

# ST BERNARD'S HIGH SCHOOL

## LEAVE OF ABSENCE POLICY



Drafted: November 2005

Updated: January 2012

April 2016

April 2019

April 2024

**Approved by Staffing Committee: April 2024**

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Chair of Governors

Next Review due: April 2027

## **Mission Statement**

St. Bernard's is a school community which aims to live by Jesus' commandment "Love one another as I have loved you".

We are a Catholic learning community committed to the ongoing development of the entire potential of every person, achieved through a broad, balanced and relevant curriculum.

We care for each other as individuals of equal worth, regardless of status, sex, race or religion and thus actively seek to promote safeguarding, justice and fairness.

We provide an atmosphere in which we can grow in our Faith and encourage this faith by a lively and relevant liturgy.

We work with parents, parishes, local communities and industry to prepare our students for the opportunities of adulthood.

The School Governing Body has adopted this policy relating to absences from work on 29 *November 2005* after consultation with all staff in the school and their representatives. It relates to all categories of staff and covers a wide range of types of leave (whether statutory rights exist or Governors have discretion over approvals).

The Head Teacher and Governors will consider all applications for leave of absence in a fair and equitable manner within the framework set out in this policy document.

Indicated in the following schedule are the maximum levels of absence that Governors will approve in normal circumstances. The Head Teacher 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.

### **1.1 Procedure for applications**

All applications for leave of absence should be completed on a blue form and be directed to the Head Teacher in the first instance regardless of whether he/she has authority to approve such applications. Requests by the Head Teacher for leave of absence must be directed to the Chair of Governors.

LOA goes to your LM for signing / Cover-Coordinator / Headteacher

Applications for leave of absence should be in writing, however, in some circumstances depending on the reason for and duration of the leave requested and with the approval of the Head Teacher a written request may not be necessary.

The employee must give as much information as possible when considering the request and indicate whether they are requesting paid or unpaid leave to assist the Head Teacher in considering the request and making a decision.

The blue form will be returned to you informing you of the outcome

### **Notice requirements**

Specific notice periods are mandatory for some types of leave (eg maternity, paternity leave) and these are indicated in the leave tables (see Appendices 1-5), together with the reference point for further information.

For all other leave, employees should request leave of absence with as much notice as possible, and in any case in accordance with following timescales.

<b>Length of leave of absence requested</b>	<b>Minimum Notice required</b>
Up to 5 days	1 week
5 days and over	1 month

### **Emergency leave requests**

In certain circumstances it may not be possible for the employee to request the leave of absence, in writing, in advance.

In these circumstances the employee should follow the agreed procedure in their School (eg telephoning the School and speaking to the Head Teacher/their Line Manager to discuss the reasons for the request for leave of absence.)

An initial decision whether leave of absence is granted to cover the initial emergency situation will be made and notified verbally to the employee. A written record of the details of the request for leave of absence and the decision regarding the granting of any leave of absence will be made. The record will be signed by the employee on their return to work. This will then be kept on the employee's personal file.

### **Considering leave of absence requests**

The Head Teacher will, on receipt of a leave of absence request, consider the request in line with this leave of absence policy, the particular circumstances of the case and any operational requirements of the establishment. They will also take into account any other relevant factors including:

- How many previous requests have been made by the employee and for what reason?
- Whether any previous requests for absence in the same circumstances have been approved, how many, for how long and whether the leave was paid or unpaid.
- How similar requests from other employees have been dealt with?

- Whether they are setting a precedent for how similar requests will be dealt with in future.

The Head Teacher will notify the employee in writing, as soon as possible, of the decision. The approval section on the Absence Request form should be completed and signed and a copy of the form will be provided to the employee.

If the request is not agreed the employee will be notified that they have the right to appeal against the decision.

The request for leave of absence and a copy of the decision will be placed on the employee's personal file.

## **1.2 Appeals Procedure**

Employees have the right to appeal against a refusal to approve a leave of absence request or against a refusal to approve paid leave (where the time off has been granted as unpaid leave). Appeals should be submitted within 5 days of receiving the decision.

Any appeal lodged against a decision relating to a request for leave of absence will be heard by the Governors Staff Disciplinary Committee. The employee and chosen representative (normally the representative of a recognised trade union, or some other appropriate person), may attend any such appeal meeting and to make representation.

The Committee's decision will be final.

## **Unauthorised leave of absence**

Employees who take time off work without following the appropriate procedure for requesting leave and/or who take time off without receiving appropriate approval may be subject to disciplinary action in line with the disciplinary procedure.

Employees who take unauthorised absence will not receive payment for such absence other than in exceptional circumstances.

## **Impact on Pension**

When a Pension Scheme member has authorised unpaid leave of absence, the period of any such leave will not count towards their Pension.

- Members of the Local Government Pension Scheme can buy back any period of authorised unpaid leave through an Additional Pension Contribution (APC) contract. <http://www.lgps2014.org/content/how-do-i-buy-extra-or-lost-pension>  
If you elect to enter into an APC contract within 30 days of the unpaid leave, your employer will pay 2/3 of the cost and you will pay 1/3. Further information: <http://www.lgps2014.org>
- Members of the Teachers' Pension Scheme can purchase additional pension subject to a minimum amount. Further information: <https://www.teacherspensions.co.uk/>

## **Data Protection**

When an employee makes a request for leave of absence under this policy, the school will process any personal data collected (including written records of meetings held under this process) in accordance with its data protection policy. In particular, the school will only record personal information request to deal with the employee's request for leave of absence and keep this information only for as long as necessary to deal with the request. Data collected as part of a leave of absence request is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to leave of absence requests.

On the conclusion of the process, data collected will be held in accordance with the school's retention schedule. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.

## ENTITLMENT AND APPROACH

**Home Working (see Flexible working)**

**Hospital Treatment (see Illness/Injury)**

**Hours of Work (see Flexible Working)**

## **Appendix 1 – Table of family related leave**

<b>Type of Absence</b>	<b>Details of leave provision</b>	<b>Statutory or Discretionary Leave</b>	<b>Paid/ Unpaid</b>
Adoption Leave	<p>Subject to meeting the relevant qualifying conditions and notice requirements employees who have been newly matched with a child for adoption by an approved adoption agency and who will be the primary adopter are entitled to 26 weeks ordinary adoption leave followed by up to 26 weeks additional adoption leave. The secondary adopter may be entitled to paternity leave and/or shared parental leave. The employer and employee can also agree to up to a maximum of 10 days paid 'keeping in touch' days during the period of adoption leave for the primary adopter.</p> <p>Employees who are local authority foster parents and also approved as prospective adopters and who have a child placed with them in a "foster to adopt" situation will be entitled to adoption leave if they are the primary adopter.</p> <p>Employees who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation may be entitled to adoption leave (primary adopter) and/or paternity/shared parental leave (secondary adopter) subject to meeting the eligibility criteria.</p>	Statutory. Mandatory notice requirements apply.	<p>Statutory – paid/unpaid subject to qualifying conditions.</p> <p>Eligible employees may also be entitled to contractual adoption pay.</p>
Pre-Adoption meetings	<p>Adopters have a statutory right to time off to attend pre-adoption meetings. The purpose of the request for time off must be to meet with a child/children matched for adoption with the employee or for another purpose connected to the adoption.</p> <p>The entitlement is to paid time off to attend up to 5 meetings for the 'primary' adopter. The 'secondary' adopter is entitled to unpaid time off to attend up to 2 meetings. Employees are encouraged to arrange appointments outside their working hours wherever possible.</p>	Statutory – time off should not exceed 6.5 hours per appointment.	<p>Statutory paid (primary adopter)/unpaid (secondary adopter)</p> <p>Pay is discretionary if any further leave is approved.</p>

	There is no statutory right to further pre-adoption leave but requests may be considered on a discretionary basis.		
<b>Type of Absence</b>	<b>Details of leave provision</b>	<b>Statutory or Discretionary Leave</b>	<b>Paid/ Unpaid</b>
Pre-Adoption meetings (cont)	There is no statutory right to further pre-adoption leave but requests may be considered on a discretionary basis.		
Ante-natal Care (for pregnant employees)	All pregnant employees have a statutory right to reasonable paid time off work for ante-natal care but are encouraged to arrange appointments outside of their working hours wherever possible. Antenatal care may include relaxation and parent-craft classes if they have been recommended by a doctor or midwife.	Statutory – reasonable time off	Statutory – paid
Ante-natal Care (requests for time off made by fathers to be/partners and nominated carers)	<p>All employees in a qualifying relationship with a pregnant woman or her expected child (including spouse, civil partner and person in a long-term relationship with the pregnant woman) are entitled to take time off during their working hours in order to accompany the woman to two ante-natal appointments. The appointments must be made on the advice of a registered medical practitioner, midwife or registered nurse.</p> <p>Employees who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation have the right to unpaid time off work to accompany the birth mother to up to 2 ante-natal appointments.</p> <p>Any time off requested to attend further ante-natal appointments will be at the discretion of the employer.</p>	Statutory – 2 appointments not exceeding 6.5 hours per appointment.	Statutory – unpaid







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Type of Absence	Details of leave provision	Statutory or Discretionary Leave	Paid/ Unpaid
<p>Child care (time off to make alternative child care arrangements)</p>	<p>The school recognises that it may be necessary for an employee to make arrangements at short notice 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>Requests for a maximum of <u>2 days leave, per term per family with pay</u>, for the purpose of making alternative care arrangements should be directed to the Head Teacher. Any reasonable requests for further leave to deal with such emergencies will be without pay.</p> <p>Note: employees must not claim sick leave to look after sick children.</p> <p>Time off to set up alternative care arrangements when a child's normal carer is suddenly unable to provide care or when normal childcare arrangements are not available is covered under time off for dependants.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – reasonable time off to deal with the emergency</p> <p>Any time off beyond immediate crisis – discretionary</p>	<p>Pay in discretionary</p> <p>Pay is discretionary</p>

Time off for Children's events	Requests for a maximum of 6 hours per family per academic year		Pay is discretionary
Time off for Dependants	<p>Employees have a right to take a reasonable amount of time off work (unpaid) 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 <u>parent, wife, husband or partner, child</u>, or someone who lives as part of the family, but not the employee's tenant, lodger or boarder. It also includes somebody 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. The following are examples of where an employee has a statutory right to request time off:</p> <p>If a dependant falls ill or has been involved in an accident or assaulted, including where the victim is hurt or distressed rather than injured physically;  When a partner is having a baby;  To make longer term care arrangements for a dependent who is ill or injured;  To deal with the death of a dependant; for example, to make funeral arrangements or to attend a funeral;</p>	Statutory – there is no set period and the length of leave authorised will depend on individual circumstances, and leave for this reason may be offered in addition to other discretionary leave.	Pay is discretionary

	<p>To deal with an unexpected disruption or breakdown in care arrangements for a dependant; for example, when the childminder or nurse fails to turn up;</p> <p>To deal with an incident involving the employee's child during school hours; for example if the child has been involved in a fight or is being suspended from school.</p> <p>All requests for leave of absence for this reason must be directed to the Head Teacher. Leave authorised for this reason will be without pay. The length of leave authorised will depend on individual circumstances, and leave for this reason may be offered in addition to other leave provisions available - see also Child Care, Injury &amp; Illness and Elder Care. Where possible this should be applied for and agreed by the Head Teacher in advance of the time taken. Where this is not possible for reasons of urgency, this should be done within 5 working days of the employee returning to work.</p>		
<b>Type of Absence</b>	<b>Details of leave provision</b>	<b>Statutory or Discretionary Leave</b>	<b>Paid/ Unpaid</b>
Domestic crisis/ damage to property	The school recognises that circumstances may make it necessary and unavoidable for an employee to be absent due to domestic crisis (including damage or disruption to property). Requests for leave should be directed to the Head Teacher. A maximum of 2 days paid leave per term may be authorised by the Head Teacher. Any further	Time off is discretionary	Pay is discretionary

	requests for leave for this reason require approval by the Governing Body.		
Elder care	<p>Requests for time off to deal with unexpected emergencies to care for an elderly person who is an immediate family member or other elder dependant cared for by the employee is covered under time off for dependants.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – reasonable time off</p> <p>Any time off beyond immediate crisis – discretionary</p>	<p>Pay is discretionary</p> <p>Pay is discretionary</p>
Fertility treatment	Requests for reasonable time off to attend appointments and treatment relating to fertility treatment should be directed to the Head Teacher. Each request will be considered individually in the context of the particular circumstances. An agreement should be reached with the Head Teacher regarding what time is required. The Head Teacher may, at their discretion provide paid leave for medical/hospital appointments for fertility treatment and associated treatments.	Time off is discretionary	Pay is discretionary
Foster care	Leave will be given to foster carers to attend meetings and/or training commitments may be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary

	<p>Foster carers who are also approved as prospective adopters may be entitled to adoption leave (and to attend pre-adoption meetings), if they have a child placed with them in a 'foster to adopt' situation and they will be the primary adopter.</p>	Statutory – subject to meeting the qualifying conditions.	Statutory – paid/unpaid subject to qualifying conditions. Eligible employees may also be entitled to contractual adoption pay.
Graduation of child/partner	<p>One day's leave with pay is available for employees wishing to attend the graduation of a child or partner. Only one day per child/graduate per year is available. Requests should be directed to the Head Teacher.</p>	Time off is discretionary	Pay is discretionary
<p>Illness/Injury of family members</p> <p>Immediate Family</p>	<p>The following paid 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. Requests for leave should be directed to the Head Teacher.</p> <p>Other cases involving illness/injury where an employee can show it to be necessary and</p>	Time off is discretionary	Pay is discretionary



Other Relatives	unavoidable for leave of absence to be granted will be considered.A maximum of 3 days paid leave per term at the discretion of the Head Teacher. Any further requests for leave for this reason require approval by the Governing Body.]		
Other Illness/Injury cases			
Maternity leave	Subject to meeting the relevant qualifying conditions and notice requirements employees are entitled to 26 weeks ordinary maternity leave followed by 26 weeks additional maternity leave.	Statutory. Mandatory notice requirements apply.	Statutory – paid/unpaid subject to qualifying conditions.

	<p>An employee must notify the Head Teacher of her pregnancy, her expected week of childbirth 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>Contact must be maintained during maternity leave. Agreement must be made with the Head Teacher prior to maternity leave how contact will be maintained. Optional 10 'keeping in touch' days are available.]</p>		Eligible employees may also be entitled to contractual maternity pay.
Maternity support leave (support staff on LG Conditions)	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.	5 days – mandatory for staff on Local Government conditions of service.	Pay is mandatory due to Local Government conditions of service
Maternity support leave (teaching staff and other staff not on LG conditions)	There is no entitlement to maternity support leave for teaching staff although requests for leave from the child's father or partner or nominated carer of an expectant mother at or around the time of birth may be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary
Parental Leave	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 18 years of age. Parental leave is for parents, adoptive parents and guardians to care for their children. Parental leave must normally be taken in blocks of one week and a maximum of 4	Statutory – 18 weeks in total for each eligible child. Mandatory notice requirements apply	Statutory – unpaid

	weeks is permitted per year unless the employer agrees to more.		
Paternity leave (see also Maternity Support leave above)	Paternity leave is available to a person whose partner is having a baby through a surrogacy arrange.	Statutory –one or two consecutive weeks leave for each pregnancy or adoption .	<p>Statutory paid (2 weeks SPP or 1<sup>st</sup> weeks full pay Mat. Support Leave 2<sup>nd</sup> week SPP)</p> <p>May be entitled to receive Additional Statutory Paternity Pay</p>
Shared Parental Leave (SPL)	Subject to meeting relevant qualification criteria and notice requirements, those with shared responsibility for a child at birth or date of placement in the case of adoption may be eligible to take SPL. SPL is available where one partner is entitled to maternity/adoption leave and brings this to an end early. The remaining period can then be shared between the partners. SPL may only be taken during the year following birth/adoption placement.	Statutory – maximum of 50 weeks leave (less any period of maternity/adoption leave already taken) may be used as shared parental leave, subject to meeting eligibility criteria.	Statutory – paid/unpaid subject to qualifying conditions
Surrogacy	An employee acting as surrogate mother is entitled to maternity leave subject to meeting the eligibility criteria.	Statutory subject to meeting eligibility criteria	Statutory – paid/unpaid subject

	<p>An employee taking parental responsibility for a child born by a surrogate is not entitled to maternity leave but may be entitled to adoption leave and/or shared parental leave subject to meeting the eligibility criteria.</p> <p>Employees who are intended parents by virtue of a surrogacy arrangement are entitled to unpaid time off to attend up to 2 ante-natal appointments of the surrogate not exceeding 6.5 hours per appointment (see ante-natal care above).</p>	<p>Statutory subject to meeting eligibility criteria</p> <p>Statutory</p>	<p>to qualifying conditions</p> <p>Statutory – paid/unpaid subject to qualifying conditions</p> <p>Statutory – unpaid</p>

**Appendix 2 – Table of health related leave**

<b>Type of Absence</b>	<b>Details of leave provision</b>	<b>Statutory or Discretionary Leave</b>	<b>Paid/ Unpaid</b>
Cancer screening	Where possible, employees should arrange for routine cancer screening (e.g. cervical cancer screening and breast examinations) to take place outside their normal working hours. Where this is not possible, or where the screening is non-routine, employees may be granted paid time off for the purpose of attending such appointments.	Time off as and when – mandatory due to conditions of service for support staff (Green Book)  Time off is discretionary for teachers	Paid – mandatory due to conditions of service for support staff.  Pay is discretionary for teachers.
Dental treatment	For all routine dental appointments, employees should make all reasonable efforts to arrange appointments outside working time. If emergency or urgent treatment is required employees may request leave during the normal working day and such requests will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary
Elective surgery that is not medically necessary/recommended	Employees who wish to undergo elective surgery that is not medically necessary/recommended should arrange such surgery (and any pre/post operation appointments) during school closure periods/periods of annual leave.	Time off is discretionary	Pay is discretionary.

	<p>They should ensure that they have enough time to recover before the start of term/end of period of annual leave.</p> <p>Leave of absence will not normally be granted although requests will be considered on a case-by-case basis. If, following elective surgery that is not medically necessary/recommended, the employee becomes medically unfit as a result of the surgery sickness absence provisions will apply.</p>	Sickness absence in line with normal entitlements.	Statutory and contractual sick pay entitlement will be payable where eligible.
Elective surgery that is medically necessary/recommended	Where the elective surgery is medically necessary/recommended normal sickness provisions will apply. Employees may be asked to provide evidence that the surgery is necessary/recommended.	Sickness absence in line with normal entitlements	Statutory and contractual sick pay entitlement will be payable
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, paid time off may be granted subject to the operational needs of the school. All requests should be directed to the Head Teacher. 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)	Time off is discretionary	Pay is discretionary

Medical Appointments for Dependents	<p>or school closure periods for all or part of the absence.</p> <p>Where an employee requires time off to attend routine medical appoints (ie doctors and dentists) with a dependent then the employee should arrange to attend these medical appointments outside of normal working hours. Where this is not possible, or where emergency treatment is needed, time off may be granted (see Dependent Leave).</p>		
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**Appendix 3 – Table of Public service duties leave**

<b>Type of Absence</b>	<b>Details of leave provision</b>	<b>Statutory or Discretionary Leave</b>	<b>Paid/ Unpaid</b>
Court/Employment Tribunal Appearances	Employees who are required to attend court as a witness, juror or because they are pursuing a claim or are the subject of criminal proceedings must notify the school as soon as they receive the hearing date or a witness summons.	Time off is discretionary (except where a witness summons is produced by the employee when they must be released)	Pay is discretionary.
Jury service	All employees must be allowed to take time off for jury service. Under national conditions of service employees are entitled to receive paid leave of absence for jury service.	Statutory right to leave for the duration of jury service.	Contractual – paid.
Public bodies (service on) and public duties	Justices of the Peace/Magistrates  Members of a local authority/local councillors  Members of a statutory tribunal eg an Employment Tribunal	Statutory right to a “reasonable” amount of time off, to be agreed between the employee and employer beforehand.  The amount of time that may be considered reasonable should be based on: <ul style="list-style-type: none"><li>• How long the duties might take</li></ul>	Contractual Paid leave.  Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the employing school.



	<p>Members of a relevant health body/authority for example health trusts</p> <p>Members of a relevant education authority for example Maintained school or college Governing Body (ie School Governors) (nb School Governors at Academies are not currently included in this right)</p> <p>Members of the prison independent monitoring boards</p> <p>Members of a panel of lay observers who monitor conditions for prisoners under escort and in court custody</p> <p>Members of Teaching Regulation Agency (formerly National College for Teaching and Learning)</p> <p>Members of the Environment Agency</p> <p>Members of Visiting Committees for the immigration detention estate</p>	<ul style="list-style-type: none"> <li>• The amount of time the employee has already had off for public duties</li> <li>• How the time off will affect the school/organisation</li> </ul> <p>Employers may refuse time off if they consider it is unreasonable</p>	
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	Members of Visiting Committees appointed to monitor short-term immigration holding facilities		
Reservists – time off for training	<p>Volunteering members of the Army Reserves) may request time off to carry out training. There is no statutory entitlement to time off for training. Employers may consider such requests on a discretionary basis.</p> <p>NB Reservists who are mobilised must be given time off, unless their employer believes their absence would cause serious harm to their organisation. In these circumstances, employers have the right to seek exemption from it, or to defer or revoke the mobilisation.</p> <p>Employers may be eligible to claim expenses in respect of additional costs incurred whilst replacing a reservist (to a maximum of £110 per day). Employers may also be able to receive a payment of up to £500 per month for each full month a reservist is absent from work (pro-rated for parts of month and part time workers).</p>	Time off is discretionary.	Pay is discretionary.

Trade Union Representatives – requests for time off to act as a companion to another employee attending a disciplinary or grievance	Trade Union representatives have a statutory right to take a reasonable amount of paid time off to accompany a worker at a disciplinary or grievance hearing so long as they have been certified by their union as being capable of acting as a worker's companion. The right to time off only applies where the person being accompanied is employed by the same employer as the certified companion.	Statutory – 'reasonable' time off.	Statutory – paid
Trade Union Activities	<p>Employees who are members of an independent trade union recognised by the employer in respect of that description of employee are to be permitted reasonable time off during working hours to take part in any trade union activities.</p> <p>Activities include (but are not limited to) actions taken by members in relation to their union, for example voting in elections, meeting with union representatives and attending workplace meetings.</p>	Statutory – 'reasonable' time off to carry out their activities according to the agreements reached between the employer and the appropriate trade union.	<p>There is no statutory right to payment for time off to carry out trade union activities.</p> <p>Any payment for time off to carry out Trade Union activities is at the discretion of the employer.</p>

Trade Union Duties	<p>Employees who are elected union representatives of an independent trade union recognised by their employer for collective bargaining purposes are entitled to reasonable time off during working hours to carry out certain trade union duties.</p> <p>Duties are tasks undertaken by union representatives on behalf of the members, for example negotiating with the employer or organising elections.</p> <p>These duties must be on behalf of employees of the employer to be covered by the statutory right to paid time off.</p>	<p>Statutory entitlement to 'reasonable' time off to carry out trade union duties.</p> <p>When considering what is reasonable, employers need to balance the right that the union representatives have to conduct their duties with the need for the efficient running of the school.</p>	
Trade Union Learning representatives	Employees who are members of an independent trade union recognised by the employer can take reasonable time off to undertake the duties of a Union Learning representative, provided that the union has given the employer notice in writing	Statutory – 'reasonable' time off to carry out their duties/undergo training relevant to their functions as a Union Learning Representative	Statutory paid

	<p>that the employee is a learning representative of the trade union and the training condition is met.</p> <p>Union members are also entitled to reasonable time off for accessing the services of union learning representatives.</p>		
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**Appendix 4 – Table of training related leave**

<b>Type of Absence</b>	<b>Details of leave provision</b>	<b>Statutory or Discretionary Leave</b>	<b>Paid/ Unpaid</b>
Time off to Train	<p>All employees who have worked for their employer for at least 26 weeks and whose employer has 250 employees or more (this right therefore applies to employees at Community and Voluntary Controlled schools where the employer is the Local Authority) have the right to request time off to undertake training which they believe will improve their effectiveness in their role and overall performance of the school/academy.</p> <p>Only one request may be made in any 12 month period.</p>	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.
Study leave and examinations	<p>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.</p>	Time off to study for exams is discretionary	Pay is discretionary

**Appendix 5 – Table of other leave**

Examination Board duties (release of teachers)	Request from teachers for leave of absence to carry out duties/activities connected with Examining Groups/Boards will be considered on a discretionary basis.	Discretionary	Pay is discretionary	Burgundy Book Appendix II
Holiday (requests during term time)  Support Staff	<p>The minimum paid annual leave entitlement is 22 days with a further 5 days after five years of continuous service (for Points 1-11). The entitlement as expressed applies to five working day patterns. For alternative working day patterns equivalent leave entitlement should be calculated.</p> <p>Employees have an entitlement to two extra statutory days holiday, the timing of which may be determined in advance through consultation of a recognised trade union or may be added to annual leave by local agreement. Bank holidays are in addition to the annual leave entitlement.</p> <p>The annual leave entitlement of employees leaving or joining the school is proportionate to their completed service during the school year. All annual leave must be agreed in advance with the Head Teacher. Annual leave should only be</p>	Discretionary	<p>Discretionary</p> <p>Contractual paid leave</p>	All staff are entitled to paid annual leave. For those employees working less than 52.14 weeks annual leave is deemed to be taken during the closure periods and for 52.14 week support staff it is normally expected that holiday will be taken during closure periods.

	<p>taken during school closure periods and not during term time, except in the case of the School Facilities manager, IT staff and premises staff, where holiday entitlements need to be spread across the year in order to allow the school to function effectively both in term time and holiday periods. Holiday arrangements in these exceptional cases must be authorised by the Head Teacher.</p> <p>All employees are entitled to paid time off.</p> <p><b>Please note that for full time support staff 3 days holiday must be taken during the Christmas Break between Christmas and New Year.</b></p>			
Job-seeking and retraining in a redundancy situation	An employee who is under notice of redundancy (and who has been continuously employed for 2 years by the date their notice period ends) can request reasonable time off with pay to look for another job or to arrange training.	Statutory – reasonable time off	Statutory – paid (NB regardless of how much time off an employee takes for job hunting in any week, employers are only required	



	NB The Redundancy Policy gives the right to reasonable time off for interviews to staff at risk of redundancy.	Contractual (if adopted model redundancy policy)	to pay up to 40% of that week's -pay)	
			Discretionary	
Interviews	<b>Interviews</b> If an employee not at risk of redundancy requests time off to attend an interview, this will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary	
Moving House	<b>Moving House</b> 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, sympathetic consideration will be given to granting leave of absence with pay on the day of removal.	Time off is discretionary	Pay is discretionary	
Religious Observance	<b>Religious Observance</b> The school 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.	Time off is discretionary	Pay is discretionary	

	<p>Employees whose religious duties are not covered by weekends or the current statutory bank holidays may request time off for religious festivals. Leave without pay for the purpose of attending special religious festivals, subject to adequate prior notice will not be unreasonably refused.</p> <p>The employer 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.</p>			
Weather – severe conditions	<p><b>Weather – Severe Conditions</b></p> <p>Where severe weather conditions prevail, e.g. snow or flooding, employees are expected to make every effort to attend work, using alternative modes of transport where possible.</p> <p>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</p>	Time off is discretionary	Pay is discretionary	

	<p>work early, they will be credited with a standard working day.</p> <p>Employees who are genuinely unable to attend work should where possible and with the agreement of the Head Teacher work from home or attend an alternative place of work.</p> <p>Where severe weather conditions prevail, employees are expected to make every effort to attend work, using alternative modes of transport where necessary.</p> <p>Employees who are genuinely unable to attend work should wherever possible and with the agreement of the Head Teacher work from home or request leave of absence which will be considered on a discretionary basis.</p>			
Flexible working (including part time and job share)	All requests to work flexibly will be given serious consideration by the Head Teacher. Employees with young or disabled children have a statutory right to request to work flexibly. Flexible working allows an			

	<p>employee to request a change in their hours of work (including part time and job share), a change to their working times</p> <p>Eligible employees must have 26 weeks continuous service with the School at the date the request is made.</p> <p>Requests should be directed to the Head Teacher. An employee can only make one request in any 12 month period.</p>			
Job Share (see also Flexible working)	<p>Job-sharing arrangements are a special form of part-time work, where a full-time post is shared between two part-time workers. The job can be divided in a number of ways to suit the circumstances of the post and the individuals concerned. Job-sharing enables skilled workers to obtain or remain in a range of posts and often allows greater flexibility, lower absences etc.</p> <p>All requests for a job share must to be made to the Head Teacher. The Head Teacher will consider all requests fairly and equitably taking into account the operational needs of the school. The Head Teacher will give serious consideration to requests for job-</p>			

	<p>sharing both from existing staff and applicants to posts.</p> <p>Job-share applicants are not obliged to apply with a partner, if an applicant proves suitable every effort will be made to find a job share partner before offering the post. Ultimately, requests to job-share can be refused where no suitable partner can be found.</p>			
Part time working (see also Flexible working)	<p>The Head Teacher will give serious consideration to requests to change from full-time to part-time; from part-time to full-time; and to change hours. All requests will be considered fairly and equitably taking into account the operational needs of the school.</p> <p>The Head Teacher will explore with the employee how such changes could be accommodated and may, in the end, prescribe when the hours need to be worked and how many hours are appropriate in accordance with the needs of the school. Ultimately requests may be refused where there is an objective justification which must be based on sound business reasons.</p>			

Sabbaticals	Requests for sabbaticals should be made to the Head Teacher. Sabbaticals are unpaid and are often used for periods of full-time study or periods of travel, VSO etc. The Head Teacher will consider requests individually, taking into account the operational requirements of the school.			
Secondments	<p>A secondment is the temporary movement 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.</p> <p>An employee wishing to undertake a secondment must seek the agreement of the Head Teacher (or Governing Body if request is from the Head Teacher). The secondment of teaching and support staff will be governed by an agreement between parties involved.</p>			