



LEAVE POLICY

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1. Scope and purpose of the policy

- 1.1 The Trust is committed to developing and maintaining working arrangements that enable staff to achieve a work life balance, and recognises the importance of helping staff to achieve this.
- 1.2 The provisions relating to time off for both teaching and support staff are primarily embodied in the nationally and locally agreed conditions of service which in turn reflect the legal requirements relating particularly to time off for public duties.
- 1.3 Those staff working in teaching or term time only contracts have their annual leave entitlement built into their contracts, and therefore leave is taken during non-term time only.
- 1.4 The Trust also recognises that staff combine their working life with the responsibility of raising a family, caring for dependents or elderly relatives and other domestic commitments, as well as life's unforeseen challenges. There will inevitably be occasions when urgent domestic, personal and family matters compete with work responsibilities. There will also be occasions when employees are required to participate in civic duties, e.g. jury service.
- 1.5 The Trust is committed to ensuring employee friendly employment practices are available to staff in order to enhance and pursue good employment practices and promote flexible working arrangements which enable the employee to make a full contribution to the Trust at different stages within their working lives.
- 1.6 The Trust recognises that a degree of flexibility is necessary to enable staff with particular needs and circumstances to make alternative arrangements in circumstances of urgent attention, i.e. domestic, personal and family matters. However, this needs to be balanced as high levels of absence amongst teaching and support staff pose a serious problem for schools across the Trust in terms of disruption to teaching programmes, pupils' learning and other areas of the Trust's work.
- 1.7 For those staff who are required to work during term time, any leave to be taken during term time must be regarded by all as the exception. Requests for leave of absence for the purpose of taking holidays and/or contributing to holidays will not be granted.
- 1.8 This policy provides information regarding the entitlements of staff to annual leave and to special leave allowances, both paid and unpaid.
 - This policy does not cover absence caused by sickness, see the Trust's Managing Sickness Absence Policy for further information.
 - This policy does not cover maternity/adoption leave or other statutory family related leave, see the Trust's Family Leave policy for further information.
 - 'Close relatives' or 'immediate family' are normally defined as direct relations, husband/wife, civil partner, partner, children, parents, sister/brother, or nominated next of kin. This also includes step, foster and adopted children/parents.

- Definition of dependant: a dependant is the partner, child or parent of the member of staff, or someone who lives as part of their family. For example, this could be a grandparent who lives with the member of staff. It does not include tenants or boarders living in the family home or someone who lives in the household as a member of staff.
- All staff will be required to follow the Trust procedures for requesting leave of absence and for reporting absence.
- Authorised paid and unpaid leave of absence from work for the reasons in this policy requires prior approval.
- Staff taking any type of leave without seeking authorisation will be unpaid, and will be considered a potential misconduct issue under the Trust's disciplinary policy. Staff who decide to take leave (including sickness absence) despite their request being declined will be considered a potential misconduct and will lead to disciplinary action being taken.

2. Who is covered by the policy?

2.1 This policy covers all employees working at all levels and grades.

3. Roles and Responsibilities

3.1 Managers are responsible for:

- Communicating this Policy to staff and making them aware of their rights to such leave.
- Considering each request on an individual basis ensuring consistency of practice.
- Ensuring that the service does not become subject to any detriment as a result of leave taken. If this is the case appropriate measures must be taken.
- Maintaining and ensuring contact on an informal basis with the member of staff throughout the time taken for special leave.
- Ensuring staff apply for leave (all types) via the Trusts processes.
- Ensure compliance with this policy, providing fairness and consistency when making decisions, not just within the school but across the Trust as it is a single employer

3.2 Staff are responsible for:

- Making contact with their line manager as soon as possible in the case of requests for immediate leave.
- Ensuring staff apply for leave (all types) via the Trusts processes.
- Making applications with honesty and integrity to respect the spirit in which this policy was developed.

- Keeping in touch with their line manager throughout a period of leave.

3.3 Human Resources are responsible for:

- Providing support and guidance for managers and staff in relation to this policy and also to ensure consistency of practice across the Trust.
- Undertaking reviews and monitoring the policy.

3.4 Definitions for this policy

- 3.4.1 In this policy the Line Manager refers to the direct reporting line manager for the member of staff or the Headteacher in a school.
- 3.4.2 Authorised paid and unpaid absence from work for the reasons given in this policy requires prior approval unless in exceptional circumstances where this has not been possible.
- 3.4.3 The request should be made as soon as it is known that it will be required, except in exceptional circumstances such as the death or sudden illness of a family member.
- 3.4.4 The Headteacher/line manager will determine if the request is granted and if it is unpaid or paid in line with this policy. HR will provide guidance when required.

4. Annual leave

Teaching staff and Support staff employed on a term time only basis

- 4.1 Those staff working in teaching or term time only contracts have their annual leave entitlement built into their contracts.
- 4.2 Teaching staff are not entitled to annual leave. Teaching staff are contracted to work 195 days per annum (pro rata for part-time staff)
- 4.3 Support staff employed on a term time only basis are not entitled to annual leave.
- 4.4 Support staff employed term time only and teaching staff will not be granted leave of absence for holidays in term time except in exceptional circumstances
- 4.5 If Support staff terminate their employment part way through a leave year, it will be necessary to determine whether they have been over or underpaid at this point and this will be reflected in their last salary payment.
- 4.6 The remainder of section 4 (Section 4.7 to Section 4.14) does not apply to teaching staff and support staff employed on a term time basis.

Support staff employed to work 52 weeks per year

4.7 Annual leave year

- 4.7.1 The annual leave year runs from 1st April to 31st March.

4.8 Annual leave pay

- 4.8.1 Pay during annual leave is calculated on the basis of what the individual would have received had they been at work based on normal contractual hours and will include any regularly paid supplements.

4.9 Annual leave entitlement

- 4.9.1 Staff should refer to their contract of employment for detail of their annual leave entitlement.

4.10 Leave entitlement on termination of employment

- 4.10.1 Annual leave entitlement will be accrued from the start of the leave year until the termination date. Leave will only be calculated on full months worked.
- 4.10.2 Employees should be encouraged to take all remaining leave prior to their termination date. If this is not possible, or there is a valid reason, the employee may be entitled to receive a payment in lieu of untaken leave.
- 4.10.3 If an employee has taken more leave than they have accrued at the termination date, a deduction for excess leave will be deducted from their final salary payment.

4.11 Requesting Annual Leave

- 4.11.1 Employees are required to seek prior approval from their line manager and give notice of their request to take leave. Employees can request to book annual leave via the Trust's Employee Self-Service Portal. Employees are encouraged to provide plenty of notice of the request, and should not make any firm travel or accommodation arrangements etc. until they have received written confirmation that their request for leave has been granted. There may be circumstances where your line manager cannot grant the request, such as operational/staffing requirements. The Trust is not liable for any loss incurred by a member of staff, such as lost deposits etc., if they incur costs and make commitments prior to receiving confirmation.

School Site Staff who work 52 weeks a year are not permitted to take holidays during term time and the expectation is that they will holiday during school holiday periods

4.12 Carry Over of Annual Leave

- 4.12.1 With the exception of maternity/adoption leave, shared parental leave and sickness absence, there is no statutory right for staff to be able to carry over unused leave. It is expected that staff will use their annual leave within the leave year. In exceptional circumstances and with approval from their line manager, staff may carry forward up to one weeks' annual leave (pro rata for part-time employees), as long as they have already taken their statutory minimum of 20 days (pro-rata) annual leave in the year. Any carry over leave must be used within the first three months of the next annual leave year.
- 4.12.2 There is no provision available to pay staff in lieu of annual leave that they have not taken, except when an employee leaves the Trust and has an outstanding balance of annual leave owing to them.

4.13 Carry over and sickness absence

4.13.1 Staff continue to accrue annual leave whilst sick and where unable to take it in the current leave year due to sickness absence are entitled to carry the statutory annual leave entitlement (20 days pro rata minus any leave taken in that leave year) forward to the next leave year.

4.14 Sickness occurring during annual leave or bank holidays

4.14.1 If a member of staff falls sick whilst on annual leave, then in accordance with the Managing Sickness Absence Policy, they must contact their line manager as soon as possible to inform them. If they wish to cancel the annual leave so that it can be taken at a later date the member of staff must make a request to their line manager during the leave period and then provide a Fit Note on their return. A self-certification will not be accepted. Annual leave can only be claimed back from the point of becoming sick. It cannot be requested retrospectively.

4.14.2 In order to claim back annual leave due to sickness, staff are required to provide a Fit Note certificate upon their first day returning to work or due to return to work if absence is longer, after their original annual leave was booked and at no point thereafter. The annual leave must be taken at a later date in agreement with their line manager. If taken ill whilst abroad the employee must provide the necessary paperwork, i.e. signed hospital admission, referral etc, to enable the annual leave to be reimbursed.

4.14.3 Staff may wish to take a period of annual leave while absent from work due to sickness, for example, to aid their recovery. They should request annual leave in the usual way. The request should then be considered by the manager and, if required, in consultation with Occupational Health. If a member of staff has a pre-booked period of annual leave which falls during a period of long term sickness absence, then they may ask for this leave to be deferred to a date when they are no longer on sickness absence. Alternatively, if the employee wishes to take the leave as it has been previously booked, then, subject to the agreement of the manager and if appropriate, Occupational Health guidance, then this may be taken as annual leave. The period of annual leave will not be considered a break in the period of sickness absence.

5. Special Leave

Appendix 1 details the Special leave allowances for all staff. Types of Special leave are as follows:

- Emergency leave for family reasons and domestic reasons
 - Domestic Emergency Leave
 - Child sickness Emergency Leave
 - Carers Emergency Leave
 - Long term Carers Commitments
- Compassionate/Bereavement Leave
- Medical, Dental and Optical Care
 - Routine Appointments
 - Emergency Appointments
- Public and Civic Duties
- Jury Duty Service
- Other special leave (See Appendix 1 for further details)

5.1 Emergency leave for family and domestic reasons

Principles:

- Emergency leave is not a contractual entitlement however employees will be entitled to a reasonable amount of dependent leave. Please see appendix 1 for further details.
- All applications for emergency leave should be considered sympathetically in the light of individual circumstances and the needs of the school.
- Emergency leave will not be granted in circumstances where it is considered reasonable for an employee to fulfil their non-work responsibilities in their own time.
- Emergency leave may be taken in full or part days but employees must obtain prior authorisation for each episode of absence.
- Where situations that can be foreseen or planned in advance, staff can request special leave (paid or unpaid).
- Where situations that cannot be foreseen or planned in advance, staff can request special leave (paid or unpaid) initially verbally but must complete the 'leave form' on return.

5.1.1 Types of emergency leave

Domestic emergency leave

The occasional crisis is likely to be resolved within a matter of hours or days. However, these few hours or days may be particularly important to enable an employee to cope with sudden difficulties e.g. serious domestic emergency/crises, which must be resolved immediately.

Child sickness emergency leave

A member of staff can take reasonable unpaid time off to care for their child or to organise care arrangements to deal with an unexpected disruption or breakdown of normal care arrangements

Carers emergency leave

Carers are people who have the responsibility of looking after close relatives, partners or children who directly depend on the member of staff for support. A member of staff can take reasonable unpaid time off to organise long-term care arrangements, or to deal with an unexpected disruption or breakdown of normal care arrangements

Long term carer commitments

If it is envisaged that extended leave is required, consideration should be given where practicable, granting annual leave, granting unpaid leave (if no annual leave remaining or not applicable), and flexibility in working arrangements or temporary redeployment to more appropriate employment, if available. For example, leave to deal with the sudden onset of disability or exacerbation of chronic illness or terminal illness. Where the needs of the individual are not met by these arrangements,

consideration should be given to the Career Break Scheme (see Career Break Policy).

Prior to reaching the decision whether to grant leave of this nature, the manager should consult with the HR team.

The Trust recognises that being a carer can be put a lot of additional strain on a person and their family. There are external agencies to help such as <https://www.carersuk.org/> Carers who need support can also contact the counselling service through the Employee Assistance Programme with Health Assured on 0800 028 0199.

5.2 Compassionate/bereavement leave

Special paid leave may be granted in the event of traumatic circumstances and/or bereavement. Individual cases should be discussed, at the time, with the manager and consideration given to the closeness of the member of staff's relationship with the deceased, in real terms – not merely by reference to blood ties. Please see Appendix 1 for details.

Entitlement to leave is conditional on the individual remaining in contact with their manager. Staff must provide an address and telephone number where they may be contacted, if not their home address.

5.3 Medical, dental and optical care

Routine appointments

There is no right to paid time off to attend planned doctor, dentist or hospital appointments.

By the virtue of the variety of working arrangements within the Trust, most staff have the opportunity to book routine medical, dental and screening appointments out of work time to minimise any disruption to the service.

Unlike appointments with the doctor or dentist, it is recognised that staff have less control over arrangements for hospital appointments. Provided sufficient notice is given, leave to attend such appointments will be granted during working hours on application to the appropriate manager and evidence of the appointment must be provided. Please see appendix 1 for details.

Emergency appointments

The Trust appreciates that staff may have urgent medical or dental problems on occasion, which may require time off during working hours to attend with minimal notice. Time off will be granted in these circumstances, on the understanding that permission must be obtained from an appropriate manager before the employee leaves the workplace to attend the medical or dental surgery for urgent treatment.

5.4 Public and civic duties

The Trust recognises that it has a civic responsibility to allow staff to take on public and civic duties, attend jury service or to be part of the volunteer reserve forces. The Trust accepts and wishes to support, wherever possible, the granting of paid leave to undertake such duties.

Job applicants are required to specify details of any commitments to the Public and Civic Duties on the job application form. Existing employees must seek the written consent of their immediate manager to stand or volunteer for Public and Civic Duties.

This section provides guidelines for all staff and their managers. It is also intended to cover activities such as acting as a Justice of the Peace or a Local Authority Councillor. For the purpose of clarity staff are not allowed to be Councillors in any of the authorities the Trust sits within but can be a Councillor in another authority.

This policy is not intended to restrict involvement in public duties nevertheless; the Trust's priority must be to use its resources in the most effective way in order to provide the best education and service to our pupils.

The employee will receive normal full pay for all agreed periods of absence taken under this policy (unless otherwise specifically stated as being unpaid leave). If, in the course of such duties, the member of staff receives payment other than for travel and subsistence, they must declare the payment to their line manager and agree to its deduction from their salary.

There are a number of essential civic and public duties, which staff may wish to undertake or that are required by legislation. Staff have a legal right to reasonable time off to attend any public duties. This legal right applies to staff who are:

- Justices of the Peace
- Members of a Local Authority
- Members of NHS Trust, Members of a Police Authority
- Members of any Statutory Tribunal
- Members of School Council or Board or the Board of Management of a self-governing school or college.
- Members of Prison Visiting Committees

5.4.1 Approval to undertake public and civic duties

Staff should seek their manager's approval *prior* to an application for public office being made.

Staff should complete the Civic & Public Duties Application Form documenting times/dates where possible, providing documentary evidence that may be required and identifying any payments made in respect of the duties that are paid (or may be claimed) in lieu of earnings.

When deciding whether to approve paid leave the following will be taken into consideration:

- How much time off is required overall to perform the duties?
- How much time off is required to perform the particular duty in question?
- How much time off the employee has already been permitted for this purpose?

The current needs of the service and the impact on the Trust's ability to provide that service in the employee's absence.

5.4.2 Procedure for applying for paid leave in respect of public duties

In order that the needs of the service are met, staff are required to:

- Identify the predictable element of their schedule of duties as early as possible to allow these to be booked as special leave;
- Inform their manager, where possible, at least two weeks in advance;
- Where attendance is required at meetings or hearings that have not already been approved by their manager, the member of staff should seek authorisation immediately;
- Unless authorisation has been given, members of staff will not be entitled to the time off work paid or otherwise;
- Staff should discuss with their manager arrangements for returning to work when meeting/hearings have been cancelled or finished early.

5.5 Territorial army and training with the Reserve or Cadet Forces

Job applicants are required to specify details of any commitments to the Reserve Forces on the job application form.

Existing employees must seek the written consent of their immediate manager to stand or volunteer for a position with the Reserve Forces.

Employees who have obtained written consent will be entitled up to 15 days leave per year for attendance at annual camp. Staff can claim up to 5 days paid, and the remaining unpaid.

5.6 Requirement to attend court or statutory proceedings on behalf of the Trust

The Trust recognises that there will be some occasions where a member of staff may be required to attend court or other statutory proceedings to give evidence that relates directly to their employment with the Trust, e.g. staff providing professional evidence in court or required to attend a professional hearing.

Where staff are attending on behalf of the Trust they should receive normal payment for this attendance. If, in the course of such duties, the employee receives payment other than for travel and subsistence, they must declare the payment to their line manager and agree to its deduction from their salary.

5.7 Serving on a Jury

When a member of staff is notified by the courts that they are required to attend jury service they should notify their Headteacher of the dates immediately. A copy of the notification should be shown to the Headteacher. If any member of staff is summoned to attend for Jury Service the Trust will approve paid leave for up to 10 days. Loss of earnings must be reclaimed and proof returned to the School so that a deduction can be taken at source. If the trial lasts more than 10 days the staff member must notify

their Headteacher. Any additional time off will be taken as unpaid leave and the member of staff should submit a claim for loss of earnings to the Court. All travel and expense claims must be submitted to the Court and the Trust.

5.8 Study leave

The Trust is committed to supporting the development of their staff, through a range of options, such as support with cost of the training, dedicated time away from the work place and paid study leave. This will be reviewed on a case by case basis, in accordance of the Trust's CPD Policy.

5.9 Other Special leave

The Trust recognises that it is not possible to cover all circumstances where special leave may be appropriate. If there is a specific or exceptional situation not covered by this policy, staff can discuss with their manager in the first instance or contact HR for further information.

6. Review of the policy

- 6.1 This policy is reviewed as required by the Trust in consultation with the recognised trade unions.
- 6.2 We will monitor the application and outcomes of this policy to ensure it is working effectively.

Policy History

Policy Date	Summary of change	Contact	Implementation Date	Review Date
September 2020	Trade Union consultation	All Recognised Trade Unions	N/A	N/A
October 2020	New policy implemented - HR_22	HR	October 2020	September 2023

Appendix 1

Special Leave Allowances

NB. Allowances based on a 12 month period (school academic year) and pro-rata for part-time staff, unless otherwise stated

REASON FOR ABSENCE	TEACHING STAFF	SUPPORT STAFF	SPECIAL COMMENTS
<p>Compassionate Leave</p> <p>Bereavement or serious illness of Close relatives' or 'immediate family. This includes attendance at a funeral (See Family Leave Policy for bereavement leave in relation to a child)</p> <p>Attendance at a funeral of other than a close relative or immediate family</p>	<p>Up to 5 working days</p> <p>1 working day</p>		<p>With pay</p> <p>The five days may be extended in agreement with the HR Department (this will be without pay)</p> <p>Without pay</p>
<p>Emergency Leave for Family and Domestic Reasons</p>	<p>Reasonable time off</p> <p>At the discretion of the Headteacher, where an immediate family member is hospitalised and there are no other arrangements in place – reasonable time off</p>		<p>Without pay</p> <p>With pay</p>
<p>Emergency doctor, hospital or dental appointments</p>	<p>Time required during the working day</p>		<p>With pay</p>
<p>Medical, dental</p>	<p>Maximum of 1 working day in total</p>		<p>Without pay</p>
<p>Hospital appointments</p>	<p>Maximum of 1 working day (for longer stays this should be considered as sickness absence)</p>		<p>With pay</p>
<p>Civic and Public Duties</p>	<p>Up to 18 working days each school year (to be taken in full days)</p> <p>5 additional working days each school year for compulsory training (Magistrates)</p> <p>The granting of requests for leave should be determined by the Headteacher/Director having regard to the needs of the school, the implications of allowing each individual request, the overall limit and guidelines on reasonableness.</p>		<p>With pay</p> <p>Leave is subject to the employee proving that time off was required and ensuring that his/her employer is notified well in advance of his/her requirement of such duties.</p> <p>No travelling or subsistence allowance will be paid.</p>
<p>Jury Duty</p>	<p>Up to 10 days (Proof of Jury Summons will be required)</p> <p>If the trial lasts more than 10 days the staff member must notify their Headteacher. Any additional time off will be taken as unpaid leave and the member of staff should submit a claim for loss of earnings to the Court. All travel and</p>		<p>With pay. Salary will be reduced up to a maximum of any allowances which may be claimed.</p> <p>Without pay</p>

REASON FOR ABSENCE	TEACHING STAFF	SUPPORT STAFF	SPECIAL COMMENTS
	expense claims must be submitted to the Court and the Trust.		
Other Special Leave Allowances			
Attendance at the wedding of child, father, mother, brother, sister or person normally resident with the applicant.	1 working day		With pay
House removal	1 working day, 2 days in exceptional circumstances		Without pay
Attendance at interviews	Reasonable time off to attend interviews		With pay – internal to Trust Without pay – external to Trust
Sporting Activities (National Level)	Up to 10 working days per school year.		Without pay
	Any additional days at the discretion of Trust		Without pay
Decorations and Honours	As necessary at the discretion of the Trust		With pay
Staff prevented from reaching work due to inclement weather	If staff can satisfy their Headteacher/Director that they have made every effort to get to work, any time lost may be classed as time off with pay. If the Trust is not so satisfied, then the time off will be regarded as unpaid leave.		

Appendix 2

Application for undertaking Public Duties or Territorial Arm/Reservist

SECTION A: To be completed by employee					
Name: (In CAPITALS)					
Job Title:					
School / Department					
Type of Public & Civic Duty:					
Brief Description of the duties:					
Start Date:				End Date:	
Payment(s) made in respect of these duties:					
Benefits to the Trust in approving the application:					
How may this affect the Trust's ability to provide the service and how may this be addressed?					
Employee Signature:				Date:	
SECTION B: To be completed by Line Manager					
<i>Please ensure that:</i>					
<ul style="list-style-type: none"> • <i>That this form is dealt with in a confidential and sensitive manner</i> • <i>That consideration is given to the needs of the service.</i> • <i>That agreement is put in writing to the employee stating the parameters upon which the application is agreed.</i> • <i>That the employee completes the time off request for public duties (appendix 3)</i> • <i>That the attendance sheet is completed indicating time off with/without pay for Public & Civic duties.</i> 					
Special Leave Granted:		YES <input type="checkbox"/>		NO <input type="checkbox"/>	
PAID <input type="checkbox"/>	Hours_____	Days_____	UNPAID <input type="checkbox"/>	Hours_____	Days_____
If the request is refused detail the reason for the refusal:					
Line Manager/Headteacher's Signature:				Date:	
Line Manager/Headteacher's Name (CAPITALS):					

LEAVE REQUEST FORM
SCHOOLS
PAID OR UNPAID

Appendix 3

Please complete this form for all leave except maternity, shared parental leave, paternity or adoption leave. This form must be completed prior to taking the leave. **Please note that if the form is not fully signed before the leave is taken it will be classed as unauthorised and unpaid.**

SECTION 1: EMPLOYEE DETAILS			
SURNAME:		FIRST NAME:	
PAYROLL NO:		JOB TITLE	
SCHOOL/DEPT:			

SECTION 2: DETAILS OF LEAVE			
DATE FROM AND TO:		NO OF DAYS:	
TYPE OF LEAVE:			
PAID:	<input type="checkbox"/>	UNPAID:	<input type="checkbox"/>

SECTION 3: EMPLOYEE SIGNATURE			
SIGNATURE:		DATE:	

SECTION 4: HEADTEACHER/DIRECTOR AUTHORISATION			
I authorise the leave as above:	<input type="checkbox"/>	I do not authorise the leave:	<input type="checkbox"/>
I authorise the leave with the following changes/conditions (please specify:	<input type="checkbox"/>		
SIGNATURE:		DATE:	
FULL NAME:			

When completed and fully signed a copy of this form should be given to the employee and a copy held by the Office Team. A copy must be sent to absence@reachsouth.org for processing.