

THE SHROPSHIRE GATEWAY EDUCATIONAL TRUST
Managing Attendance Policy
(Special Leave)

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Table of Contents

1.0	Introduction.....	2
2.0	Aims of Policy.....	2
3.0	Scope.....	2
4.0	Managing Attendance Procedure.....	3
5.0	Responsibilities.....	4
6.0	Misuse of Policy.....	4
7.0	General Notes.....	4
8.0	Monitor & Review.....	5

Appendix A – Special Leave Guidance

Appendix B – Request for Leave Form

Appendix C – Equality Impact Assessment

Appendix D – Implementation Plan

Managing Attendance (Special Leave)

1. Introduction

All school employees are paid on the basis of satisfactory attendance and performance. While it's recognised that most employees will occasionally have genuine and acceptable reasons to be absent from work, any absence will cause operational difficulties, undermine quality and efficiency, and increase costs.

It recognises that whilst a certain level of leave may be inevitable, a reasonable balance must be maintained between the needs of the school and the support of the employee requiring time off.

Headteachers or delegated persons have the discretion to agree changes to working patterns to allow staff to make up time by working additional hours. This is subject to operational requirements of the school and if agreed should be kept on personal files for audit purposes.

All leave in relation to sickness should be managed in accordance with the Managing Attendance Policy and Procedure (Sickness Absence).

All other requests for any other leave should be managed under this policy.

2. Aims of the Policy

The aim of this policy is to encourage and assist all employees to achieve and maintain acceptable standards of attendance at work by:

- Providing a safe and healthy working environment and where possible, enhance the health and well-being of employees.
- Equipping all Headteachers and Line Managers to manage leave requests consistently, fairly and in a confidentially transparent manner through the use of clear procedures and guidelines.
- Ensuring that all employees understand their obligations and entitlements with regards to special leave.

3. Scope

This procedure covers all teaching staff employed under the Conditions of Service for

Schoolteachers in England and Wales, including those employed by the

Governors of an Academy and Aided school where adopted. It also applies to

Support staff employed in schools and Academies covered under the NJC National Agreement on Pay and Conditions of Service. The procedure will be applied fairly to full time or part time staff and to staff employed on a temporary or fixed term contract regardless of:

- Racial group
- Gender
- Disability
- Marital or civil partnership status
- Sexual orientation
- Age
- Religion or belief
- Transgender
- Trade union membership

This procedure does not apply in respect of staff who employed on a casual basis, including supply teachers.

4. Managing Attendance Procedure

All leave requests should be submitted to the Headteacher or Line Manager on a School Special Leave Request form (Appendix B), for teaching staff, or on selima for support staff, allowing at least one weeks' notice of the requested leave being taken.

For 'other' leave not listed in this policy, a Request for Leave form (Appendix B) should be fully completed by the employee and passed to the Headteacher/ Line Manager allowing two weeks' notice. This should include an explanation for the leave request. The Line Manager (where this is not the Headteacher) should pass this decision to the Headteacher.

When considering applications for 'other' leave not listed in this policy (or discretionary additional leave to types of special leave permissible under this policy) consideration will be given on a case by case basis. Factors to be considered include:

- Consistency of approach
- Personal circumstances of the employee
- Special Leave already taken by that employee in the current academic year and whether this was granted or refused
- burden of additional costs;
- detrimental effect on ability to meet school needs; inability to re-organise work among existing staff; Detrimental impact on quality and/or performance.

Once a decision is made to a request for leave, the Headteacher/ Line manager will notify the member of staff of the decision. This includes whether the request is granted and whether the leave will be with or without pay. The Headteacher's decision is final.

In the event of emergency leave where prior notification is not possible the employee is required to contact their Headteacher/Line Manager in accordance with the school's agreed procedures for reporting sickness absence to their Headteacher or Line Manager. This should be as soon as is reasonably possible but not usually any later than one hour before their expected start time. The Request for Leave form (Appendix B) should then be completed on return to work.

If no contact has reasonably been made, the Headteacher has the discretion to make a deduction to salary for the unauthorised leave.

5. Responsibilities

It is the responsibility of the employee to provide notice of leave by completing a Request for Leave Form prior to the leave required (Appendix B) and ensuring the Headteacher or Line Manager is made aware of a request for leave as soon as reasonably possible. It is the responsibility of the Headteacher to ensure leave requests are dealt with in a fair, consistent and confidentially transparent manner. The Headteacher or Line Manager should record and monitor leave appropriately and may seek the advice of the appropriate Governor Committee for a decision to grant any other leave request that is not listed in this policy.

Headteachers/ Line Managers are responsible for ensuring that accurate records are maintained. They should also ensure that staff absences are regularly monitored and reviewed and that appropriate confidentiality is maintained.

Headteachers/ Line Managers are responsible for identifying patterns of absence within schools which may be an indicator of employee's personal or work related issues. Where such patterns are identified, Headteachers/ Line Managers can seek appropriate advice from HR on possible actions.

6. Misuse of Policy

The misuse of this policy may result in disciplinary action. The Headteacher has the responsibility to monitor levels of absence, if an employee unreasonably exceeds emergency leave within a school year, or is deemed to be falsely requesting leave that has been agreed by the Headteacher/Line Manager, action may be necessary under the disciplinary policy.

In the event that special leave is declined and an employee proceeds to take the leave then disciplinary action will be considered.

7. General notes

The list of 'close relatives' detailed in this policy is not exhaustive. Consideration should be made as to the impact a family member may have on the employee's life.

The legal definition for Time off for Dependants is “reasonable amount of time”. For the purposes of this policy the term ‘reasonable’ should be decided by individual schools on a case by case basis, depending on the school staffing levels and the subsequent impact individual absences are likely to have on these.

8. Monitoring and Review

The Governing Body will monitor the outcomes and impact of this policy/procedure on an annual/biannual basis in conjunction with school representatives.

This procedure will be reviewed every 2 years.

Appendices

Appendix A: Leave Guidance

Appendix A

All leave will be pro-rated for part time workers

LEAVE	DEFINITION OF LEAVE	CONDITIONS OF LEAVE	PAID	UNPAID
Death of close relative	Close Relative: Parent, Sibling, Spouse or Partner, Child, Mother-in-law, Father-in-law, Grandparent or Grandchild	Time allowed is per relative. If the death results in an inquest reasonable time off will be allowed.	Up to 5 consecutive working days, including day of funeral.	Additional compassionate leave up to 1 month may be granted.
Funeral of close friend or colleague		In the event the funeral is for a colleague it is Headteachers discretion to allow time off depending on school needs.		All requests

<p>Serious illness of dependent or close relative</p>	<p>Serious illness is defined as a sudden injury, impairment or diagnosed condition that has significant impact on the individual affected. (i.e. hospitalisation due to a car accident, stroke, meningitis or heart attack)</p> <p>Close Relative is deemed to be a Parent, Sibling, Spouse or Partner, Child, Mother-in-law, Father-in-law, Grandparent or Grandchild.</p>	<p>Time allowed is per rolling 12 month period.</p> <p>Due to the nature of the leave it is expected that the 5 days will be taken as consecutive working days.</p> <p>This leave is not to be used for adhoc minor illnesses for a dependent. (Please see Emergency leave)</p>	<p>Up to 5 consecutive working days.</p>	<p>Additional unpaid compassionate leave up to 1 month may be granted.</p>
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<p>Emergency Leave</p>	<p>To cover unexpected minor illnesses of a dependent that prevents the dependent from attending their normal activity. (Cold, flu, chickenpox, and viruses (not an exhaustive list)).</p> <p>To cover in the event a dependents normal activity is closed unexpectedly. (i.e. snow closure).</p> <p>To cover in the event of a genuine serious emergency such as a car breakdown or house flood that requires immediate attention.</p> <p>*** temporary amendment from 10th November 2020***</p> <p>During the current Covid 19 pandemic, the current paid leave allowance of 2 days will be extended so that parents/carers can provide childcare to a dependent child who may be asked to isolate for a longer period of time, as suggested by Public Health England.</p> <p>There is an expectation that employees should seek support with childcare from all</p>	<p>There is an expectation that the employee will do their utmost to find alternative arrangements in relation to care of dependents in the event of an emergency and/or unexpected illness.</p> <p>There is an expectation that routine household repairs will be made outside of employees contracted hours</p>	<p>Up to 2 days in any rolling one year period</p>	<p>Any days over allowance</p> <p>Unpaid or time made up by employees agreed by Line Manager.</p>
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	<p>parties with parental responsibility to minimise their absence from school.</p> <p>The employee should maintain regular communication with the Headteacher or Business Manager throughout their absence and be available as required and directed to work from home where possible.</p>			
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<p>Appointment Attendance</p>	<p>Emergency Hospital, Doctor, Dentist, or consultant appointments.</p> <p>Supporting an emergency appointment with dependent relative.</p>	<p>In all circumstances every effort should be made to make appointments outside normal working hours.</p> <p>Proof of appointment should be produced on all occasions.</p> <p>Any period of rest required after a hospital appointment should be taken unpaid or covered with a fitness for work note.</p> <p>In the event of fertility treatment there is an allowance for additional paid time off where required.</p>	<p>Up to 3 days in any one year rolling period</p>	<p>Additional time may be granted at school's discretion.</p> <p>Time taken for routine non emergency appointments unable to be arranged outside of contracted hours will be unpaid or made up by the employee in conjunction with their Line Manager.</p>
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<p>Public Duties</p>	<p>Magistrate, Justice of the Peace, School Governor.</p> <p>Member of a: Local Authority, Health Authority or Trust, Statutory Tribunal.</p> <p>Retained Firefighter or Special Constable.</p>	<p>Time allowed is per school year</p> <p>The 18 days could be taken across 36 half days i.e. morning or afternoon sessions.</p>	<p>Up to a maximum of 18 days</p>	
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<p>Examinations</p>	<p>Examinations related to the employee's professional development required by the school.</p> <p>Other examinations undertaken at the request of the school.</p> <p>This does not apply to any other examinations the employee may take unrelated to their school post.</p>		<p>Reasonable time off to cover examinations</p>	
<p>Examining Groups</p>	<p>Employees involved in:</p> <p>External Examiner/Markers and Awarders</p> <p>External Moderator</p> <p>Setters or revisers of question papers</p> <p>Membership of Committees</p> <p>Membership of subject panels</p> <p>Representation on regional or national organisations</p>	<p>The amount of release time required will vary depending on role and subject. It will only be agreed if it does not have a detrimental effect on the needs of the school.</p> <p>Requests relating to employee personal gain will not be agreed.</p>	<p>Paid if release is covered by payment to school by external organisation</p>	



Jury Service	Summons to serve on a jury.	Authorisation is not required by the headteacher as Jury Service is compulsory.	Paid leave	
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Wedding	To attend the wedding of a son or daughter To attend a wedding of a close relative or a member of staff within the same school.			1 day in any 12 month rolling year.
Interviews	Interview for a post within the education sector.	Paid leave is only offered to staff with more than one whole school years' service, and only with advanced notice. Employees on fixed term contracts will also be eligible for paid leave.	1 day within 12 month rolling period Unless employee in redundancy situation when unlimited support will be given on receipt of interview confirmation	At school discretion
Graduation ceremony of son/daughter or as an NQT employee			One days paid per son/daughter. One day as NQT	
House Move	When a member of staff changes residence but maintains employment within the school.			1 day in any 12 month rolling period

<p>Occasional personal parental/carer responsibility requests</p>	<p>This may cover events such as attendance at school performances, sports days, etc.</p>	<p>Leave is at the discretion of the individual Headteacher to allow only if it is not detrimental to the learning of pupils.</p> <p>Time off will generally only be approved if goodwill cover between teaching /TA colleagues is arranged at no additional cost to the school and if suitable high standards of cover work is provided in advance.</p> <p>Other staff categories such as term time administration do not work flexibly but may at the discretion of line managers and for special events use time off in lieu made up as agreed with line managers. Requests will only be agreed if to do so is not at the detriment of the day to day organisation of the school.</p>	<p>Paid only if goodwill arrangements made between colleagues.</p> <p>TOIL should be agreed in advance.</p>	<p>Not applicable.</p>
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Domestic Abuse against the employee	Where a case has been identified by the authorities, the school will fully support the employee where possible.	To allow for attendance of appointments with support agencies, solicitors, re-housing, court appearances etc...	Up to 5 working days	At school discretion
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<p>Adverse Weather Conditions</p>	<p>In the event adverse weather conditions have an impact on travel and/or School Closure.</p>	<p>The expectation is that an employee will make all reasonable efforts to attend work.</p> <p>If they are unable to attend but a decision is taken by the Headteacher to keep the school open this will be unpaid.</p> <p>If the Headteacher makes a decision to close the school then the employee will be paid whether they attempt to attend work or not.</p>	<p>The period of the school closure (If the school the employee works in is closed)</p>	<p>The Period of leave (if the school the employee works in remains open)</p>
<p>Strike Action</p>	<p>In the event an employee agreed to take industrial action or refuses to break a picket line and does not attend work.</p>	<p>If the Headteacher makes a decision to keep the school open then all employees taking strike action will have pay deducted on daily rate for the period of strike action.</p> <p>If the Headteacher makes a decision to close the school to staff and pupils then the employee will be paid whether or not they take strike action unless they opt to take the pay reduction in the spirit of strike action.</p>	<p>The period of the strike action (if the school the employee works in is closed)</p>	<p>The period of the strike action (if the school the employee works in remains open)</p>

Appendix B- Equality impact assessment screening form

Section one: screening for impact				
Name of policy		SGET Managing Attendance (Special Leave)		
Project lead completing assessment:		Gill Bradley		
Position:		Business Manager		
1. What is the main purpose of the strategy/project/policy?				
Describes how the trust manages special leave requests and provide guidance on what leave should be paid and what should not.				
2. Who will be the main stakeholders/users of the policy? Please consider the impact of the policy on the different groups of stakeholder /users.				
Staff				
3. Use the table to show:				
<ul style="list-style-type: none"> ■ Where you think that the policy could have a negative impact on any of the equality strands, that is, it could disadvantage them – if no impact please note the evidence for this. ■ Where you think that the strategy/project/policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within equality characteristics. 				
	Positive impact	Negative impact	No impact	Reason and evidence (provide details of specific groups affected even for no impact)
Age			✓	Policy applies equally to all staff
Disability			✓	Policy applies equally to all staff

Gender			✓	Policy applies equally to all staff
Gender identity			✓	Policy applies equally to all staff.
Sexual orientation			✓	Policy applies equally to all staff
Race			✓	Policy applies equally to all staff
Religion or belief			✓	Policy applies equally to all staff

4. If you have indicated there is a negative impact on any group, is that impact:		
Legal? (not discriminatory under anti-discriminatory legislation)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Intended?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Level of impact?	High <input type="checkbox"/>	Low <input type="checkbox"/>
If the negative impact is possibly discriminatory and not intended and/or of high impact you must complete a full equality impact assessment. If not, complete the rest of section one below.		
5. Could you minimise or remove any negative impact that is of low significance? Could you add any additional action to have a positive impact rather than no impact?		
Policy can be available in large print or different language if required; however, it is not considered that this will make any material difference.		
6. If there is no evidence that the strategy, project or policy promotes equality, equal opportunities or improved relations – could it be adapted so that it does? If so, explain how.		
7. Please list the outcome following this equality impact assessment (this could be no changes, some changes, further work needed around particular groups or cease development of the policy).		
Policy can be available in large print or different language if required; however, it is not considered that this will make any material difference.		
Signed:	Date:	

Appendix C- Implementation Plan

Is training required to implement this policy?

Yes No

If Yes, how will this be delivered and by whom?

To which groups of staff does this policy need to be issued? *All school staff and Trustees.*

How will the policy be issued and by whom?

Via email from Head teachers

Via Chairs of LGB

Date adopted by Local Governing Body:

Signed: