




**Victoria Academies Trust**

**STAFF LEAVE OF ABSENCE POLICY v 4.0**

<b>Date of last review:</b>	March 2024	<b>Review period:</b>	1 year
<b>Date of next review:</b>	March 2025	<b>Owner:</b>	COO
<b>Type of policy:</b>	Trust	<b>LGB or Board approval:</b>	Trust Board
<b>Signed</b>			

## **1. INTRODUCTION**

This policy applies to all employees of Victoria Academies Trust (VAT).

VAT aims to encourage all of its employees to maximise their attendance at work. It is recognised, however, that a certain level of sickness absence is inevitable. It is our policy to support employees who are genuinely sick and unable to come to work.

This policy is designed to ensure that the VAT operates consistently in dealing with cases of general sickness absence and disability related sickness absence, and that employees are treated equitably and with care.

It is also important to bear in mind that requests for leave 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.

## **2. SCOPE AND PURPOSE**

This policy applies to all employees of the Trust. The intention of this policy is to consider requests for annual leave and other leave which falls outside that covered under conditions of service, other policies or legislation. For example, arrangements in respect of adoption leave, maternity leave, parental leave, paternity leave and Standard Teachers Pay and Conditions.

Reasonable requests for leave will be considered on an individual basis by the Head teacher (school based staff) /line manager (central trust staff). Any subsequent disputes will be resolved by ELT. Approval of annual leave will not be unreasonably withheld. Applications for leave can be made by completing the relevant request form.

## **3. TEACHERS' ANNUAL LEAVE**

There is no provision for annual leave entitlement for teachers. Teachers are required by statutory order under the School Teachers' Pay and Conditions of Service Document to be available for work for 195 days each year (of which 190 shall be days on which they may be required to teach students).

The Head teacher/line manager should not normally receive any requests from teaching staff to take a holiday within term time and any requests within term time should be by exception.

## **4. SUPPORT STAFF ANNUAL LEAVE**

Entitlement to annual leave for support staff is as specified in their individual contracts of employment. The taking of annual leave is subject to the prior approval of the line manager.

The provision for support staff employed on a term-time only basis is the same as for teaching staff above. The annual leave year for support staff runs from 1 September to 31 August. For all year-round staff, the timing of holidays must be in agreement with operational requirements and some staff may be expected to take annual leave within the Trust holidays. However, there will be occasions when such staff wish to take leave during term time. Where possible, this leave will be granted, having given due

regard to the demand or urgent need of the service. All support staff are expected to take their holidays regularly through the year. Permission may be withheld if holidays have not been used and have built up, with a view to be taken in one go, or at a time that is not appropriate for the running of the academy /team.

Staff may not carry forward any holidays into the next holiday period. Any exceptions must be approved by the Headteacher or the ELT.

To assist in the planning of annual leave, the management team will consider the times of year when support staff will definitely need to be present and times where there may be more flexibility. Where the management wishes to have a closure period during the holidays, this will be notified to all year round staff at the beginning of the academic year.

## **5. OTHER LEAVE OF ABSENCES**

The Trust recognises that there may be times when employees will need to take additional time away from work and will comply with any statutory regulations regarding time off for employees.

Employees seeking to take leave of absence must gain approval from their line manager in advance of the leave commencing. In exceptional circumstances, it may be necessary for employees to be absent from work before a request can be made and approved. In these circumstances, the request should be made as soon as possible, with approval or non-approval of the request being made retrospectively. There is no intention to remove any rights previously conveyed to employees. The granting of leave is at the discretion of the Head teacher or ELT, but approval will not be unreasonably withheld.

Where an employee wishes to challenge a decision, an appeal should be made to the Headteacher or the COO.

The granting of leave will be monitored and reviewed on a regular basis to ensure fair and consistent application of the procedures for all employees.

There may be situations where paid leave is not appropriate, and in this case unpaid leave or time off in lieu arrangements may be considered.

The following are examples of leave of absence which may be requested (this is not an exhaustive list):

- bereavement leave
- time off to care for dependants
- urgent domestic reasons
- jury service / witness summons
- justice of the Peace (Magistrate) duties
- other public duties
- personal health and welfare
- examination and revision leave
- Union facilitation time

- religious observance
- service in non-regular armed forces / volunteer reserve services
- School Governing Duties/Trustee

If an employee takes leave without permission from the Trust/ academy, the leave will be considered unauthorised unpaid leave and may result in disciplinary action being taken against the employee, including dismissal. Therefore, it is important that all employees follow the relevant procedures before taking leave for whatever reason.

A minimum of two weeks' leave will be granted for staff who have lost a child under the age of 18, or who have suffered a still birth from 24 weeks of pregnancy.

Staff are entitled to one week of unpaid leave every 12 months to care for dependants with long term needs. A week is pro-rated to part time employees. This leave can be taken all at once, as half days or full days.

Carer's leave cannot be used to provide general childcare but can be for a child who has long-term health or disability-related care needs. This is covered by unpaid parental leave.

The amount of leave does not increase if the employee has more than one dependant in need of care, it is still a maximum of one working week every 12 months.

Carer's Leave is available to staff who need to give or arrange care for a dependant who has:

- A physical or mental illness or injury that means they need care for more than three months
- A disability as defined by the Equality Act 2010
- Care needs because of their old age.

A dependant is defined as an employee's spouse, civil partner, child or parent, any person who lives in the same household as the employee (other than as a lodger or similar), or any other person who would reasonably rely on the employee to provide or arrange care. This does not have to be a family member.

Staff must give notice if they intend to take carer's leave, specifying that they are eligible for the leave and the day(s) they intend to take it. The notice should be twice as many days as the number of days requested. However, the Headteacher can waive this requirement if they wish.

## **5. PROCEDURE**

Applications for leave can be made by completing the relevant request form to their Head teacher/ line manager.

All requests for time off must be made at the earliest opportunity and on a Leave of Absence Request form (Appendix 1)

Part 2 of the Leave of Absence request form will be returned to the employee to confirm agreement to requests. If a request is to be refused, the Head teacher/line manager will meet with the employee

to discuss the reasons for refusal. Part 2 of the request form will then be given to the employee as written confirmation.

Part-time employees will be entitled to time off, under the terms of this policy, pro rata to their contractual hours. The Head teacher/ line manager will, however, take into account the working patterns of part-time employees. (For example, an employee who works on one day a week only would be granted time off with pay for the funeral of a close relative on that working day without pro rata calculations being applied).

Where practicable, the Head teacher/ line manager may agree that an employee can make up lost time as an alternative to loss of pay.

## APPENDIX 1

Leave of absence schedule. Below is an **indicative** guide of absence for each particular reasons:

	Reason for absence	Maximum period of absence (school days)	With or without pay	
			Term-time only	All-year-round staff
1	Death of member of immediate family*	Up to 3 days (with extra travelling time of up to 3 days if necessary)	With pay	
2	Death of child under the age of 18	Minimum of 2 weeks	With pay	
3	Wedding of any member of immediate family**	1 day	With pay	
3a	Wedding of member of family (other than immediate)	1 day	Without pay	Holiday request
4	Jury service	See conditions of service	With pay (employee must claim an allowance from court)	
5	Attendance at interviews – posts connected with education	At VAT discretion	With pay	
6	Attendance at interviews	As necessary	With pay	
7	Attendance at meetings of Examiners for approved examinations	As arranged with HT or ELT	With pay	
8	Attendance at courses approved by the HT or ELT	As necessary	With pay	
9	Other examination leave and study where not directly related to the job	As necessary	With or without pay	

10	Attendance at a religious ceremony or observation of religious festival which the staff member is under a moral obligation to attend or observe by reason of his/her membership of, or office in, a church or religious order	Up to 2 days per year	With pay
11	Religious pilgrimages or observances longer than one day.	Headteachers discretion	Without pay
12	Union facilitation time	As necessary	As necessary
13	Moving house	1 day	With pay
14	Illness of member of immediate family	Headteachers discretion	With pay
15	Attendance at university graduation ceremony etc. where self or member of immediate family is receiving a degree, diploma or certificate	1 day	With pay

Definitions of “immediate family” For the purpose of this scheme, “immediate family” shall include: Wife, Father, Mother-in-law, Partner, Husband, Brother, Father-in-law, Stepfather, Son, Sister, Grandmother, Stepmother, Daughter, Guardian, Grandfather, Stepbrother, Mother, Ward, Grandchild, Stepsister, Stepchildren, adopted parents, adopted siblings, foster children

### Leave of Absence Request Form

Name:

First day of absence:

Last day of absence:

Date of return to work:

Reason for which leave is requested:

Are you requesting leave of absence with pay?

Signed:  Date:

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**For completion by Head Teacher**

Request      Approved with pay     

   Approved without pay     

   Not approved     

Employee Services/Payroll provider informed     

Absence recorded     

THIS FORM IS TO BE RETAINED IN SCHOOL

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**Leave of Absence**

To:

Your request for leave of absence from  to  is:

Approved with pay

Approved without pay

Not approved

Signed:  Date:

Teacher

Head