

# Leave of Absence Policy



*Believe, Succeed, Together*

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Date Reviewed	June 2016
Date Ratified by Governing Body	
Signature of Principal	
Signature of Chair of Governors	

## 1.0 Requesting Leave of Absence

All employees are required to complete the e-form below at least one week prior to the planned leave of absence and e-mail it simultaneously to: Head of Department, Senior Leader and Cover Supervisors.

The request will be acknowledged by a Cover Supervisor (SLy or RH). If the request is denied or requires modification you will be contacted by either Vice Principal, CN or DPi, who are the designated members of staff responsible for authorising absence.

**Employees should be aware that all requests for planned leave of absence may be withdrawn (even up to the day of absence) for operational reasons.**



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### Request for Planned Leave of Absence Form

Employee Name	
Date(s) and Periods of Absence	
Periods Requiring Cover	
Details of Internal Cover	
Reason For Planned Leave of Absence	

## 2.0 Types of Leave Absence

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
<b>Family-Related Leave</b>					
1. Adoption	<p>To qualify for statutory adoption leave, an employee must have at least 26 weeks' continuous service by the week in which they are notified of being matched with a child or children and have notified the Principal within 7 calendar days of this notification.</p> <p>Employees who qualify for statutory adoption leave are entitled to 26 weeks' ordinary adoption leave followed by up to 26 weeks' additional adoption leave.</p> <p>The Academy and employee can agree to up to a maximum of 10 days paid 'keeping in touch' (KIT) days during the period of absence, Payment will be made for actual hours worked on the employee's return to work or last day of service.</p>	Statutory 52 weeks	<p>Statutory - subject to qualifying conditions.</p> <p>Eligible employees may receive up to 39 weeks' statutory adoption pay. Those who have over 1 year's local government service may also be entitled to contractual adoption pay.</p>	Family Friendly Guidance	<p>Maternity and Parental Leave Regulations 1999.</p> <p>Employment Rights Act 1996, 1999.</p> <p>Maternity and Parental Leave (Amendment) Regulations 2002.</p> <p>Employment Act 2002.</p> <p>Family Friendly Guidance 2009.</p>
2. Pre - Adoption support	<p>Employees should apply in writing to the Principal who will give consideration to the request and the following factors:</p> <ul style="list-style-type: none"> <li>• The circumstances surrounding the request.</li> <li>• Any previous requests for leave of absence.</li> <li>• The employee's attendance/absence record.</li> <li>• The number of day's special leave requested.</li> <li>• The employee's employment history e.g. length of service.</li> <li>• Staff cover arrangements and workload.</li> </ul>	Discretionary	Discretionary	Family Friendly Guidance	Family Friendly Guidance

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3. Ante-natal Care	All pregnant employees have a statutory right to reasonable time off work for ante-natal care but are encouraged to arrange appointments outside of their working hours wherever possible.	Statutory – reasonable time off	Statutory (Paid)	Family Friendly Guidance	Maternity and Parental Leave Regulations 1999. Employment Rights Act 1996, 1999. Maternity and Parental Leave (Amendment) Regulations 2002. Employment Act 2002.
<i>3a. Fathers to be/ partners and nominated carers</i>	In exceptional circumstances, absence (with pay) may be granted where a father-to-be or partner of an expectant mother is required to provide support e.g. where there is a medical emergency resulting in a stay in hospital, or a non-routine medical examination.	Discretionary	Discretionary	Family Friendly Guidance	
<i>3b Parent craft and routine antenatal classes</i>	Requests to attend parent craft classes or routine antenatal classes will be considered against existing leave provisions including annual/ flexible leave (where applicable).	Discretionary	Discretionary		Green book 4.5, 1.2: "authorities may grant time off for ante-natal care to fathers-to-be, partners or nominated carers"
4. Bereavement	May be granted when a request is made due to the bereavement of a relative. Leave will normally be taken at the time of bereavement only.				
<i>4a. Close relative</i>	A close relative is defined as a husband, wife, partner, son, daughter, father, mother, father-in-law, mother-in-law, brother or sister.	Discretionary	Discretionary		

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
4b. Other relatives	Consideration will be given to requests for leave for other relatives e.g. extended family members	Discretionary	Discretionary		
5. Child care	It may be necessary for an employee to deal with an immediate crisis and set up alternative care arrangements when their child's normal carer is suddenly taken ill or when normal childcare arrangements are not available due to the child's illness.	1 per term	Paid		
6. Dependants	Employees have a right to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and make any necessary longer term arrangements. The emergency must involve a dependent of the employee. A dependant is defined, as the employee's parent, wife, husband or partner child, or someone who lives as part of the family, but not the employee's tenant, lodger or boarder. It also includes someone for whom the employee is the main carer. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who relies on the employee for assistance e.g. carer	Statutory	Statutory (Unpaid)		Employment Rights Act 1996, 1999
7. Domestic crisis	The Academy recognises that circumstances may make it necessary and unavoidable for an employee to be absent due to a domestic crisis (including damage or disruption to property).	Discretionary	Discretionary		

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8. Elder care	<p>The Academy will treat requests from carers sympathetically to deal with unexpected emergencies to care for an elderly person who is an immediate family member such as father, mother, father-in law, mother-in law or other elder dependent who requires care.</p> <p>In more extended circumstances, it may be necessary to discuss the possibility of a mutually agreed change to reduced working hours and/or a different working pattern to accommodate the need for time away from the workplace.</p>	Discretionary	Discretionary		
9. Fertility treatment	Each request will be considered individually in the context of the particular circumstances. Note: The woman undergoing IVF treatment is regarded as pregnant for the period following implantation of the fertilised ova until the end of the protected period*	Discretionary	Discretionary		<p>Green Book: Part 4.5, 1.5 – ‘authorities are recommended to make reasonable time off arrangements’.</p> <p>* s 3A(3)(a)SDA</p>
10. Flexible working	<p>The statutory right to request flexible working applies to employees who have a child aged 16 years or under (or up to 18 years in the case of a disabled child and carers if they are or expect to be caring for an adult (18 years or over)).</p> <p>Flexible working allows an employee to request a change in their hours of work (including part time and job</p>	Not applicable (statutory right to request flexible working)	Not applicable	Family Friendly Guidance	Employment Rights Act 1996, 2002 Employment Act 2002 Flexible working regulations 2002, 2009

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
	<p>share), a change to their start and finish times or to request to work from home.</p> <p>Eligible employees must have 26 weeks continuous service with their current employer at the date the request is made.</p> <p>An employee can only make one request in any 12 month period. Therefore, if a request has already been made in relation to a child, another request cannot be made for another 12 months even if it is in relation to caring for an adult.</p>				
11. Foster care	Leave will be given to foster carers to attend meetings and/or attend training commitments.	Discretionary	Discretionary		
12. Graduation of child/partner	Leave to attend graduation ceremony.	Discretionary	Discretionary		
13. Illness/Injury of family members	The absence must be shown to be necessary and unavoidable for the absence with pay to be granted. Where employees need to take more than the leave allocated in this section, then an employee may be entitled to unpaid dependent leave.	Discretionary	Discretionary		
<i>13a. Immediate family</i>	This leave is available to an employee whose immediate family member (husband, wife, partner, son, daughter, father, mother) or other dependant suffers an illness or injury.	Discretionary	Discretionary		

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
<i>13b. Other relatives</i>	Including father-in-law, mother-in-law, brother or sister.	Discretionary	Discretionary		
<i>13c. Other Illness and injury Cases</i>	Other cases involving illness/injury where an employee can show it to be necessary and unavoidable for leave of absence to be granted will be considered.	Discretionary	Discretionary		
14. Maternity	<p>All pregnant employees have a statutory entitlement to 26 weeks' ordinary maternity leave and 26 weeks' additional maternity leave, regardless of length of service or hours worked.</p> <p>An employee must notify the Principal of her pregnancy, her expected week of childbirth (EWC) and the date on which she intends to start her leave, before the end of the 15th week before the EWC (or if that is not reasonably practicable, as soon as it is reasonably practicable).</p> <p>Maternity pay is made up of two separate elements; Statutory Maternity Pay (SMP) and Contractual Maternity Pay (CMP). The qualifying conditions for SMP and CMP are different. This means that whilst an employee may qualify for CMP, they may not qualify for SMP and vice versa. Advice should be sought from the Finance Office.</p>	Statutory - 52 weeks' leave	Statutory – (paid/unpaid subject to qualifying conditions)	Family Friendly Guidance	<p>Maternity and Parental Leave Regulations 1999</p> <p>Employment Rights Act 1996, 1999</p> <p>Maternity and Parental Leave (Amendment) Regulations 2002</p> <p>Employment Act 2002</p>

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
	<p>Contact must be maintained during maternity leave. Agreement must be made prior to the maternity leave how contact with be maintained.</p> <p>An optional 10 'keeping in touch' (KIT) days are available during an employee's maternity leave without losing payments or ending her maternity leave. This must be agreed between the Principal and the employee.</p> <p>Note: Provisions are different for teachers and support staff due to the different terms and conditions of employment.</p>				
15. Maternity support leave	Maternity support leave of 5 days shall be granted to the child's father or partner or nominated carer of an expectant mother at or around the time of birth.	Mandatory	Mandatory (Paid)		Green Book Part 2, 7.6 states 'maternity support leave of 5 days with pay shall be granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of child and to provide support to the mother at or around the birth'
16. Medical appointments for dependents	Where an employee requires time off to attend routine medical appointments (i.e. doctors and dentists) with a dependant, then the employee should arrange to attend these medical appointments outside of their normal	Discretionary	Discretionary		

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
	working hours. Where this is not possible, or where emergency treatment is needed, time off may be granted.				
17. Parental leave	<p>The right to parental leave entitles all eligible employees who have completed one year's qualifying service to take a period of unpaid leave to care for each child under 5 (or under 18 in the case of a disabled child). Parental leave is for parents, adoptive parents and guardians to care for their children.</p> <p>To be eligible the employee must meet one of the following criteria:</p> <ul style="list-style-type: none"> <li>• Is the parent of a child born after 15<sup>th</sup> December 1999 who is under 5 years old. The right lasts up to the child's 5th birthday, unless the child is entitled to disability living allowance, where the right is extended up to the child's 18th birthday.</li> <li>• Has a child placed for adoption after 15<sup>th</sup> December 1999. The right lasts for 5 years from the date on which the child is placed for adoption, or until the child's 18th birthday, whichever is the sooner.</li> <li>• Has acquired formal parental responsibility for a child who is under 5 years old.</li> <li>• Registered as the father on the birth certificate.</li> </ul> <p>21 days written notice must be given to the Principal specifying the start and end date of the requested</p>	<p>Statutory - 13 weeks in total for each eligible child.</p> <p>Statutory - 18 weeks in total for each disabled child.</p> <p>Statutory - Please Note: – it is only possible to request parental leave in blocks of one week. It is not permissible to request individual days except for parents of disabled children. No</p>	Statutory (Unpaid)	Family Friendly Guidance	Employment Rights Act 1996, 1999. Maternity and Parental Leave Regulations 1999, 2006.

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
	parental leave. Applications for leave can be postponed for up to six months if the 'operation of the school would be unduly disrupted' except in the case of requests for leave at or around the time of birth or adoption or immediately following statutory, contractual maternity, paternity, adoption leave periods.	more than four weeks parental leave can be taken in any one year.			
18. Paternity leave	<p>Paternity leave is available for fathers/partners and adoptive fathers/partners. The provisions extend to an adoptive mother or the partner of an adoptive father, who may take paternity leave if the other partner chooses to take any entitlement under the statutory adoption leave provisions.</p> <p>Employees must have 26 weeks' continuous service with their current employer by the 15th week before the expected week of childbirth, or the week of being notified of being matched to a child. Eligible employees who meet the qualifying length of service criteria may be entitled to Statutory Paternity Pay (SPP).</p> <p>Leave must be taken within 56 days (8 weeks) of the actual date of birth of the child or in the case of adoption, 56 days (8 weeks) of the placement date. If the child is born early, leave can be taken within the period from the actual date of birth up to 56 days (8 weeks) after the expected week of childbirth.</p> <p>Individuals must notify the Principal of their intent to take paternity leave by the end of the 15th week before</p>	Statutory - up to 2 consecutive weeks leave for each pregnancy or adoption (regardless of number of babies born or children adopted)	<p>Statutory (paid).</p> <p>The first week of paternity leave is paid at full pay.</p> <p>The second week of paternity leave is paid at statutory paternity rate.</p>	Family Friendly Guidance	Employment Act 2002. Paternity and Adoptive Leave Regulations 2002.

Type of absence	Details of leave provision	Maximum number of days	Paid/Unpaid	Further information	Reference
	<p>the expected week of childbirth. For an adopted child, the employee must give notification within 7 days (unless not reasonably practicable) of being notified by the adoption agency of a match with a child.</p>				
<p>Shared parental leave</p>	<p>During the year after the birth or adoption of their child, parents are able to share up to 50 weeks' parental leave and 37 weeks' pay.</p> <p>An eligible employee must inform the Academy at least 8 weeks before they plan to take shared parental leave and/or pay. They are also entitled to ask the Academy a further two times to take more leave or to change the pattern of shared parental leave they wish to take, again with 8 weeks' notice.</p>			<p><a href="#">Shared Parental Leave - Guidance</a></p>	

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<b>General</b>					
<p>The Academy recognises that employees may on occasion need to take time off for a variety of reasons that do not fall within any of the other categories set out within this policy. The Principal will consider the following factors:</p> <ul style="list-style-type: none"> <li>• The circumstances surrounding the request.</li> <li>• Any previous requests for leave of absence.</li> <li>• The employee’s attendance and absence record.</li> <li>• The number of days special leave requested.</li> <li>• The employee’s employment history.</li> <li>• Staff cover arrangements and workload.</li> </ul>					
19. Career breaks	<p>An extended period of absence from work, after which the employee intends to return to work. To be eligible the employee must have:</p> <ul style="list-style-type: none"> <li>• At least 2 years’ service with their current employer.</li> <li>• Satisfactory performance in all aspects of work.</li> <li>• A satisfactory attendance and conduct record.</li> </ul> <p>An employee needs to satisfy the Principal that the reason for the break is justified. Note: a career break will result in a break in continuous service. However, where a career break is taken for reasons connected with caring for children/dependants, the employee is entitled to have previous service taken into account for maternity leave and sick leave purposes only, as long as</p>	Discretionary - up to a maximum of 5 years after date of resignation.	Unpaid		

Type of absence	Details of leave provision	Maximum days per term	Paid/Unpaid	Further information	Reference
	the break hasn't exceeded 8 years and the individual hasn't taken up any full time, permanent paid jobs during their break from service. Reasonable contact between the employee and the Academy must be maintained during the period of absence.				
20. Holiday	All employees are entitled to paid time off. Details are set out in the contract of employment and written particulars.	Refer to written particulars.	Statutory (Paid)		Employment Rights Act 1996. Working Time Directive 1996. Green Book Part 2, item 7
21. Job-seeking and retraining in a redundancy situation	An employee who is being made redundant can take reasonable time off with pay to look for another job or to arrange training.  If an employee is undertaking normal job seeking, consideration will be given to the operational requirements of the Academy and individual circumstances.	Statutory – reasonable time off  Time off is discretionary*  *A maximum of 2 days paid leave per academic year	Statutory (Paid)  Discretionary		Collective Redundancies and Transfer of Undertakings Regs 1995, 1999. Employment Rights Act 1996 Collective Redundancies Regs 2006. Trade Union and Labour Relations Act 1992.
22. Moving house	Employees should make all efforts to move house outside of their normal working hours. Where this is not possible or where an employee is moving to take up his/her post at the Academy, sympathetic consideration will be given to granting leave of absence.	Discretionary	Discretionary		

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23. Religious observance	<p>The Academy recognises the importance of religious observance and will attempt to accommodate the needs of the employee, including for example, time away from work during the day for prayer or to accommodate periods of fasting.</p> <p>Employees whose religious duties are not covered by weekends or the current statutory bank holidays may request time off for religious festivals.</p>	Discretionary	Discretionary		<p>Race Relations Act 1976.  Employment Rights Act 1996.  Independent School (Employment of Teachers in Schools with a Religious Character) Regulations 2003.  Equality Act 2006.  Employment Equality (Religion or Belief) (Amendment) Regulations 2007.</p>
24. Secondments	<p>A temporary transfer of an employee from one organisation to another associated organisation for operational or project purposes. The secondment will be governed by an agreement between all parties involved. The employee will usually be expected to have worked for 12 months before being considered.</p>	Discretionary	The employer remains the same and therefore terms and conditions will remain the same.		
25. Weather – severe conditions	<p>Where severe weather conditions prevail, e.g. snow or flooding, employees are expected to make every effort to attend work, using alternative modes of transport where possible. Where an employee, as a result of using an alternative form of transport (or where there are severe traffic/ weather conditions using their normal mode of transport) arrives at work late and/or has to leave work early, they will be credited with a standard working day. Employees who are genuinely unable to attend work should where possible and with the</p>	N/A	Discretionary		

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	agreement of the Principal work from home or attend an alternative place of work.				
<b>Health-Related</b>					
21. Blood donors	Subject to operational requirements employees may be given reasonable time off.	Discretionary	Discretionary		
22. Bone marrow donors	Subject to operational requirements employees may be given time off to donate bone marrow. This may include examinations prior to the donation and hospitalisation and recuperation.	Discretionary	Discretionary		
23. Cancer screening	Routine cancer screening (for example cervical cancer screening and breast examinations) should take place outside normal working hours. Where this is not possible, or where the screening is non-routine, leave of absence should be granted for the purpose of attending such appointments.	Mandatory	Paid		Green Book, Part 2, Item 7, 7.7. "Necessary paid time will be granted for the purpose of cancer screening."
24. Disability	The Disability Discrimination Act 1995 provides the right for disabled people to request to work reduced hours if this will enable them to remain in post and it is a reasonable adjustment for the employer. Employers also have a duty to make reasonable adjustments to the workplace, provisions, criterion or practice.	N/A	N/A	Employment of Disabled Persons, Section 7	Disability Discrimination Act 1995, 2005
25. Elective surgery	Requests to attend medical appointments relating to elective surgery will be considered in the light of individual circumstances and the opportunity for the	Discretionary	Unpaid		

Type of absence	Details of leave provision	Maximum days per term	Paid/Unpaid	Further information	Reference
	applicant to use annual leave (where applicable) or school closure periods for all or part of the absence.				
26. Medical appointments/ treatment (including dental treatment).	Where emergency treatment is needed, or the appointment relates to cancer-screening or pregnancy, time off is likely to be granted.	Discretionary  Staff are permitted 1 day per term.	Discretionary		