

# Swift Academies

## Leave of Absence Policy

**Accepted by:** Board of Trustees October 2018

**Approving Body:** Board of Trustees

**Committee:** Standards

**Review Cycle:** 2 years

**Last reviewed:** June 2020

**Date for next review:** June 2022

### 1 SCHEME

REASON	Days Entitlement	Pay
<p><b>1.1 TIME OFF FOR DEPENDANTS</b></p> <p>Leave of absence should be granted in the case of any illness of a dependant. It is recognised that leave to care for dependants in special circumstances is legitimate and requests should be granted wherever possible.</p> <p>Leave to care for dependants who are seriously ill will only be approved where the individual is clearly dependant upon the employee to care for them.</p> <p>The following are dependants for the purpose of this Scheme:</p> <ul style="list-style-type: none"> <li>• A partner</li> <li>• A child</li> <li>• A parent</li> <li>• Anyone else who lives with the employee as part of the Family</li> <li>• Someone who reasonably relies on the employee for assistance</li> </ul>	<p>Up to 2 days per absence up to a maximum of 5 per year</p>	<p>2 day paid 3 days Nil</p>
<p><b>1.2 BEREAVEMENT LEAVE</b></p> <p>To deal with the death of a close relative: for example to make funeral arrangements or to attend a funeral The entitlement in <b>1.1</b> will apply to other dependants who live with the employee as part of their family.</p> <p>Other relatives</p> <p>Compassionate Leave</p> <p><b>Bereavement Leave - (Parental Bereavement (Leave and Pay) Act 2018)</b></p>	<p>HT/Head of School discretion should not exceed from the day of the death to the day of the funeral</p> <p>Maximum 1 day (up to 3 days)</p> <p>Discretionary</p> <p>Two weeks' leave.</p>	<p>Yes</p> <p>Discretionary</p> <p>Discretionary</p> <p>Yes</p>

<p>Employees who lose a child under the age of 18, or suffer a stillbirth from the 24th week of pregnancy, on or after this date.</p>	<p>May be taken as one block or as two non-consecutive one week blocks, at any time during the 56 weeks following the child's death.</p>	<p>Statutory</p>
<p>Must have 26 weeks' service</p>		
<p><b>1.3 TIME OFF FOR URGENT DOMESTIC REASONS</b> The term urgent domestic reasons cover a range of situations and occurrences such as a boiler bursting at an employee's home or their house being burgled.</p>	<p>Up to 2 days</p>	<p>Usually Nil. HT/Head of School can grant paid leave.</p>
<p><b>1.4 MATERNITY LEAVE ADOPTION LEAVE PATERNITY LEAVE PARENTAL LEAVE SHARED PARENTAL LEAVE ANTE-NATAL CARE TIME OFF TO ACCOMPANY A PREGNANT WOMAN TO ANTE-NATAL APPOINTMENTS</b> Refer to the Trust Maternity, Paternity, Parental and Shared Parent Leave Policy for further details</p>		
<p><b>1.5 GRADUATION, INVESTITURE, etc</b></p> <ul style="list-style-type: none"> <li>• Awarded to immediate relatives. Discretion to be used in regard in relationship as detailed in 1.1 above.</li> <li>• Own graduation etc</li> </ul>	<p>Up to 1 day</p>	<p>Yes</p>
<p><b>1.6 INTERVIEWS</b></p> <ul style="list-style-type: none"> <li>• Paid leave to be granted to employees attending interviews within Local Government service only.</li> <li>• Private Sector interviews</li> </ul>	<p>Up to 1 day</p>	<p>Yes</p>
<p><b>1.7 EXAMINATIONS</b> Leave may be requested for time off to sit examinations. <b>Paid leave will only be granted if the exam is relevant to the individual's employment</b></p>	<p>Up to 2 days</p>	<p>Yes</p>
<p><b>1.8 EXAMINATION / STUDY LEAVE</b> Leave may be requested for periods of study to prepare for examinations relevant to their employment</p>	<p>Up to 2 days</p>	<p>Nil</p>
<p><b>1.9 CPD</b> Leave may be requested to attend CPD events. Usually CPD requirements are determined through the appraisal process.</p>	<p>Duration of exam</p>	<p>Yes</p>
<p><b>1.10 COURSES, MEETINGS, CONFERENCES</b></p>	<p>Discretionary</p>	<p>Discretionary</p>
<p>Leave may be requested to attend CPD events. Usually CPD requirements are determined through the appraisal process.</p>	<p>Maximum number of days as required</p>	<p>Yes</p>

Separate regulations exist for the payment of fees and subsequent expenses.	As approved	Yes
<b>1.11 EXAMINERS</b> All absences related to examining and moderating away from the place of employment.	11 days	Yes
<b>1.12 WHITLEY COUNCIL, MAGISTRATES, GOVERNORS &amp; OTHER PUBLIC DUTIES</b> Employees who hold certain public offices have a right to 'reasonable' time off to perform their duties. This could include acting as a Magistrate, Justice of the Peace, a local councillor or member of a tribunal, serving on an NHS Trust, school governing body, policy authority, environmental agency, etc.	Discretionary	Discretionary
<b>1.13 JURY SERVICE</b> Employees are entitled under national conditions of service to receive paid leave of absence for jury service. Employees may be required to request a postponement when the service falls on key academic dates.	As required	Yes (less loss of earnings entitlement under juror's allowance)
<b>1.14 COURT APPEARANCE</b> Where the employee is called to court to act as a witness or as an accused.	Discretionary	Discretionary
<b>1.15 MOVING HOUSE</b> 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 school, sympathetic consideration will be given to granting leave of absence.	1 day	Discretionary
<b>1.16 PARLIAMENTARY ELECTION CANDIDATE/ AGENT</b> <ul style="list-style-type: none"> <li>• Local</li> <li>• GB &amp; Europe</li> </ul>	1 day Seek advice	Yes
<b>1.17 WEDDING</b> <ul style="list-style-type: none"> <li>• Own (if unavoidable in term time)</li> <li>• Immediate relative</li> <li>• Other</li> </ul>	Discretionary 1 day 1 day	Discretionary Nil Nil
<b>1.18 NON-REGULAR FORCES</b> Teachers – leave of absence is at the discretion of the Head Teacher/Head of School and due to conditions of service & will only be granted in exceptional circumstances.  Support Staff – leave of absence for training or voluntary service is at the discretion of the Head Teacher/Head of School	Discretionary  Discretionary	Discretionary  Discretionary

<p><b>1.19 TO ACCOMPANY SON/DAUGHTER/DEPENDANT TO COLLEGE</b> For interview purposes only.</p>	1 day	Yes
<p><b>1.20 TRADE UNION OFFICIALS</b> *Please refer to 2.1 &amp; 2.2 in Special Issues notes below.</p>	*Reasonable	Yes
<p><b>1.21 HEALTH SCREENING</b> (Includes ante-natal see above under Maternity Leave)</p>	As required (if necessary in working hours)	Yes
<p><b>1.22 VOLUNTARY SERVICES OVERSEAS</b> Academies may wish to agree that employees can be considered for Voluntary Services Overseas and for further guidance should contact the Academy's HR Provider.</p>	As agreed by the Academy	
<p><b>1.23 RELIGIOUS FESTIVALS</b> The Trust recognises the importance of religious observance and will attempt to accommodate the needs of the employee.</p>	Discretionary	Discretionary
<p><b>1.24 COMPULSORY REDUDANCY</b> Employees serving notice have the right to paid leave and support where reasonable, each case to be considered on request.</p>	Reasonable	Yes
<p><b>1.25 FERTILITY TREATMENT</b> 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.</p>	Discretionary	Discretionary
<p><b>1.26 MEDICAL &amp; DENTAL APPOINTMENTS</b> Emergency appointments or where it is not possible to arrange outside normal working hours e.g. hospital appointments.</p>	Discretionary	Discretionary
<p><b>1.27 BLOOD DONERS</b> Subject to operational requirements employees may be given reasonable time off.</p>	Discretionary	Discretionary
<p><b>1.28 BONE MARROW DONORS</b> 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.</p>	Discretionary	Discretionary
<p><b>1.29 CANCER SCREENING</b> Routine cancer screening (for example cervical cancer</p>	As Required	Yes

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

**1.30 ADVERSE WEATHER CONDITIONS**

Where severe weather conditions prevail, employees are expected to make every effort to attend work, using alternative modes of transport where possible. Employees who are genuinely unable to attend work should where possible and with agreement of the Headteacher/Head of School work from home.

Discretionary

Discretionary

**1.31 REQUESTS FOR PERIODS OF UNPAID LEAVE**

An extended period of absence from work, after which the employee intends to return to work. To be eligible the employee must have:

- at least 2 year’s service with the Trust.
- Satisfactory performance in all aspects of work
- A satisfactory attendance and conduct record.

Discretionary

Discretionary

**2 SPECIFIC ISSUES**

**2.1 Trade Union Officials**

Current employment legislation requires an employer to permit an employee who is an official of an independent recognised trade union to take reasonable paid time off to carry out industrial relations duties and to undergo training, the Board of Trustees must determine what is reasonable, both generally and on specific occasions.

**2.2 Trade Union Members**

Current employment legislation similarly requires the allowance of reasonable absence (without reference to pay) for the purpose of taking part in a relevant trade union activity. Such absence might, for example, be for short training periods.

**2.3 Public Duties**

Employees that are elected as Councillors for other local authorities will be granted a reasonable time off to attend to their Council duties. Paid or unpaid leave is to be determined by the Board of Trustees taking into account the operational needs of the Trust.

- **Employees elected as Councillors are restricted to paid leave of a maximum of 208 hours per year.**
- **It is recommended that employees who are school governors should have the following leave with Pay:**
  - **Primary (inc. nursery schools) up to 6 half days per annum**
  - **Secondary up to 8 half days per annum**

- **These amounts of time being subject to an overall maximum of 26 half days per annum with pay where an employee is a member of several governing bodies.**

#### **2.4 Discretion**

In determining the levels of reasonable absence where discretion exists, the Board of Trustees will wish to take into account other leave arrangements for the applicant.

#### **2.5 Notice**

Where there is expected to be a pattern of requests for leave (e.g. public duties; examining) it is reasonable for the Board of Trustees to request that reasonable notice be given.

#### **2.6 Term Time Leave**

As a general matter of principle, absence for holiday leave should **not be** granted to those persons, teaching and support staff, whose duties relate to the presence of children and students.

#### **2.7 Exceptional Circumstances**

Advice is available from the Trust's HR Provider on matters not covered by these recommendations. In order to achieve reasonable consistency of practice, it is suggested that the Board of Trustees will wish to obtain such advice on other matters.

### **3 REQUESTS FOR PERIODS OF UNPAID LEAVE**

The Board of Trustees may receive applications from staff for unpaid leave. The issue of whether leave is granted or not, or is with or without pay should generally be determined by reference to the adopted scheme. However, there are occasional circumstances, usually of a personal nature, where an extended period of unpaid leave may be granted. Although it will be for the Board of Trustees to determine these applications, they may find it helpful to seek the advice of the Trust's HR Provider regarding both the nature of the leave, and the conditions upon which it may be possible to grant it.

### **4 DISCRETIONARY LEAVE**

Employees will be granted no more than 5 days discretionary leave of absence in a rolling year except in exceptional circumstances. Of this, a maximum of 2 days will be with pay. <sup>[11]</sup><sub>[SEP]</sub>  
Generally, the first two days of discretionary leave taken each year will be paid (unless otherwise specified elsewhere in this policy) and any further days will be unpaid.

A period of leave may be made up of paid and unpaid leave. In exceptional circumstances the Head Teacher/Head of School may grant additional paid or unpaid leave over the 2 day or 5 day entitlement. In these cases the reason for the decision will be documented.

### **5 APPLICATION OF THE SCHEME**

It should be recognised as a matter of principle that the Board of Trustees will make every effort to adhere to the conditions relating to the leave of absence scheme and to granting leave in accordance with that scheme. However, it should also be recognised that from time to time the arrangements in an academy may be such that requests for leave may have to be declined in order to maintain a proper educational service.