



# THE SHROPSHIRE GATEWAY EDUCATIONAL TRUST

## Trust Leave of Absence Policy

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| Author           | Trust Head of Finance, Business and Operations |
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## 1 Introduction

- 1.1 Leave of absence is not an entitlement to a number of days off per year. The purpose of leave of absence is to ensure that employees are able to manage particular circumstances that may occur in their lives where it is not possible to arrange these during school holiday periods and time off may be required. It is expected that requests will only be made for leave of absence in term time once all other possible alternatives have been considered.
- 1.2 The amount of leave of absence granted and reasons for doing so can differ between teaching and support staff and from one employee to another. It is also important to bear in mind that such entitlements must be considered against the overall working arrangements of the different categories of staff and, in particular, the need for arrangements to be made to cover such absences. An employee's attendance and disciplinary record may also be taken into consideration where appropriate.
- 1.3 All periods of leave of absence will be recorded and considered on a rolling 12-month basis.
- 1.4 Any employee who is suspected to have abused the provision for time off may be subject to disciplinary proceedings in line with the Trust's Disciplinary Procedure.
- 1.5 This procedure does not form part of any employee's contract of employment and it may be amended at after consultation with recognised unions. We may also vary this procedure, including any time limits, as appropriate in any case.
- 1.6 This policy has been adopted by the Trust.

## 2 Scope and purpose of this policy

- 2.1 The purpose of this policy is to ensure that employees within the Trust understand how requests for leave will be considered by the Headteacher/Head of School/CEO. It will also ensure that staff across the Trust are treated in a fair and consistent way when requesting time away from work.
- 2.2 The procedure applies to all employees regardless of length of service. It does not apply to agency workers.
- 2.3 This procedure is used to deal with requests for absence from work for the reasons contained within this policy. It does not cover requests for flexible working, maternity, paternity, parental or adoption leave. Information on these can be found in the relevant policy within the Trust.

### 3 Process for making requests

- 3.1 The Trust recognises that it may not always be possible to request certain types of leave in advance, for example, bereavement leave, compassionate leave and leave in emergency situations. Where it is not possible to request leave in advance employees should contact the Head Teacher/Head of School (or in the case of the central team the CEO) as soon as possible to tell them the reason for the absence and the number of days leave that they anticipate being absent. The Headteacher/Head of School/CEO will then discuss the situation with you and agree next steps.
- 3.2 Employees should ensure that other than in emergency situations they make their request for leave in advance to enable the individual school to consider the request carefully and to ensure that cover can be implemented where required.
- 3.3 Employees should make a request by completing the Request for Leave on the Access system and speaking to the Headteacher/Head of School/CEO. The request will be responded to when a decision has been made. Please note that in all cases the decision to agree to a request will be at the absolute discretion of the Headteacher/Head of School/CEO. Where a request is refused, the response will include the reasons for the refusal and if you are dissatisfied with the decision, you may make a complaint under our Grievance Procedure.
- 3.4 Where it is possible to do so in advance or when you return to work after taking time off under this policy, we might ask you to provide evidence for your reasons for taking the time off.

### 4 Parental Bereavement Leave, other bereavement leave and compassionate leave

#### Parental Bereavement Leave

- 4.1 Up to 2 weeks parental bereavement leave (PBL) for parents, with parental responsibility, to help them cope with the tragic circumstances of the death of a child under the age of 18 years. This includes birth parents, adoptive parents, individuals who are fostering to adopt, legal guardians, most foster parents, (excluding short term and emergency foster care), intended parents under a surrogacy arrangement, those who look after a child in their home other than a paid carer and have done so for at least 4 weeks and parents who suffer a still birth after 24 weeks or more into pregnancy (miscarriage before 24 weeks will dealt with sensitively and through the sickness absence policy). There is no minimum service requirement for eligibility to take this leave and each case will be handled with support, sensitivity and on an individual basis
  - Employees may be entitled to statutory parental bereavement pay (SPBP) and normal pay covering some of this period or parental bereavement leave if they meet the below criteria:
    - o Have 26 weeks continuous service with the Trust ending on the Saturday before the child died;



- o Have normal weekly earnings in the eight weeks up to the week before the child death that are not less than the lower earnings limit for NI contributions

- 4.2 Parental bereavement leave will be granted as a single block of 2 weeks or 2 separate blocks of 1 week at different times. This leave must be taken within 56 weeks of the loss of the child.
- 4.3 If parental bereavement leave is taken straight away and during the first 8 weeks after the child has died, there is no requirement to give advance notice of PBL. However, employees should make contact with the individual trust school to inform of the reason for their absence.
- 4.4 Any parental bereavement leave taken after the initial period will be subject to at least 1 weeks' notice to the employer.
- 4.5 Entitlement to maternity leave and pay is not affected if a child has died or been stillborn. Maternity leave can be taken in addition to parental bereavement leave.

#### **Other bereavement leave and compassionate leave**

- 4.7 Up to 5 days paid bereavement leave may be granted to help employees cope with the death of a close relative, to deal with necessary arrangements and attend their funeral.
- 4.8 Up to 5 days paid compassionate leave may be granted to help employees where they need to deal with necessary arrangements for or assist a close relative who is seriously or critically ill. This does not apply in the case of domestic emergencies, or where normal caring arrangements have been disrupted. We will consider compassionate leave for other traumatic events or difficult personal circumstances on an individual case by case basis.
- 4.9 Bereavement leave and compassionate leave may be granted in relation to a spouse, civil partner or partner, stepchild, grandchild, parent, step-parent, parent-in-law, grandparent, brother or sister, stepbrother or stepsister, or brother or sister-in-law. Children are covered separately in the parental bereavement section above. The Headteacher/Head of School/CEO may exercise their discretion in relation to any other relative or close friend, depending on the circumstances. When agreeing the amount of leave the Trust will take into account the circumstances and relationship of the employee to the deceased/seriously or critically ill person.

### **5 Dependants (Time off for)**

- 5.1 The law recognises and we respect that there will be occasions when you will need to take time off work to deal with unexpected events involving one of your dependants. All employees have the right to take a reasonable amount of unpaid time off work when it is necessary to:
  - 5.1.1 provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
  - 5.1.2 make longer-term care arrangements for a dependant who is ill or injured;
  - 5.1.3 take action required in consequence of the death of a dependant;

- 5.1.4 deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant; and/or
- 5.1.5 deal with an unexpected incident involving their child during school hours (or those of another educational establishment).
- 5.2 A dependant for the purposes of this policy is:
  - 5.2.1 an employee's spouse, civil partner, parent or child;
  - 5.2.2 a person who lives in the same household as the employee, but who is not their tenant, lodger, boarder or employee; or
  - 5.2.3 anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to in paragraph 5.1.
- 5.3 Employees are only entitled to take reasonable time off under this policy where there is an immediate crisis and it is necessary to take action in relation to a dependent. This will depend on the nature of the problem, the closeness of the relationship between you, and whether someone else is available to assist. Reasonable time off will not normally be more than 1 or possibly 2 days and in most cases will be less than a day. However, we will always consider each set of circumstances on their facts. The trust provides paid leave of up to 2 days in a rolling 12 month period (pro rata for part time contracts), with further leave unpaid.
- 5.4 If you know well in advance that a problem might arise or you wish to take time off to care for a dependant yourself, rather than make alternative arrangements, this policy will not apply. You should make other arrangements to deal with such situations.
- 5.5 You will only be entitled to time off under this policy if, as soon as is reasonably practicable, you tell the Headteacher/Head of School/CEO:
  - 5.5.1 the reason for your absence; and
  - 5.5.2 how long you expect to be away from work.
- 5.6 If you fail to notify us as required by paragraph 5.5, you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.
- 6 **Carer's Leave**
  - 6.1 Employees have a statutory right to take one week of unpaid leave in any rolling 12-month period to provide or arrange care for a dependent with a long-term need. This applies from the commencement of employment with the School/Academy/Trust.
  - 6.2 A long-term need is defined as:
    - 6.2.1 Illness or injury (physical or mental) that requires, or is likely to require, care for more than three months



- 6.2.2 A disability for the purposes of the Equality Act 2010
- 6.2.3 Requiring care for a reason connected with old age
- 6.3 A dependant for the purposes of this policy is:
  - 6.3.1 an employee's spouse, civil partner, parent or child;
  - 6.3.2 a person who lives in the same household as the employee, but who is not their tenant, lodger, boarder or employee; or
  - 6.3.3 anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to in paragraph 5.1.
- 6.4 The maximum period of leave that can be requested is one week. The days requested do not have to be consecutive.
- 6.5 Employees must give either twice as many days' notice as the length of leave being requested, or 3 days' notice (whichever is the longer)
- 6.6 The Trust will postpone your carer's leave if the running of the Trust will be unduly disrupted by your absence. However you will be permitted to take the requested amount of leave within one month of your original request. If leave is postponed, this will be confirmed in writing within seven days of your request in a written counter notice. This will explain the reason for the postponement and the revised dates that Carer's Leave can be taken.

## **7 Domestic, Personal and Family Reasons**

- 7.1 Up to a maximum of 2 days paid leave of absence in a 12 month rolling period may be granted for urgent domestic reasons.
- 7.2 Leave to be granted under this provision may include the following, but the Headteacher/Head of School/CEO will consider each set of circumstances on the facts, including the nature of the request, the relationship of the employee to the person the request relates to where applicable and whether the event or incident is an exceptional circumstance that could not be arranged outside of normal working hours:

### **7.2.1 Moving house (1 day paid)**

Employees should normally make arrangements for moving house outside normal working days. Where this is not possible, up to a day's paid leave may be granted by the Trust.

### **7.2.2 Wedding or civil partnership ceremony (unpaid)**

Employees should make their own wedding/civil partnership arrangements outside normal working days. Leave may be granted by the Trust to enable employees to attend a close relatives or close friend's wedding or civil partnership ceremony where this is held during normal working hours.

### **7.2.3 Other special events**

The Trust recognises that in exceptional circumstances there will be special events in an employee's family life that cannot be arranged outside normal working days e.g., graduation ceremonies (paid), school productions (unpaid), sports day (unpaid). The individual requests Will be considered.

### 7.2.4 Urgent domestic business

This would enable school staff to deal with emergencies of a domestic nature e.g., flooding, structural damage, burglary etc.

- 7.3 Special absence for other personal or family reasons, e.g., to visit relatives who live abroad or to nurse a sick person may also be considered in exceptional circumstances where the employee has a minimum of one year's service at the date of commencement of the leave. A holiday will not be considered as an exceptional circumstance.
- 7.4 Plans or arrangements for the time off should not be made by the employee until they have received a decision in relation to their request and their request is granted, if appropriate. Should you take leave that has not been authorised you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off and deductions from pay made for any unauthorised leave that was paid.

## 8 Health and Welfare

**Employees are expected to make routine medical appointments on their non-working days/outside working hours. Where it can be demonstrated that it is not possible to obtain appointments outside of working hours the Headteacher/Head of School/CEO may grant paid or unpaid time off for reasons of the personal health and welfare of an employee. For example, visits to a doctor, dentist, optician, clinic and hospital. The School/Trust will expect:**

- 8.1 All employees to be encouraged to attend medical appointments for preventative screening, such as smear tests, mammograms, prostate examinations and where possible these to be outside working hours. Where this is not possible requests for time off to attend these appointments will be considered under this policy.
- 8.2 Employees who donate blood or other medical tissue are encouraged to do this outside of working hours. Where this is not possible requests for time off to attend these appointments will be considered under this policy.
- 8.3 Requests for time off for medical appointments in relation to adoption, pregnancy or a disability will be considered under the maternity, paternity, adoption and shared parental leave policy.





## 9 Assisted Conception

- 9.1 Employees who are planning to undergo any form of assisted reproduction or require any treatment or other medical intervention to support fertility should discuss with the Headteacher/Head of School/CEO their treatment plan and requirements for time off. Whether it is you, your partner or a surrogate undergoing treatment we will consider ways to support you to attend appointments to undergo treatment or to support, in the same way as any other medical appointments.
- 9.2 Whilst we understand appointments for such treatments are often made at short notice and can be frequent and on consecutive days, as much notice as possible regarding the arrangements for the time off should be made.
- 9.3 We recognise that such treatment can be physically, emotionally, and financially stressful and encourage you to discuss these matters and be as open as possible so that appropriate support can be offered to you in the workplace, whilst you are undergoing treatment. This could include, but is not limited to, the provision of a fridge for storing medication, workplace adjustments, or a quiet space to take medication or take/make medical calls.

All discussions will be treated sensitively and in strict confidence.

For those receiving treatment we will grant paid leave to attend up to 5 appointments in any 12-month period, limited to 15 appointments over a 3 year continuous period.

Leave will be pro-rated for part-time employees.

If you need any additional time off in addition to the above paid time off this may be granted as unpaid leave, it is therefore important to discuss your treatment plan with the Headteacher/Head of School/CEO. Any additional time either paid or unpaid will be at our discretion.

Where an employee is not undergoing treatment themselves but supporting someone receiving treatment, either their partner or surrogate, the Headteacher/ Executive Headteacher will consider these cases based on individual circumstance.

Leave will be pro-rated for part-time employees.

- 9.4 Wherever possible appointments should be arranged outside of normal working hours. Specifically, where appointments relate to investigations or testing. However, we recognise this may not always be possible. You will be asked to provide details of your appointments, as you would any medical appointment.
- 9.5 Should employees require time off work because of the side effects of their treatment this will be treated under the normal sickness absence reporting procedures.
- 9.6 If treatment is successful from the point of implantation you will be considered pregnant and you should refer to the maternity policy.

If sadly treatment is not successful, you will have the same protections from when you underwent embryo transfer until two weeks after finding out transfer was unsuccessful. The Trust will offer appropriate support during this time and beyond.

We recognise the distress that can result and therefore you may take 1 day unpaid leave immediately following unsuccessful treatment.

If you experience pregnancy loss following treatment you should speak to Headteacher/Head of School/CEO.

### **10 Interviews**

- 10.1 The Trust accepts that employees will have little or no control over when an interview will take place and therefore may grant up to 1 day paid leave in a 12 month rolling period for interviews with pay. Further interviews within the 12 month period will be unpaid.
- 10.2 Employees must inform their Headteacher/Head of School/CEO of the time, date and duration of the interview as soon as they have this information so that the request can be considered promptly to avoid disappointment. The Trust can ask employees to provide evidence of interview.

### **11 Time off for public duties**

- 11.1 The Trust supports employees to perform certain public duties that they may be committed to undertake and will give them time off to do so where it does not conflict with the operational needs of the individual school. The Trust is not obliged to grant employees paid leave for these purposes. The circumstances in which we are prepared to do so are set out below.

#### ***Jury service***

- 11.2 Employees should tell the Headteacher/Head of School/CEO as soon as they are summoned for jury service and provide a copy of the summons if requested.
- 11.3 Depending on the demands of the individual school we may request that the employee applies to be excused from or have the jury service deferred.
- 11.4 You will be advised at court of the expenses and loss of earnings that you can claim. We pay employees who are doing jury service less any amounts you can claim from the court for lost earnings for up to 10 working days. Payment for time off beyond 10 working days may be paid at our discretion.

#### ***Voluntary public service***

- 11.5 Employees are entitled to a reasonable amount of unpaid time off work to carry out certain public duties. All employees may be granted up to 5 days' paid leave to perform voluntary public service duties. Any additional leave will be granted on an unpaid basis subject to the exercise of our discretion to grant further paid leave.
- 11.6 Public service duties include service as a:
  - 10.6.1 Tribunal member
  - 10.6.2 Magistrate



- 10.6.3 Local councillor
- 10.6.4 Member of an NHS Trust
- 10.6.5 Prison visitor
- 11.6.6 Lay visitor to police stations
- 11.6.7 School/Academy/Trust governor
- 11.7 If you are unsure whether a public service that you perform is covered by this policy you should speak to the Headteacher/Head of School/CEO.
- 11.8 As soon as you are aware that you will require time off for performance of a public service you should notify via the Access system providing full details of the time off that is being requested and the reasons for your request.
- 11.9 The Trust will agree to requests for time off to undertake public duties wherever reasonably possible [having regard to the criteria set out in this policy]. If it is not possible to accept a request you will be given written reasons for our decision and right to appeal.
- 11.10 Each request for time off will be considered on its merits, in the circumstances in which it is made including:
  - 11.10.1 Whether the activity is reasonable in relation to your employment.
  - 11.10.2 How much time off is reasonably required for the duty in question.
  - 11.10.3 How much time off you have already taken for the public duty in question.
  - 11.10.4 How your absence will affect the individual School.

#### ***Reserve forces duties***

- 11.11 We are aware that employees who are members of the Reserve Forces (the Territorial Army, Royal Navy Reserve, Royal Marines Reserve or Royal Auxiliary Air Force) may be called-up at any time to be used on full-time operations and will be expected to attend regular training.
- 11.12 Employees who need time off for reservist commitments are expected to use existing holiday entitlement. In exceptional circumstances we may grant additional leave unpaid leave in order for these commitments to be met.
- 11.13 Whilst we will do everything possible to meet your request for leave it may not always be possible for operational reasons. If we receive notice that you have been called-up there may be occasions when we need to apply to an adjudication officer for the notice to be deferred or revoked if your absence would cause serious harm to the School/Trust (which could not be prevented by the grant of financial assistance).
- 11.14 Once your military service has ended you should inform us of the details for your reinstatement employment. This should be made by the third Monday following the end of

your military service and you should notify us of the date on which you will be available to restart work.

- 11.15 If it is not reasonable and practicable to reinstate you into your former employment we will offer you the most favourable occupation on the most favourable terms and conditions which are reasonable and practicable.

### **12 Professional Examination Duties**

- 12.1 The Trust will authorise leave for teachers to undertake professional duties in connection with GCSE, GCE A Level and other public examinations in line with the provisions of the Burgundy Book (Section 6). This also gives details of how the school may be reimbursed when a teacher has to be released.

### **13 Redundancy – support for job seeking**

- 13.1 Employees who have been identified by the Trust as redundant will be allowed reasonable time off during working hours to support them with securing alternative employment or to arrange training for future employment. The amount of time-off is at the discretion of the Headteacher/Head of School/CEO. Each case will be considered on its merits.

### **14 Religious Festivals**

- 14.1 Employees whose religious beliefs require the observance of festivals which fall on days upon which they would normally work, may be granted up to 4 days leave without pay.
- 14.2 Employees must inform the Headteacher/Head of School/CEO at the start of each academic year of any dates that they may need to request time off for. Where this is not possible employees should provide this information as soon as they are able to and no later than 10 working days before the date of the requested leave.
- 14.3 Unfortunately, whilst every effort will be made to accommodate requests for leave, there maybe some circumstances where holiday requests are turned down. Such as where a large number of requests are received at the same time or there is insufficient capacity within the School/Trust to accommodate the leave.

### **15 Time off for trade union duties and activities**

- 15.1 The Trust wishes to support employees with time off for trade union activities.
- 15.2 Trade union representatives are entitled to reasonable paid time off to carry out trade union duties and activities, to undergo training and to accompany a worker to a grievance or disciplinary hearing. A trade union representative means an officer of the union or an employee elected or appointed in accordance with the union's rules to be a representative of union members in the workplace.
- 15.3 Union learning representatives have a right to reasonable paid time off to perform their duties and undergo training.



- 15.4 Union members have a right to reasonable unpaid time off when taking part in trade union activities.
- 15.5 Employees should be aware that there will be occasions where, for operational reasons, or where the Trust believe the time off to not be reasonable, requests can be declined. Each application for time off will be assessed on its merits and the determination will ultimately depend on the needs of the individual School/Trust at the time of the request and consideration will be given to:
- 15.5.1 the nature and timing of the request;
  - 15.5.2 the amount of time off previously granted or planned for the future;
  - 15.5.3 the number of representatives or members seeking time off within a given period; and
  - 15.5.4 the legitimate need of the union representative or union learning representative to discharge their functions.
- 15.6 If a union representative, union learning representative or union member is aggrieved by a decision to refuse time off to undertake their duties, training or activities, they should raise the matter in accordance with Trust's grievance procedure.

#### **Time off for union representatives - duties**

- 15.7 Employees who are representatives of an independent trade union recognised by the Trust for collective bargaining are permitted reasonable paid time off to:
- 15.7.1 carry out their duties in connection with:
    - (a) negotiations in relation to collective bargaining
    - (b) the performance of other permitted functions related to collective bargaining;
    - (c) information and consultation over collective redundancies or TUPE transfers; and
    - (d) agreeing new terms for the workforce following a TUPE transfer in an insolvency situation;
  - 15.7.2 undergo training in aspects of industrial relations relevant to those duties which has been approved by the Trades Union Congress or by the trade union;
  - 15.7.3 accompany a fellow worker to a disciplinary or grievance hearing.

#### **Time off for union members - activities and learning**

- 15.8 An employee who is a member of an independent trade union recognised by the Trust in relation to their position is permitted reasonable unpaid time off to take part in a trade union activity or to consult a union learning representative. Examples of trade union activities

include voting in union elections and attending relevant workplace union meetings, but not participating in industrial action.

***Time off for union learning representatives***

- 15.9 Employees who are members of an independent trade union recognised by the Trust can take reasonable time off to perform duties as a union learning representative, providing that the union has given the Trust notice in writing that the employee is a learning representative of the trade union and that the representative is, or will be, sufficiently trained to carry out the learning representative duties. The purpose of a learning representative includes arranging training, promoting the value of training and analysing training needs

***Requesting time off - trade union representatives and learning representatives***

- 15.10 Employees that are trade union representatives or trade union learning representatives should ensure that their trade union has provided written confirmation of this to the Trust.
- 15.11 The Headteacher/Head of School/CEO will meet with the employee to discuss their union role and the amount of time and facilities that the Trust believes to be reasonable to enable the employee to carry out their union duties.
- 15.12 When making a request for time off the employee should provide as much notice as possible and give further details, such as the location, timing, duration and purpose of the time off. The Headteacher/Head of School/CEO will look at each request and the circumstances before deciding what is reasonable.
- 15.13 Both parties accept the need to be flexible within this process and recognise their duties and obligations to the School/Trust. The parties will seek to agree a mutually convenient time for the duties or activities, with minimum disruption to the teaching and learning at the individual School/Trust. Where possible, the recognised trade union(s) will arrange workplace meetings towards the end of the working day or near break times.

***Requesting time off - trade union members***

- 15.14 Employees who want to request time off for trade union activities during working hours should make a request to the Headteacher/Head of School/CEO giving as much notice as possible and provide further details, such as the location, timing, duration and purpose of the time off. The Headteacher/Head of School/CEO will look at each request and the circumstances before deciding what is reasonable.

**16 Severe Weather and Disruptions to Public Transport**

- 16.1 The Trust recognise that employees may face difficulties travelling to and from the workplace during severe weather conditions or when there are major disruptions to public transport (this is not in circumstances of a high volume of traffic or normal disruption to public transport). If your normal mode of transport cannot be used to get to work, you should explore alternative means of safe transport.



16.2 Although the Trust expect you to make a reasonable effort to attend work in all circumstances, it is not our intention for you to put yourself at unnecessary risk. However, at the same time we must also ensure that any disruption remains minimal.

16.3 Lateness

16.3.1 If you realise that, due to severe weather conditions or disruptions to public transport, you are likely to be late for work, you must telephone your school absence line as soon as possible to explain the situation and give an estimate of when you expect to arrive at work.

16.3.2 If the lateness amounts to half your normal working day or more, the arrangements set out below in relation to absence will apply.

16.4 Absence

16.4.1 Where the Headteacher/Head of School/CEO is satisfied that you have made every reasonable effort to attend work but have been unable to do so due to severe weather conditions or public transport disruptions, you will be required, if possible, to work remotely until the situation has improved.

Where it is not possible to accommodate a remote working arrangement, you **will be entitled, in consultation with the Headteacher** to one of the following options:

16.5.1 take the time as annual leave;

16.4.2 make up any lost time at a later date; or

16.4.3 take the day as unpaid leave if mutually agreed as a last resort.

16.5 Childcare provision (school or nursery) closures

16.5.1 Where schools or nurseries close due to bad weather or public transport and you are unexpectedly required to provide or arrange care for a dependant, the Dependants (time off for) section will apply.

16.6 School closure

16.6.1 The Headteacher/Head of School/Executive Headteacher/CEO may decide to temporarily close the School/Trust in extreme cases of bad weather or disruptions to public transport. If this is necessary, we will inform you as soon as possible. You will be required to work remotely where it is possible to accommodate a remote working arrangement. You will be paid your normal pay during the period of closure.

16.7 Leaving work early

- 16.7.1 The Headteacher/Head of School/CEO will decide on a case-by-case basis if, due to severe weather conditions or disruptions to public transport, it is appropriate for you to leave work early, taking into account your individual circumstances (for example, where you live and your mode of transport) and the needs of the organisation. In such cases you will be paid your normal pay.
- 16.7.2 If you leave work early, you may be required to work remotely where this is possible.
- 16.8 Health and safety
  - 16.8.1 We have a duty to ensure the health, safety and welfare at work of all our employees. You also have a duty to take reasonable care for your own health and safety and that of any other person who may be affected by your acts or omissions. This includes taking extra care when travelling to and from the work in severe weather conditions.
  - 16.8.2 The School/Trust will undertake regular risk assessments to ensure employees working in these conditions are properly instructed, provided with the appropriate clothing and equipment, and given adequate rest breaks.
- 17 **Overtime working and time off in lieu (T.O.I.L.).**
  - 17.1 At the point when extra hours working is discussed with an employee the Headteacher will decide based on business needs the hours required, in what capacity and whether this is paid or taken as T.O.I.L.
  - 17.2 A decision to allow T.O.I.L is at the absolute discretion of the Headteacher and the timing of taking of the hours accrued will be agreed in advance with the employee. Employees will not accrue extra hours for T.O.I.L or payment without agreement of the Headteacher who will decide this based upon the business needs of the individual school.
  - 17.3 In principle T.O.I.L will not be agreed either side of a school break period.
  - 17.4 If there is a need to change a T.O.I.L agreement, then this will be negotiated between the Headteacher and employee in advance and will consider any commitments confirmed by an employee based upon the initial agreement.
  - 17.5 T.O.I.L hours should be taken within the term they are accrued unless the Headteacher agrees any variation to this in advance.
  - 17.6 Regular T.O.I.L hours are not to be used as an alternative to a formal flexible working request.
- 18. **Time off requests for family holidays.**





18.1 Family holidays are not considered exceptional circumstances and will not be approved for term time staff at any time during the contractual working hours or within categories of this policy.

18.2 The Headteacher has discretion to approve annual leave requests in term time from all-year round staff when they support the all-year round business needs of the school/trust. Requests should be made in advance and in the usual way.

## **19. Retention and data protection**

Through the application of this policy, the Trust may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time. Records will be kept in accordance with our [Workforce Privacy Notice], our [Retention and Destruction Policy] and in line with the requirements of the Data Protection Legislation.

## **20 Review of policy**

This policy is reviewed annually by the Trust. We will monitor the application and outcomes of this policy to ensure it is working effectively.

## 21 Table summary

All leave will be pro-rated for part time workers.

| Leave                                     | Definition of leave  | Conditions of leave  | Paid  | Unpaid   |
|---|--|--|---|----------|
| Parental bereavement leave                | For those with parental responsibility for a child   | Granted as a continual block of up to 2 weeks or 2 x one continual block of one week | At statutory parental bereavement rates   |          |
| Other bereavement leave and compassionate | Close relative: spouse, civil partner or partner, stepchild, grandchild, parent, stepparent, parent-in-law, grandparent, brother or stepbrother or stepsister, or brother or sister-in-law |  | Bereavement: 4 consecutive days plus day of funeral<br><br>Compassionate : 5 consecutive days |          |
| Dependants (time off for)                 | Employee's spouse, civil partner, parent or child  |  | 2 days in rolling 12-month period (pro rata for part time staff)                              |          |
| Domestic, personal and family reasons     | Urgent exceptional circumstances only not planned  |  | Maximum 2 days in a 12month rolling period at discretion of HT                                |          |
| Carer's Leave                             | Dependant with long term need as per section 6   | Unpaid leave taken as individual half day/full day or full week                      |   | One week |



| Leave                                 | Definition of leave   | Conditions of leave                        | Paid  | Unpaid  |
|---------------------------------------|---|--|---|---|
| Moving house                          |   | Advanced request required                  | 1 day in a 12month rolling period                                       |   |
| Wedding or civil partnership ceremony |   | Advanced request required                  |   | 1 day in a 12month rolling period               |
| Other special events                  | Graduation ceremonies, school productions, sports day   | Advanced request required                  | 1 graduation ceremony per child or employee paid                        | Other events<br>Headteacher decision            |
| Urgent domestic business              |   | Advance request required                   | n/a   | Headteacher decision                            |
| Health and welfare                    | Routine medical appointments<br><br>Emergency or appointments unable to outside the working hours | To be made outside of normal working hours | <br><br>By exception, evidence required up to 3 days in a rolling year. | Headteacher decision                            |
| Assisted conception                   | Pro rata for part time employees  |  | 5 appointments in a 12-month period                                     | Headteacher decision                            |
| Interviews                            |   |  | 1 day in a 12month rolling period                                       | Further interviews in a 12-month rolling period |

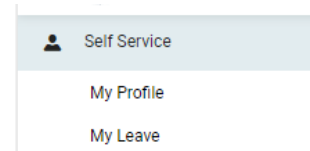
| Leave  | Definition of leave   | Conditions of leave              | Paid   | Unpaid               |
|--|---|----------------------------------|--|----------------------|
| Jury service                                       |   | Evidence required                | Employees are required to claim loss of earnings for up to 10 days |                      |
| Voluntary public service                           |   |                                  | Up to 5 days   | Headteacher decision |
| Reserve forces duties                              |   |                                  | Use existing holiday entitlements                                  | Headteacher decision |
| Professional examination duties                    | Applicable to teachers only   | Reimbursement by boards required | If reimbursement supplied  | Headteacher decision |
| Redundancy   | Applicable to those where formal identification that position is redundant has been given |                                  | Reasonable time off to attend interviews/support                   |                      |
| Religious festivals                                |   | Requested in advance             |  | Max 4 days           |
| Time off for trade union duties and activities     |   | Requested in advance             | Reasonable time off to attend training and permitted duties        |                      |
| Severe weather and disruptions to public transport | Defined by Headteacher as school closure  |                                  | Paid if decision to close – remote working expected.               | Headteacher decision |



## How to add leave onto access

*Please note: Employees should ensure that other than in emergency situations they make their request for leave in advance to enable the individual school to consider the request carefully and to ensure that cover can be implemented where required.*

- Go onto the Internet and enter the website address for access.  
<https://go.accesscloud.com/>
- Add your username and password. A further ID check will be required which could be a passcode to your phone.
- On your dashboard, click onto self-service and my leave.
- Click on add leave. Top right hand corner of screen
- Select the correct leave period.
- Select the absence category, when the leave will take place and any additional comments for your line manager. Our absence policies explains in more detail which category to choose.



+ Add Leave

<https://lacon-childe.org.uk/media/56947/policy-trust-leave-of-absence-october-2023-2.pdf>

- If you have more than one role (for example a TA and a HTLA) then you need to add your leave to all roles.
- The absence policy is clear on the number of 'paid' days leave allocated. These are pro rata for part time members of staff. **If you are unsure on whether the leave should be paid or unpaid, please speak to your line manager.** You can still request leave if you have already used your allocated 'paid' leave but this should be recorded as unpaid in your request.
- You can look on Access to see the number of days leave already taken.
- There is a full list of entitled leave for staff but, for example, **if staff request leave to dependents – spouse, civil partner, parent or child – it can be paid leave for up to 2 days in a rolling 12 month period (pro rata for part time staff). Any additional days should be requested as unpaid leave.**
- Please add medical evidence by adding these as a document.
- Please note that teaching staff at Lacon Childe School **MUST** still complete the 'Yellow Cover slip and submit this to the headteacher. Once approved please enter your leave on access as above instructions and pass the yellow slip to the cover organiser.
- Once your request has been submitted on access, it will be reviewed by your line manager and returned with either an agreed leave or declined leave email to confirm.
  - Many of the categories are at the headteacher's discretion so it is always useful to talk through any leave in advance before submitting the request.

Absence Category \*

Dependants (time off for) - paid

INCLUDE TABLE IN COPY TO STAFF