<i>May be paid at Head's discretion</i>). Additional time off required after the emergency has passed may be taken using annual leave / working additional hours or as additional 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 leave, taken as annual leave or working additional hours unless extenuating circumstances apply. |
| 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) | Unpaid (may be paid at Head's discretion) |
| Medical & Welfare Appointments | | |
| a. Attendance at medical /dental/optician appointments (<i>for employee or</i> | Time off to be agreed where this cannot be arranged outside of work. Proof of appointment to | Unpaid leave may be granted. |

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| <i>dependent)</i> | be provided. | |
| b. Medical screening i.e. cancer screening / cervical smear test / breast examination | | Unpaid (may be paid at Head's discretion) leave may be granted. |
| c. Blood Donors | To be agreed; Schools may wish to be flexible to give time off in a similar way as time off for blood donation, although it is accepted that this is a more invasive procedure and may require a longer duration of leave i.e. up to 7 days. | Unpaid (may be paid at Head's discretion) 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 (may be paid at Head's discretion) |
| f. Fertility/IVF Treatment | Proof of treatment / appointment required. | Unpaid (may be paid at Head's discretion) 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 | Unpaid (may be paid at Head's discretion) for non-medical treatment. Absence to be recorded as sick leave if accompanied by a medical fit note. |
| Domestic Reasons for Absence | | |
| a. Moving house | Up to 2 days | Paid/Unpaid leave may be granted |
| b. Attending relatives wedding/civil ceremony | 1 day | Unpaid 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 |

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| d. Graduation (<i>for study directly relating to their role in school & is approved/funded by school</i>) | 1 day. | Paid leave may be granted |
| e. Interviews | Up to 5 days <i>Dependent upon whether the interview is for a role outside of the school / Academy Trust.</i> <i>Plus additional 5 days granted at Governors Discretion</i> | Unpaid (may be paid at Head's discretion) |
| 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 (equal to the duration of the exam) Attendance at exam | 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 | <ul style="list-style-type: none"> 3 days study leave for those undertaking correspondence courses (in addition to revision, exam leave) | Paid |
| Individual Training / CPD Examinations | | Paid |
| 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 Examiners etc. | | |
| Other Leave | | |
| a. Lecturer (during contractual hours) | 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 | Unpaid |

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| | (Supporting information to be provided where applicable) | |
| d. Career Breaks /Sabbatical | See guidance on Career Breaks & Sabbatical | |
| e. Retained Firefighters | See guidance | Unpaid |
| f. Special Police | Up to 5 working days, see guidance | Unpaid (may be paid at Head's discretion) |
| g. 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. | May be paid / unpaid or work additional hours. |
| Statutory Leave | | |
| Carer's Leave | One week of unpaid leave per year if an employee cares for dependents with long term needs. The right applies from day one of employment. "Long term needs" are defined as: <ul style="list-style-type: none"> • Anyone with a condition that meets the definition of disability under the Equality Act 2010; • Illness or injury (physical or mental) that requires or is likely to require care for more than three months, or; Old age. | Unpaid (may be paid at Head's discretion) (as this is in addition to the Compassionate Leave entitlements). |
| Redundancy – support for job seeking/training | Reasonable time – to be agreed between Head teacher & employee. | Paid |
| 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 |
| 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. |

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| <p>Other Public Services Duties, including:</p> <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. | <p>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)</p> <p>1 days leave on day of poll</p> <p>Up to 5 days per Academic Year.</p> | <p>Paid/Unpaid</p> <p>Paid</p> <p>Paid</p> |
| <p>Trade Union Duties:</p> | <p>Reasonable time off may be granted (as per section 168 of TULRCA).</p> | <p>Please contact your HR Adviser.</p> |
| <p>Reserve Forces</p> <p>Time off for Training</p> <p>Mobilisation</p> | <p>To be agreed between Head teacher & employee.</p> <p>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.</p> | <p>Unpaid 2 weeks paid leave may be granted for the annual training camp</p> <p>Unpaid. The employee will receive a salary from the MoD</p> <p>For more details please visit: https://www.gov.uk/employee-reservist</p> |

*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.