

**Blessed Holy Family
Catholic Academy Trust**



Policy on Leave of Absence

***'Christ at our centre,
inspiring our pursuit of excellence'***

July 2024

CONTEXT

The Blessed Holy Family Catholic Academy Trust is firmly rooted in the values of the Catholic Church. The Gospel values are embedded within our policies including love, justice, fairness and respect for the dignity of the individual.

This policy applies to all members of the Blessed Holy Family Catholic Academy Trust:

- St. George's Roman Catholic Primary School
- St. John Fisher Roman Catholic Primary School
- St. Joseph's Roman Catholic Primary School
- The Sacred Heart Language College

In keeping with this context the Trust Board formally adopt the policy produced by the Catholic Education Services. This is to ensure that all can work together to ensure all members of our Trust community can thrive.

Policy Ratified by Trust Board: _____ 8th February 2024 **(Date)**

Signed:

James Cull

Date of next review:

February 2025

Policy Reviewed by Trust Board:

4th July 2024

Signed:

James Cull

Date of next review:

Summer 2025

BLESSED HOLY FAMILY CATHOLIC ACADEMY TRUST

LEAVE OF ABSENCE POLICY AND PROCEDURE

Commitment to equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

This Leave of Absence Policy and Procedure has been approved and adopted by Blessed Holy Family Catholic Academy Trust on 8th February 2024 and will be reviewed annually.

1. Introduction

- 1.1 The Trust recognises that the success of the academy depends upon the contribution of all employees and gives full acknowledgement that a fair and effective policy on leave of absence contributes to the maintenance of employee morale and thereby our success.
- 1.2 Leave of Absence is only appropriate in exceptional or emergency situations. The operational needs of the school are the priority therefore there will be times when the Headteacher has to refuse a request for leave. The Headteacher has the authority to decide on whether the leave is granted, and whether it is with or, without pay.
- 1.3 The amount of paid/unpaid time off granted with respect to various reasons for absence is broadly in line with the recommendations made in the model policies of other London Boroughs and English County Councils.
- 1.4 This policy applies to teaching and support staff. It should be read in conjunction with other relevant documents, e.g. the Burgundy Book and NJC terms and conditions ('Green Book').
- 1.5 If you need clarification on whether the leave of absence that you want to take is statutory or discretionary then you must speak to your Headteacher.
- 1.6 This policy is non-contractual and may be amended at any time.

2. Scope

- 2.1 Teachers and other term-time employees are normally expected to take leave outside of term time. However, the Trust recognises that the success of the academy depends upon the contribution of all employees and gives full acknowledgement that a fair and effective policy on leave of absence contributes to the maintenance of employee morale and thereby our success

This Policy applies to all Schools based staff, if you are an employee or worker at the Academy (hereinafter referred to as an "employee" or "you").

The purpose of this policy is to provide employees with an understanding of the options in relation to paid and unpaid leave of absence that may be available to them during term time.

This policy does not cover annual leave; maternity/paternity/parental/adoption; parental bereavement; flexible working; sickness absence. Annual leave should normally be taken during periods of School closure and public holidays, details of which will be notified to You by the School.

It is important to note that this policy does not cover ongoing arrangements for time off requests that are recurring (e.g. weekly) due to issues such as childcare commitments or a desire to attend a place of worship. Any such requests would need to be forming part of the employee's regular working patterns.

3. Roles and Responsibilities

- 3.1 The Trust Body has responsibility for establishing the Academy Special Leave Policy, for ensuring that the Policy is followed and for monitoring staff absence rates.
- 3.2 The Headteacher is responsible for implementing this policy within their Academy School. The authority to make decisions under this Policy rests with the Headteacher (or Trust Board in the case of applications for leave of absence from the Headteacher).

- 3.3 Employees have responsibility to comply with policy and, where possible, ensure appointments are made outside of school working hours and term time.
- 3.5 Employees requesting special leave need to make every effort to provide the Headteacher with adequate notice of their proposed absence. Advance notice of at least one academic term needs to be given for special leave that can be pre-planned (e.g. for religious observance).

4. Principles

- 4.1 The Policy and Procedure contained within this document is founded on the following principles:
- a. All employees will be treated as consistently as possible when applying for leave of absence, in accordance with the Academy School's Equal Opportunities Policy and taking account of differences in the circumstances of each individual case as well as national and local conditions of employment.
 - b. Where an employee wishes to make representations against a decision made by the Headteacher, they may write to the Clerk giving full details of the request. The decision will be final.
 - c. Unauthorised absence will be dealt with under the Academy's Disciplinary Policy and Procedure.
- 4.2 Requests for leave of absence (with or without pay) should be made on the Academy's Application for Leave of Absence form.
- 4.3 Absence requests due to reasons not explicitly covered by this policy will only be approved in exceptional circumstances and on an unpaid basis. However, if an employee does not feel comfortable sharing personal /confidential reasons for an absence request, they will be able to apply for unpaid leave. When an employee submits such a request, they should be mindful of the fact that the Headteacher will be deciding whether to approve it without having access to the relevant information.
- 4.4 References to allowances in number of days apply to employees who work a constant number of hours per day over five days per week. Pro-rata allowances will apply to other staff.

5. CIRCUMSTANCES WHERE LEAVE MAY BE GRANTED

5.1 The Headteacher will consider applications for leave of absence in accordance with this policy. Leave of Absence time off work requests are considered in days per rolling 12-month period.

5.2 Examiners and Moderators for Examining Bodies

Chief Examiners, Chief Moderators, Examiners and Assistant Moderators will be given up to 5 school days' leave with pay in any one academic year. Employees shall not be required to pay the School any fees or expenses received for examining and moderating duties.

5.3 Jury Service and Other Public Service

5.3.i Jury Service

An employee must report this to his/her Headteacher as soon as they are summoned for jury service and provide a copy of the Jury Service Summons and the accompanying loss of Earnings form. Where, in our view, the release of an employee for jury service raised significant teaching or operational problems, assistance will be provided to the employee to appeal to the court to re-arrange or cancel the dates of service. Headteachers should report the dates of jury service and forward the relevant paperwork to Finance for Payroll so that the necessary adjustments can be made.

- a. Employees attending Jury Service are usually able to claim compensation from the court for loss of earnings. We will make up the Loss of Earnings allowances to your normal level of earnings. We must complete the Loss of Earnings form and you must give the completed form to the Clerk of the Court on your first day of Jury Service.

- b. Upon completion of Jury Service, the Court will pay an employee for travel, subsistence and Loss of Earnings and provide remittance advice. This advice **must** be forwarded to finance within 3 days of your return to work.
- c. Your salary will be reduced by the "Juror's Loss" paid by the Court. Pension contributions are not affected. An employee cannot be paid twice by the Court and the academy for the same days.
- d. Where jury service lasts for less than half a day you must return to work for the remainder of the day wherever practicable. You must keep your line manager regularly informed about how long you are likely to be away from work.
- e. Employees are protected from being subjected to a detriment or being dismissed, as a result of being summoned to attend for service as a juror or being absent from work on jury service.

5.3.ii Public Duties

Employees are entitled to a reasonable amount of unpaid time off to carry out certain public duties (e.g. as school governors, elected members of local Councils).

As soon as you are aware you will require time off for the performance of a public service you should request a leave of absence from the Headteacher.

The academy will agree to requests for time off to undertake public duties wherever reasonably possible having regard to the criteria set out in this policy. The Headteacher will decide whether time off is paid, unpaid or, where applicable, request for the time to be made up at a later date.

5.4 Attendance in court as a witness

An employee who is subpoenaed or summoned to attend a Court, as a witness should report this immediately to the Headteacher then, on the production of proof of requested attendance, you must request leave using the individual request form for leave of absence. The Headteachers should report the dates of court appearances and forward paperwork to Finance so that the necessary financial adjustments can be made via payroll providers. An employee appearing as a witness is required to claim any allowance for loss of earnings to which they may be entitled. Where possible, the payroll provider will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

If you wish to attend Court as a witness voluntarily then you should request leave as soon as the need for the leave is known, a decision will be made on a case by case basis.

5.5 Service in Non-Regular Forces

Employees must obtain the Headteacher's consent before joining the Non-Regular Forces (e.g. Army Reserve, Royal Air Force Volunteer Reserve). The Headteacher will grant two weeks' additional paid leave to volunteer members of the Non-Regular Forces who are required by the Forces to attend summer camp. Such employees are required to show the Headteacher a copy of their Forces' payslip for the period of the summer camp, so that the Headteacher can arrange for a deduction to be made from the employee's salary of an amount equal to the pay received from the Forces for each normal working day of the absence. Any such employees who are called-out by the Secretary of State for service with the armed forces will be granted leave of absence without pay for the duration of that service (unless the Governing Body applies for and gains exemption, deferral or discharge on the grounds that their absence would cause serious harm to the school in which they are employed). Similar provisions will apply to any employees who need to serve in non-UK forces (e.g. Swiss reservists).

5.6 Magistrates

Employees who are appointed as magistrates will be granted leave of absence with pay for up to 12 days in each academic year. Headteachers should report the dates of absence and forward any relevant paperwork to Finance so that the necessary financial adjustments can be made. An employee appointed as a magistrate is required to claim any allowance for loss of earnings to which they are entitled. Where possible, the payroll provider will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

5.7 Union Duties

The School will fulfil its obligations for releasing staff members for trade union duties in accordance with the provisions of applicable collective agreements and facility time funding arrangements. Information on current arrangements is available from Harrow Council and the officials of the relevant trade unions for teachers and support staff.

5.8 Job Interviews

Up to 3 days' paid leave will be granted in any academic year for interviews within education or local government. Further interview leave can be requested on an unpaid basis.

5.9 Revision/Study Leave

The Governing Body will approve up to a maximum of 5 days' revision/study leave with pay to employees undertaking work-related qualifications within an agreed timeframe. Leave will also be granted for completion of CPD courses, as agreed at the start of the appraisal cycle, and while the teacher is still in post.

5.10 Examination Leave

A maximum of 5 days' leave with pay will be granted for staff wishing to sit approved examinations: this is normally half a day per examination subject.

5.11 Appointments with Dentist, Doctor etc.

Medical appointments should be made outside normal working time except in emergencies. When this is not possible, then at times that will cause the minimum amount of absence or inconvenience to the School. Pregnant employees are entitled to paid time off for antenatal appointments.

As it is not always possible to arrange appointments or interventions outside working hours, it is the Schools policy to permit reasonable paid time off work for such appointments upon production of medical appointment letter/card (excluding elective surgery). Submit a request to the Headteacher who will decide whether to grant paid time off, unpaid time off or, where applicable, request for the time to be made up at a later date.

Absences for medical and dental appointments which last for half a day or more will be considered as sickness absence. Absences for medical and dental appointments which last for less than half a day will be considered as paid or unpaid time off.

Should the number of days of absent due to medical appointment reach a Sickness Absence Trigger, the line manager needs to review the employee's absence to determine whether it is appropriate to manage the absence formally or to make a reasonable adjustment. Managers should meet with employees who have frequent medical appointments to review the reasons for their absence. If the manager is concerned that there may be an underlying reason a referral to the Government's Fit for Work Service or the Council's Occupational Health Service may be appropriate.

5.12 Compassionate / Bereavement Leave

5.12.i Compassionate leave concerns absence that is necessary as a serious illness/injury of a close relative or partner. Period reasonably necessary and not normally more than 3 days maybe granted, with employees able to request further leave on an unpaid basis.

5.12.ii Bereavement Leave following the death of a close relative or partner to a maximum of 5 days' paid leave will be granted, with employees able to request further leave on an unpaid

basis. Death of near relative of self, near relative of spouse 3 working days paid leave.
5.12 iii Statutory Parental Bereavement Leave entitlement applies to employees who have suffered the loss of a child, who suffer a stillbirth after 24 weeks of pregnancy on or after 6 April 2020.

5.13 Emergencies

This includes issues such as the unexpected breakdown of normal care arrangements for an employee's dependant or, household emergencies (e.g. fire, flood, burglary). In normal circumstances 1 day on each/either occasion. In 12 month rolling period, up to 3 days for dependent care, 2 for emergencies. (There is a statutory right to take unpaid leave for dependent care, if a longer period of absence is required, for time to provide assistance when a dependent falls ill, gives birth, is injured or assaulted; to make longer-term arrangements for a dependent who is ill; take action required in consequence of the death of a dependent or deal with unexpected disruption of arrangements for the care of a dependent / to make alternative care arrangements as opposed to the employee themselves providing the care required by the affected individual(s).

5.14 Election Candidates

Parliamentary and European elections: Unpaid leave will be granted on request from the date when the candidate's nomination is accepted until the date of the election. Local elections: Up to two days' unpaid leave will be granted.

5.15 Religious Observance

Unpaid leave may be requested by employees wishing to attend religious festivals, pilgrimages, ceremonies/celebrations or may request an adjustment to your working time to accommodate periods of fasting. Requests for time off will be considered sympathetically on a case by case basis, taking into account the needs of pupils and surrounding circumstances. You should request time off at the beginning of the academy year if possible, otherwise as soon as possible, so that plans for covering your absence can be made in good time.

5.16 Significant Personal/Family Events

Unpaid special leave can be requested by staff wishing to attend ceremonies or significant events in their lives or those of relatives or close friends (e.g. university graduation of a child/stepchild, wedding/civil partnership ceremony of a sibling). While it is expected that the majority of such requests will concern only one or two days, the Academy will consider granting more unpaid leave in cases where substantial travel is involved, subject to the staff member giving adequate notice.

5.17 Moving House

For employees not allowed by their contract to take annual leave during term-time, and where the move cannot take place during a school closure period, one day's leave will be granted with pay.

Policy Ratified by Trust Board:

Signed:

Reviewed:

Annually