



**BRADGATE**  
Education Partnership

# Leave of absence policy for Bradgate Education Partnership (Nov 16)

The governing body of *Swallowdale Primary School*

adopted this policy on .

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It will be reviewed on .

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This policy sets out the Academy's approach to dealing with requests for leave of absence. It does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the Governing Body.

In the interests of fairness and consistency the granting of leave of absence in this Academy 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).

Leave of absence will normally be granted on the basis of a twelve month 1 April to 31 March period for teachers, as specified in the Burgundy Book. For support staff this is a rolling twelve month period.

However, in the interests of being a good employer and sustaining an effective workforce, BEP will exercise discretion and base decisions on the presumption of committed employees who make all reasonable attempts to avoid unnecessary absence. If individual or academy absence is high the management of absence will be reviewed by the LGB with support from the Trust Board.

Leave granted for Part Time Staff will be pro rata.

## Procedure

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- The Academy has delegated the authority to grant leave of absence to the Head Teacher. Chair of Governors has authority to approve leave for Head Teacher.
- Employees requesting leave of absence must complete the Leave Request Form and submit it in advance of the proposed absence dates to the HeadTeacher giving as much notice as possible and stating the reason for the request and date(s). Emergency leave does not require the form to be completed beforehand but should be completed after the event. Hospital appointments do not require a form to be filled in. In all cases though, the employee should talk to their line manager and seek verbal agreement with their Head Teacher.
- Appeals against a decision about leave of absence must be made in accordance with the Academies Appeals Procedure.
- If following the refusal of a request for leave of absence an employee is subsequently absent (for whatever reason) the absence will be investigated and may result in disciplinary action being taken if appropriate.

**Any dishonest or fraudulent request or leave will result in disciplinary action.**

## Emergency & Compassionate Leave

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Employees are entitled by law to take reasonable unpaid time off work to deal with unexpected or sudden emergencies involving dependents, and arise in circumstances such as death, sudden illness, injury or assault of a dependent, or the sudden disruption of dependents care arrangements. However, subject to HT discretion this would be likely to be paid.

Leave to deal with the immediate demands of the emergency will be granted. This will be a maximum 2 days. Situations that qualify for additional leave will be considered as compassionate leave.

The Head Teacher may grant further, up to 15, days as compassionate leave .Such additional leave will normally be confined to cases of bereavement or extreme dependent care situations that require the employee's personal attention.

Employees dealing with a dependent child's ill health should try to minimise disruption by making alternative arrangements at the earliest opportunity. However, it is recognised that family circumstances differ and Head

Teachers have delegated responsibility to seek an agreement on leave. When a long bout of illness has used up a considerable number of days this should be considered when extra leave is requested (unpaid). However, high frequency of single days may be considered under management of absence if this causes the Head Teacher concern.

Any extension of compassionate leave can be requested as unpaid leave. The request will be considered by the Chair of Governors who has authority to decide and report to the LGB whilst maintaining confidentiality. Head Teacher & LGB to ensure fair and equal treatment of all staff.

## **Domestic Reasons for Leave of Absence**

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Employees should normally make arrangements for domestic matters outside normal working days. Where this is not practicable a maximum of 2 days may be granted for domestic reasons (urgent or otherwise). Examples of leave under this provision may include moving house and special events to attend a close relative's wedding or civil partnership, or a close family member graduation.

Holiday leave will not be granted unless for medical or therapeutic reasons. In highly exceptional cases the an application for leave would need to be considered and approved by the Local Governing Body.

### **Leave of Absence for Training & Study**

Where an employee undertakes study which directly relates to their role in the Academy, furthers their professional development, and/or is funded by the Academy, paid leave of absence will be granted for attendance at an examination(s) and for some study when this cannot be out of school hours.

## **Medical & Welfare Appointments**

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It is expected medical appointments will be arranged outside of working hours where practicable. It is reasonable to ask an employee to try to move an appointment to suit the employer. For example, visits to a doctor, dentist, optician, clinic and hospital. Where it is not possible to obtain appointments outside of working hours, paid leave of absence

may be granted. Proof of the appointment may be required. An employee may request to accompany a close relative or partner for scans or consultations. This should be explained to the HT and discretion should be applied.

## **Statutory Leave**

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This Section identifies circumstances where there is a requirement to grant leave to an employee, unless otherwise stated whether the leave is paid or unpaid is at the discretion of the Governing Body.

### **Redundancy – Support for Job Seeking**

Employees who are selected for compulsory redundancy will be granted reasonable time off work with pay during their notice period to look for new employment or to make arrangements for training for future employment. (See Redundancy Policy for details)

### **Jury Service/Formal Attendance at a Court Hearing**

Unpaid leave will be granted to employees undertaking jury service or required to attend court, or a Tribunal, as a witness on behalf of the Crown, Police or Defence, or for either side in a civil case. Employees may claim the attendance allowance for loss of earnings paid by the Court.

### **Public Service Duties**

Employees undertaking a combination of public service duties can get reasonable unpaid leave of absence for those duties. The amount of time will be at the discretion of the Head Teacher/ based on how long the duties might take, the amount of time the employee may already have had for public service duties, and how the time off might affect the Academy.

Where unpaid leave is granted, and where applicable, employees may claim the financial loss allowance directly.

### **Magisterial Duties (Justice of the Peace)**

Employees who undertake magisterial duties will be granted unpaid leave of absence up to a maximum of 13 days, or 26 half days a year. Where unpaid leave is granted, and where applicable, employees [may] claim the financial loss allowance directly.

## **Trade Union Duties**

Leave in connection with recognised union duties is covered by ACAS guidance and the Academy's Trade Union and Recognition Facilities Agreement.

## **Reserve Forces**

It is recognised that some employees will wish to volunteer to serve in Britain's Reserve Forces. The Academy will consider Leave of Absence for the reserve forces with reference to HR guidance.

## **Religious Observance and Beliefs**

Any requests for annual leave or working additional hours during the school day or school closure periods, or unpaid 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.

## **Other Leave**

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Any other requests for leave, which are not referred to in this policy should be referred to the Head Teacher, in the first instance. Where applicable these will be considered with reference to the relevant conditions of service for teaching or support staff.

### Summary

All leave of absence and ill-health absence rates will be reviewed annually. This policy will be reviewed every 3 years or earlier if appeals, high staff turnover or high levels of absence are reported. BEP, as employer, is entitled to discuss all aspects of absence with the Head Teacher and Chair of Governors as deemed necessary.

The key principle in applying discretion is fairness in allowing work/life balance and inevitable domestic and personal pressures to be dealt with in a supportive manner. This will encourage a committed workforce and positive employment relationships.



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