

Woodmancote School

Leave of Absence Policy

Designated Member of Staff: G Tucker and Staffing and Finance

Authorised & special leave for employees in schools

Summary:

The School is committed to supporting employees who may need to take time off work for a variety of reasons not covered by the normal annual leave provisions. This policy describes the various situations in which authorised leave may be granted.

Entitlements to certain types of leave are covered by statute, whilst other forms of leave are discretionary and may be granted by managers.

In all circumstances, requests will be considered sympathetically but are subject to individual circumstances and the needs of the service.

Each case should be considered taking account the needs of the school and such costs must be met from the school budget or from the Supply Mutual Fund.

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| Who does this policy apply to? | It applies to the following employees: <ul style="list-style-type: none">• support staff (Green Book)• teachers (Burgundy Book)• teachers in residential schools/establishments (Orange Book) |
| Who can take dependants leave? | All employees are entitled to take a reasonable amount of unpaid time off work to deal with unexpected or emergency situations involving a dependent (see next question for a definition). Circumstances covered are illness, injury, breakdown of care arrangements or dealing with an unexpected accident involving a child at school. It is accepted that the employee may not always be able to seek permission beforehand but will be expected to inform the school as soon as practicable the reason for their absence and how long they expect to be absent. Time off work is envisaged as being no more than one or two days in most cases. For support staff (Green Book), Gloucestershire County Council |

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| | <p>provides family care leave which covers the above. This extends the statutory right to provide up to five days <u>paid</u> leave (pro rata if part time) per leave year for genuine emergency family care situations involving a dependant. Family care leave supplements the right to reasonable unpaid time off from work for dependants for caring responsibilities or where arrangements for care unexpectedly breakdown</p> <p>For dependants and family care leave normal care arrangements must have broken down or be suddenly disturbed. Examples are, but not limited to:</p> <ul style="list-style-type: none"> • Accidents or injuries to a dependant or near relative. • Sudden, urgent closure of a school or day care provision. • Start of sickness of a dependant or near relative where immediate medical treatment is necessary. |
| <p>What is a dependant?</p> | <p>A dependent is defined as:</p> <ul style="list-style-type: none"> • Any person living in the household with you who is directly dependent on you. This could be a spouse/civil partner, child or parent; • Any near relative, for example parent, son or daughter who lives separately from you but requires your support as a result of an emergency. |
| <p>What is compassionate leave?</p> | <p>For both teachers and support staff, governors have the discretion to allow up to five days' paid leave per year (pro-rata if part time) in the case of serious illness or death of a next of kin (i.e. mother, son, sister etc.).</p> <p>Governors will also have the discretion to allow the same amount of leave if the employee needs to make funeral arrangements on the death of a near relative or dependent friend.</p> <p>Where they are not responsible for funeral arrangements or a near relative/dependent friend is seriously ill, governors have the discretion to allow up to three days paid compassionate leave.</p> <p>In exceptional circumstances governors can grant special paid leave and/or unpaid leave to allow employee to care for their spouse/partner and/or family during a prolonged illness. This is discretionary and subject to the needs of the school.</p> |
| <p>What other special paid leave is available?</p> | <p>The following can be considered by governors:</p> <p><u>Teaching staff only:</u></p> |

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| | <ul style="list-style-type: none"> • Wedding of son, daughter, sister, brother - one day at a time. • Removal of household effects - one day at a time. • To seek another appointment - two days at a time. • Approved vocational exams - period of the exam. • Approved vocational courses - duration of the course. <p><u>Support staff only:</u></p> <ul style="list-style-type: none"> • Wedding of son, daughter, sister, brother - one day at a time (for only term time employees as support staff on all year contracts are required to take annual leave). • Approved vocational exams - period of exam. • Approved vocational courses - duration of course. <p>Governors and head teachers may also authorise leave of absence with pay, up to a maximum of two days per year, for exceptional circumstances, not covered above.</p> <p>Requests for special leave not covered above must be made to the governing body and if granted, will be unpaid unless stated.</p> |
| <p>What leave is available for medical or dental appointments?</p> | <p>Where possible, the employee should make every effort to make appointments outside school hours. Where this is not possible the employee should ensure that the time is minimal and the employee gains approval before the appointment.</p> <p>In addition, under national 'green book' conditions for support staff, paid time off should be made available for cancer screening.</p> |
| <p>What leave should employees take if nominated as parliamentary/ district council election candidate?</p> | <p>Employees taking part in pre-election campaigns will need to request unpaid leave or annual leave if they work all year round.</p> |
| <p>If an employee is elected as a member of the district/parish</p> | <p>Employees need to give their governors as much notice as possible of their intention to be absent on a particular day or part of to attend to their public duties. (It is recognised that the majority of</p> |

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| <p>council and/or appointed as a justice of the peace, what leave can they take?</p> | <p>parish council meetings take place outside normal office hours).</p> <p>In considering requests for such time off, governors/head teachers will consider the needs of the school as well as the needs of the employee. The maximum amount of time off with pay for full time employees undertaking these duties shall not exceed 208 working hours per financial year (1st April to 31st March) for each duty.</p> <p>Where employees can demonstrate to governors their public office requires them to spend more than 208 hours working on such duties, their request for additional leave should not be unreasonably refused, although it will be unpaid. For part time employees, this should be calculated on a pro rata basis.</p> <p>On days where paid leave of absence is approved for being appointed as a justice of the peace, the school will not make any deductions from pay and therefore such employees will not need to claim a financial loss allowance.</p> <p>Where employees are elected members and claim member allowances on those days where paid leave is approved, an amount equivalent to the allowances claimed will be deducted from their pay. (These employees will need to notify the Business Service Centre (BSC), or payroll provider, of the amount of allowance claimed to ensure monthly salary payments are processed correctly).</p> |
| <p>What leave should be taken to undertake activities for which employees are paid?</p> | <p>Employees who volunteer to participate in paid activities, e.g. census; election etc, annual leave or unpaid leave should be requested.</p> |
| <p>What leave should be provided for attending army/navy/air cadet/reservist annual camps?</p> | <p>Employees who are instructors in the Army, Navy or Air Cadet Forces or a reservist, can take special paid leave to attend annual camps. However, this does not apply to voluntary organisations such as the Boys Brigade, Scouts, Guides etc.</p> <p>If an employee is a reservist and is mobilised, please see the link to the Local Government Employer's website for guidance on entitlement to pay and other conditions of service. http://www.lge.gov.uk/lge/core/page.do?pageId=119731</p> |
| <p>What time off is available for school governors if they are</p> | <p>As it is regarded as a public duty, unpaid leave of absence can be given to employees who are governors of other schools (i.e. not the one whom they are employed by).</p> |

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| required to attend a governor meeting? | |
| What about leave for religious festivals? | <p>An employee wishing to observe a religious festival, for which there is no current public holiday, should apply in the normal way to their head teacher.</p> <p>Term time only employees who are not normally allowed to take leave during the school term may apply for time off to observe a religious festival on the clear understanding that the time off will have to be made up either during the term time or during the school holiday periods. This time off facility will be limited to two days per year.</p> |
| If an employee is asked to serve on a jury, what leave can be taken? | <p>Paid leave should be provided unless the employee gets an exemption from serving on the jury.</p> <p>The employee should tell their head teacher and give the Certificate of Loss of Earnings or Benefit (Jury Service) Form to them.</p> <p>Because all salaries are paid monthly in arrears, when employees undertake jury service they will, in effect, receive their full salary for the hours they have worked for the council, <u>plus</u> an advance of salary to cover their "loss of earnings" as claimed by the employee and paid to them by the Crown Court Service.</p> <p>An employee should send a copy of the form to their named contact within the BSC for completion. They will return the form to the employee.</p> |

- Head teachers may take leave under the above provisions with the agreement of the Chair of Governors.
- Where the absence of any teacher would require the closure of a school, no such closure should be made without reference to the Director of CYPD

Annual leave

Summary

The school recognises that taking annual leave is an important consideration in ensuring the health, safety and wellbeing of its employees.

This policy sets out the conditions that generally apply in respect of annual leave entitlement to staff working within schools both term-time only and all year round.

This policy sets out the conditions that generally apply in respect of annual leave entitlement.

It includes arrangements for transferring leave from one year to the next, particularly where there has been a long-term sickness absence. It also refers to the calculation of annual leave and bank holiday entitlement for part-time employees.

Who does this policy apply to?

It applies to the following employees:

- support staff (*Green Book*)
- teachers including unattached teachers (*Burgundy Book*)*
- teachers in residential schools/establishments (*Orange Book*) *

*It applies in part to teachers. Specifically related to entitlement to statutory holidays during maternity and adoption leave and sickness absence.

What is the annual leave year?

For support staff the annual leave year runs from 1st April to 31st March.

For teachers, for the purposes of determining leave entitlement during maternity, adoption and sickness absence, the annual leave year runs from 1st September to 31st August.

What is the entitlement for support staff (*Green Book*)?

If you are full-time (37 hours per week) you are entitled to 24.5 days annual leave.

If you are part-time your leave will be calculated on the amount of your contractual hours (pro rata) in relation to the full-time week (37 hours per week). For example, if you work 18.5 hours per week your leave entitlement will be half that of a full-time employee.

What is the entitlement for teachers?

There is no entitlement to annual leave for teachers under the *School Teachers Pay and Conditions Document*. However, under the *Working Time Regulations*, they are entitled to statutory holidays during periods of maternity, adoption and long term sickness absence.

Do I get any extra leave for long service?

For support staff, yes. After you have been employed continuously for five years your leave entitlement will be increased to 29.5 days. This includes any previous continuous service with another local government employer.

If you reach five years continuous service part way through the leave year, your additional leave entitlement will be calculated from this date for the current leave year. In the following leave year you will receive the full entitlement of 29.5 days.

For example an employee reaches their five years continuous service on the 1st June and is full-time. The additional leave entitlement for the current leave year in which five years' continuous service is reached will be an additional 4 days so they will be entitled to 28.5 days. The leave entitlement for the following year will be the full entitlement of 29.5 days.

What if I join the school part-way through the leave year?

Your leave entitlement in the first year of employment will be in direct proportion to the period you work during your first leave year. For example, if you start half way through the leave year (on 1st October) your entitlement (up to 31st March) will be for half the leave you would get in a full year. The calculation will be 'rounded' up or down to the nearest half day.

From the following 1st April onwards you will have the full leave entitlement.

My contract is to work during 'school term-time' only. How does this affect my leave entitlement?

Your working pattern means that although you are paid the same amount each month of the year you do not work during the school holidays. Your 'leave' is therefore taken during the school holiday periods.

Your salary includes payment for the number of days annual leave and bank holidays you would be due if you were not a term-time-only worker. This calculation is carried out by the Business Service Centre (BSC). Other than the bank holidays there is no entitlement to time-off during the school term periods. Time off for bank holidays should be calculated on a pro-rata basis. Your BSC contact will be able to assist with this calculation.

My contract is all

Your annual leave can be taken throughout the year with the

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| <p>year round. When can I take leave?</p> | <p>agreement of your manager but would normally be taken during the school holidays. You should receive a leave sheet informing you of your leave entitlement for the year and for you to record leave taken throughout the year.</p> |
| <p>If I join the school directly from another local government employer do I have to 'start again' for annual leave purposes?</p> | <p>No. Provided there is no break in service your leave entitlement will be based on the whole period of your continuous local government employment.</p> <p>This means your leave entitlement will be set at the higher level of 29.5 days from the start of the leave year after you have completed five years continuous local government employment.</p> |
| <p>If I join the school directly from another local government employer can I transfer any leave I did not use with them?</p> | <p>No. If they have not already explained the position to you, you are advised to contact your previous employer to check any arrangements they may have for paying you for any holiday you were due but did not take with them before you left.</p> <p>Similarly, your previous employer may have made a deduction from your final salary payment to recover any leave taken over and above the amount due up to the last day of your employment with them.</p> |
| <p>If I join the council from an independent school, is my leave transferred?</p> | <p>You would join the council as a new employee. There is no transfer of leave or continuous service as an independent school is a separate employer.</p> |
| <p>What is the position with bank holidays?</p> | <p>If you are a full-time employee you are entitled to paid time off for the standard eight bank holidays per year. This is in addition to your annual leave entitlement.</p> <p>If you are a part-time employee you are entitled to a proportion of the bank holidays based on your contractual hours. Your head teacher will advise you of the details and how this will work in practice.</p> |
| <p>How do I book annual leave?</p> | <p>You must ask your manager, giving as much advance notice as you can, normally at least one month. Your manager will confirm the arrangements that apply at your school.</p> |
| <p>Can my request for annual leave be</p> | <p>A request for leave can be refused if taking leave at that time will cause problems for the effective running of the school.</p> |

refused?

You will appreciate that a request for leave at very short notice may be harder to agree to than a request made well in advance.

However, your manager will be as reasonable as possible in the circumstances when considering any request for annual leave.

Both you and your manager have a shared responsibility to ensure your leave arrangements are managed effectively throughout the year.

My work with the school is through an external employment agency. Do I have any leave entitlement?

As an agency worker you do not have a contract of employment with the school. Following the introduction of the Agency Worker Regulations in October 2011 you will have the same entitlement to annual leave as other school support employees provided you meet the qualifying period.

You must have worked with the same school for 12 weeks continuously in the same role. The 12 week qualifying period applies equally to both full and part time employees.

You should discuss the matter with the agency, which will be responsible for any arrangements there may be regarding leave.

My work with the school is casual. Do I get an annual leave entitlement?

No. Your work is short term and paid by claim on an hourly basis. You are entitled to receive a proportionate leave entitlement which is achieved by paying you an enhanced hourly rate to include the leave entitlement.

Supply teachers (short notice teachers) receive a salary based on a daily rate enhanced to include the equivalent of a leave entitlement.

Will it affect my leave entitlement if I move from one school to another?

If both schools are under the local authority then your leave entitlement will transfer with you to your new job.

Depending on the amount of leave you have left to take and the requirements of the new job, your manager may ask you to use up some of your leave before you start in the new post.

If I've not used all my holiday entitlement by the

No. Unless you are leaving employment, statutory regulations (the Working Time Regulations) require for reasons of health and safety that you take your full leave entitlement as holiday.

end of the leave year am I entitled to receive a payment for the balance?

Both you and your manager have a shared responsibility to ensure your leave is managed effectively throughout the year.

What happens if I leave the school's employment before the end of the leave year?

Your leave entitlement will be recalculated in proportion to the amount of the leave year that you have worked. For example, if you leave half way through the leave year (30th September) your leave entitlement would be half of what you would normally have for a full year.

It is good practice for an employee to take any outstanding leave during the notice period. Payments for outstanding leave should be made only in exceptional circumstances.

If there is still a balance of leave owing to you at the time your employment ends this will be included in your final salary payment.

If you have taken more than your recalculated leave entitlement the relevant amount will be deducted from your final salary payment.

Is it possible to carry forward leave from one year to the next?

Provided your manager agrees, you can carry forward up to a maximum of five days into the next leave year.

Can I 'borrow' some holiday from the next leave year?

Provided your manager agrees, you can borrow up to a maximum of five days from the next leave year.

Would it be possible to 'carry forward' or 'borrow' more than five days leave?

There is no entitlement to do this but in exceptional circumstances it may be possible at the discretion of your head teacher.

If I fall sick during my annual leave can I take it again at a later time?

You can reclassify some or all of the absence as sick leave provided your manager is satisfied you have complied with the sickness absence reporting procedure and you provide a doctor's fit note confirming the nature and duration of your illness.

What happens if I can't take my full holiday entitlement because I've been absent on long-term

This can be a little complicated and the position may vary depending on the circumstances. Under the Working Time Regulations you are entitled to carry-forward any unused part of your 'statutory' annual leave entitlement (28 days per year including the bank holidays).

sick leave?

This is different to your contractual leave entitlement, which this policy document is mainly concerned with.

Discuss the matter with your manager as soon as possible on your return to work to confirm the appropriate arrangements for any carry-forward of statutory leave to which you may be entitled.

You may also wish to contact the HR Schools Advice Line who will be able to help clarify the position.

What happens to my annual leave entitlement if I'm taking maternity, paternity or adoption leave?

Please see the policies on [maternity, paternity and adoption leave](#) which cover the arrangements for taking or carrying forward annual leave in these circumstances.

Can I request unpaid leave?

Yes. You must ask your manager and get their approval.

If your manager agrees to unpaid leave of at least one month in any leave year, you will have your annual leave entitlement reduced on a proportionate basis, e.g. three month's unpaid leave would result in 9/12th of your full entitlement.

Issued by:

Schools Human Resources Team and adopted by the Governing Body of Woodmancote School

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Signed (Chair of Staffing and Finance)