



Symphony Learning  
TRUST

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# Leave of Absence Policy 2018-2021

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| Adopted by Symphony Learning Trust on | Summer 2018                |
| Ratified by Trustees                  | 20 <sup>th</sup> June 2018 |
| Next Review Due                       | Summer 2021                |



## 1. Purpose

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- 1.1 The Board of Trustees recognises the diverse workforce it employees which includes a high percentage of people with caring responsibilities, as well as those with other personal commitments, interests and beliefs and who, at some point within their working lives, may require leave of absence to deal with matters that fall outside of the Attendance Management Policy.
- 1.2 This policy sets out the 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 each school's Local Governing Body.
- 1.3 The Trust 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 also take into consideration the impact of the request on the delivery of teaching and learning within the school.
- 1.4 These leave arrangements have been discussed with the recognised Trade Unions and Professional Association.



## 2. The Law

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- 2.1 Under the Employment Rights Act 1996, as amended, employees are entitled by Law to take reasonable unpaid time off work to deal with unexpected or sudden emergencies involving dependents and to make any longer term arrangements. This right to time off arises in circumstances such as death, sudden illness/hospitalisation, injury or assault of a dependent or the unexpected disruption of a dependents care arrangements.
- 2.2 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.
- 2.3 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).

### **3. Leave of Absence Table**

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- 3.1 The table over the page reflects the schools 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 decisions on pay.

## Leave of Absence Reference Table

| 1. Emergency & Compassionate Leave  |  |  |
|---|--|--|
| Leave   | Duration   | Paid/unpaid  |
| a. Emergency leave:<br><i>(unforeseen domestic issues)</i>  | Immediate 24 hours. Up to 48 hours (max) in crisis situation   | Paid, up to 2 days max.<br>Additional time off required after the emergency has passed may be taken using annual leave / working additional hours or as unpaid leave |
| b. Compassionate Leave:<br><i>(usually confined to cases of bereavement or extreme dependent care situations/hospitalisation)</i> | Up to 5 days<br>(or an addition 3 days where this follows 2 days emergency leave)                            | Up to 5 days paid.<br>Or time off may be unpaid / taken as annual leave or working additional hours unless extenuating circumstances                                 |
| c. Additional compassionate leave:<br><i>(granted in exceptional/life threatening circumstances)</i>                              | Up to an additional 5 days<br>(a max. of 10 days leave in total)   | Paid leave <b>may</b> be granted   |
| 2. Medical & Welfare Appointments   |  |  |
| Leave   | Duration   | Paid/unpaid  |
| a. Attendance at medical /dental/optician appointments<br><i>(for employee or dependent)</i>                                      | Time off to be agreed where this cannot be arranged outside of work.<br>Proof of appointment to be provided. | Paid leave <b>may</b> be granted   |
| b. Medical screening i.e. cancer screening / cervical smear test / breast examination   |  | Paid leave <b>may</b> be granted   |
| c. Blood Donors   | To be agreed   | Paid leave <b>may</b> 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   |
| f. Fertility/IVF Treatment  | Proof of treatment / appointment required.   | Paid leave <b>may</b> be granted<br>Absence to be recorded as sick leave if accompanied by GP fit note. See guidance for more details.                               |
| g. Gender Reassignment  | Proof of treatment / appointment required.<br>To be agreed between Head Teacher & employee                   | Paid leave <b>may</b> be granted<br>Absence to be recorded as sick leave if accompanied by GP fit note.  |

| 3. Domestic Reasons for Absence   |   |   |
|---|---|---|
| Leave   | Duration  | Paid/unpaid   |
| a. Moving house   | 1 day   | Paid leave <b>may</b> be granted  |
| b. Attending relatives wedding/civil ceremony   | 1 day   | Paid leave <b>may</b> be granted  |
| c. Examination & Revision<br><i>(for study directly relating to their role in school &amp; is approved/funded by school)</i>  | <ul style="list-style-type: none"> <li>Day release</li> <li>Final revision for exam <i>(equal to the duration of the exam)</i></li> <li>Attendance at exam</li> <li>3 days study leave <i>(for those undertaking correspondence exams)</i></li> </ul>       | Paid  |
| d. Graduation   | 1 day   | Paid leave <b>may</b> be granted  |
| e. Interviews   | Up to 5 days<br><i>Plus additional 5 days granted at Governors Discretion</i>   | Paid leave <b>may</b> be granted  |
| 4. Training & Examinations  |   |   |
| Leave   | Duration  | Paid/unpaid   |
| <b>All staff</b>  |   |   |
| Required Training<br><i>(as part of their role)</i>   | <ul style="list-style-type: none"> <li>Day release,</li> <li>Final revision for exam purposes (equal to the duration of the exam)</li> </ul>  | Paid, including payment of all fees & relevant expenses<br>NB. Part time employees attending training outside of their contracted hours should be paid. |
| Individual Training / CPD   | <ul style="list-style-type: none"> <li>Attendance at exam</li> <li>3 days study leave for those undertaking correspondence courses (in addition to revision, exam leave)</li> </ul> <p>Academies policy does not go into any detail under this section.</p> | Paid leave <b>may</b> be granted  |
| Individual Training / CPD Examinations  |   | Paid leave <b>may</b> be granted  |
| See Appendix II of the Burgundy Book, <b>MEMORANDUM OF AGREEMENT FOR THE RELEASE OF TEACHERS</b> for additional details on teachers who may be External Examiners, Markers, Chairman of Examiner etc. |   |   |

| 5. Other Leave  |   |  |
|---|---|--|
| Leave   | Duration  | Paid/unpaid  |
| a. Lecturer<br>(during contractual hours)   | Approval required by Head teacher / Governors   | Paid leave <b>may</b> be granted. Any fees received by employee should be paid directly to the school.   |
| b. Professional Bodies  |   | Paid leave <b>may</b> be granted where operational needs permit.   |
| c. Participation in Sporting Activities   | To be agreed by Governing Body<br>(Supporting information to be provided where applicable)                      | Paid leave <b>may</b> be granted   |
| d. Career Breaks /Sabbatical  | See guidance on Career Breaks & Sabbatical  |  |
| 6. Statutory Leave  |   |  |
| Leave   | Duration  | Paid/unpaid  |
| a. Redundancy – support for job seeking/training  | Reasonable time – to be agreed between Head teacher & employee with at least 2 years' services                  | Paid   |
| b. 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  | <b>Paid</b><br>If unpaid, employees can claim loss of earnings from the court. Where an employee claims from the court, employers can chose to pay a "top up" to ensure that the employee sees no reduction to pay during this time. |
| c. Magisterial Duties (Justice of the Peace)  | Up to a maximum of 18 days, or equivalent half days per annum.  | Paid leave <b>may</b> be granted<br>Employees can claim loss of earnings from the court.   |
| d. Other Public Services Duties, including:   | 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) | Paid leave <b>may</b> be granted   |
| <ul style="list-style-type: none"> <li>• Local Councillor</li> </ul>  | 1 days leave on day of poll   | Paid   |
| <ul style="list-style-type: none"> <li>• A School Governor / Trustee</li> <li>• Member of any statutory tribunal, for example employment tribunal</li> <li>• Member of health authority</li> <li>• Member of the Environment Agency</li> <li>• Member of the prison independent monitoring boards.</li> </ul> | Up to 5 days per Academic Year.   | Paid   |

| 6.Statutory Leave continued                                       |  |  |
|---|--|--|
| Leave   | Duration   | Paid/unpaid  |
| Trade Union Duties:   | Reasonable time off may be granted (as per section 168 of TULRA). Please contact your HR Adviser   | Paid leave <b>may</b> be granted<br><br>Schools to liaise with HR  |
| Reserve Forces<br>a. Time off for Training<br><br>b. Mobilisation | To be agreed between Head teacher & employee.<br><br>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. | Paid leave <b>may</b> be granted<br><br>2 weeks paid leave may be granted for the annual training camp<br><br>Unpaid. The employee will receive a salary from the MoD<br><br><b>For more details please visit:<br/><a href="https://www.gov.uk/employee-reservist">https://www.gov.uk/employee-reservist</a></b> |
| Retained Firefighters, Special Constables and Cadet Corps         | Up to 5 days per annum   | Paid leave <b>may</b> be granted   |
| 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.    | Unpaid or work additional hours.   |

It is difficult to define precisely **who constitutes a close family relative / dependent**, however, the school would consider that the following people would usual be considered as such for the purposes of this policy:

- Parent / Guardian
- Biological child/Adoptive child/Foster child/ Step child
- Spouse/civil partner/partner
- Brother/sister
- Grandparent
- Mother/Father in law
- Close friends or other family members living in your household as part of the family unit (excluding long term lodgers/visitors)
- Other individuals reliant on the employee for their care.





## Appendix B - Application for Leave of Absence

Section A (Application): To be completed by the employee and forwarded to Section B (authorisation) to be completed by Head Teacher/delegated person.

Employees should also check with Pensions whether periods of unpaid leave will effect pension contributions.

### Section A - To be completed by the employee (complete grey shaded sections):

|  |                 |   |
|--|-----------------|---|
| <b>1. Personal Details</b>   |                 |   |
| Employee Name:   |                 |   |
| School / Location:   |                 |   |
| Pension Scheme (Y/N):  |                 |   |
| <b>2. Type of Leave requested</b>  |                 |   |
|  |                 |   |
| <b>3. Duration of leave requested</b>  |                 |   |
| <b>From Date:</b>  | <b>To Date:</b> | <b>Number of Days/ Hours Requested:</b> |
|  |                 |   |
| <b>4. Explanation of Reason for Request</b>  |                 |   |
|  |                 |   |
| <b>5. Number of Days/Hours Leave already taken within the last 12 months, at the time of this application.</b> |                 |   |
|  |                 |   |
| <b>Authorisation</b>   |                 |   |
| <b>Signature:</b>  |                 | <b>Date:</b>                            |
| <b>Email:</b>  |                 |   |
| <b>Telephone Number:</b>   |                 |   |

**Section B - To be completed by the Executive Head teacher, Head teacher or Head of School:-**

|  |                 |                               |              |
|--|-----------------|-------------------------------|--------------|
| <b>1. Employee Details</b>   |                 |                               |              |
| Name:  |                 |                               |              |
| School/ Location:  |                 |                               |              |
| Pension Scheme:  |                 |                               |              |
| <b>2. Leave Requested</b>  |                 |                               |              |
| <b>From Date:</b>  | <b>To Date:</b> | <b>Number of Days/ Hours:</b> |              |
|  |                 |                               |              |
| <b>3. Leave Request</b>  |                 |                               |              |
| <b>Approved:</b>   |                 | <b>Not Approved:</b>          |              |
|  |                 |                               |              |
| <b>4. Leave to be Paid / Unpaid (tick)</b>   | Paid            |                               | Unpaid       |
|  |                 |                               |              |
| <b>5. Reason for Decision (including if declined or partially declined)<sup>1</sup>:</b> |                 |                               |              |
|  |                 |                               |              |
| <b>6. Form authorised by:</b>  |                 |                               |              |
| <b>Print Name:</b>   |                 |                               | <b>Date:</b> |
| <b>Signature:</b>  |                 |                               |              |
| <b>Email:</b>  |                 |                               |              |
| <b>Telephone No:</b>   |                 |                               |              |

NB If agreement is reached that the employee uses annual or works flexibly to make up the hours this doesn't need to be recorded as PAID or UNPAID leave. However, the reason for reaching this agreement should be noted in the reason for decision at Section 6.