

# LEAVE OF ABSENCE POLICY

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## 1. ABSENCE FROM DUTY: PRINCIPLES

- 1.1 The Federation is committed to being a good employer and doing all we can to ensure the health, safety and welfare of all staff. The Directors consider that this is good for individual staff, good for the community of staff and good for the students, contributing to the pursuit of a high-quality service and the development and maintenance of high standards.
- 1.2 The Federation wishes to be fair to all staff when asked to agree absence from work.
- 1.3 The Federation wishes to maintain harmonious employment relations with all staff.
- 1.4 The Federation wishes to avoid disruption to students' education as far as is reasonably practicable.
- 1.5 The Federation recognises that the entitlement to time off work in certain circumstances is an important element in establishing a good working environment.

## 2. STATUTORY ENTITLEMENTS TO TIME OFF

- 2.1 Paid time off for ante-natal care under section 55 of the Employment Rights Act 1996, as part of the provisions for maternity leave.
- 2.2 Unpaid time off for parental leave, dependants and domestic emergencies. With regard to the statutory entitlement interpreted as leave for a domestic emergency such as an ill child, the statutory entitlement is to 'put arrangements in place' for the dependant. Staff should already have a back-up plan in place – the legislation is for time off to put a further arrangement in place, should that plan fail.
- 2.3 Time off with pay for safety representatives, appointed by recognised trade unions, both to carry out safety functions and to undergo relevant training.
- 2.4 Paid time off for trade union duties.

## 3. STUDY AND EXAMINATION LEAVE

- 3.1 In the case of a request from a member of staff for leave of absence for the purpose of revision immediately prior to an examination for a recognised qualification, or leave of absence for the days on which the examinations take place, the request will be considered according to the following principles:
  - i) the cost in terms of salary, cover arrangements and organisational disruption;
  - ii) the relevance of the qualification to the better performance of the post the individual holds;
  - iii) the individual's career development and personal circumstances.
- 3.2 The maximum amount of leave under this heading will normally be 5 days paid leave in 5 academic years.

## 4. SECONDMENTS AND EXTENDED UNPAID LEAVE OF ABSENCE

- 4.1 In the case of a request for an extended period of unpaid leave of absence, the Executive Principal will discuss the matter with the member of staff and consider it in relation to:
  - the cost of the leave in terms of cover arrangements and organisational disruption;
  - the circumstances of the individual.

## 5. TIME OFF FOR PUBLIC DUTIES AND ACTIVITIES

- 5.1 Subject to the needs of the Federation, members of staff are entitled to reasonable time off in order to carry out the following duties and public activities:
- justice of the peace;
  - work as a magistrate;
  - a member of a family practitioner committee;
  - a member of a local authority;
  - such other public duties as are referred to in the Capital Employments Rights Act 1996;
  - serving on other such local or regional public bodies as the governors may authorise;
  - campaigning as an official candidate for a general or European election.
- 5.2 A reasonable amount of time off will be a maximum of 15 days (18 for a JP) or the equivalent in part days per year, with time off for part time members of staff calculated proportionally.
- 5.3 It is expected that the member of staff concerned will draw up a schedule of days on which the absence will occur as far in advance as possible and in consultation with the Executive Principal. In the case of the Executive Principal seeking time off, consultation will be with the Chair of Directors.
- 5.4 If, in the opinion of the Executive Principal (or the Chair of Directors in the case of the Executive Principal), the amount of time off means that the operational effectiveness of the Federation suffers, the Executive Principal will discuss the need to reduce the amount of time requested. If the matter cannot be resolved it will be referred to the Director's Resources Committee, whose decision is final.
- 5.5 Time off for public duties is with pay, subject to the limits of reasonableness and the points above. An employee absent from work to serve as a Justice of the Peace will claim an allowance from the courts. The amount of the allowance paid will be deducted from remuneration paid by the Federation.

## 6. PAID LEAVE OF ABSENCE FOR SPECIAL CIRCUMSTANCES

- 6.1 In dealing with requests for leave of absence in special circumstances, the Executive Principal will consider the following:
- the cost to the Federation of the leave in terms of salary, cover arrangements and organisational disruption;
  - the circumstances of the individual, including previous paid and unpaid leave granted.

- 6.2 The Executive Principal may exercise discretion in granting leave of absence with pay in one academic year up to the limits described below:
- interviews for posts in education for a reasonable period but not normally more than 3 days;
  - the illness or injury of a family member which gives rise to serious domestic difficulties for a reasonable period but not normally more than 3 days;
  - the death, including the funeral, of a family member for a reasonable period but not normally more than 5 days. (Family members significantly noted as parents, grandparents, parents-in-law, siblings, children);
  - moving house for one day;
  - accepted impossible travel conditions because of weather or other public crisis for a reasonable period but not normally more than 3 days;
  - attendance as a witness in court or at an inquest for the period of attendance necessary;
  - representing the Federation in a particular capacity and with approval for the time required.

## 7. LEAVE OF ABSENCE: SERVICE IN NON-REGULAR FORCES

- 7.1 For employees who are employed to work all year round, the Executive Principal will grant the two weeks required for Summer Camp as additional leave with pay in those cases where the basic annual leave entitlement is four weeks and either one or two weeks with pay where annual leave entitlement is five weeks.
- 7.2 Leave will also be granted to members of the Territorial Army who are required to undertake training additional to attendance at summer camp and who are unable to arrange for such training to be on days when they would normally not be working.

## 8. LEAVE OF ABSENCE: RELIGIOUS OBSERVANCE

- 8.1 Requests for leave of absence from individual members of staff for religious observance will be treated with reference to the Employment Equality (Religion or Belief) Regulations.

## 9 LEAVE OF ABSENCE FOR DEPENDANTS

- 9.1 We respect that there may be rare occasions when you will need to take time off work to deal with unexpected events involving one of your dependants.
- 9.2 A dependant for the purposes of this policy is:
- your spouse, civil partner, parent or child;
  - a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee; or

- anyone else who reasonably relies on you to provide assistance, make arrangements or take action for.

9.3 A leave of absence can be applied for when it is necessary to:

- provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
- make longer-term care arrangements for a dependant who is ill or injured;
- take action required in consequence of the death of a dependant;
- deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant (such as a child-minder falling ill); and/or
- deal with an unexpected incident involving your child while a school or another educational establishment is responsible for them.

9.4 One day of paid leave and a reasonable amount, usually not more than 5 days of unpaid leave per academic year may be granted by the Executive Principal for dependants.

9.5 Time off may affect employees' overall Performance Review grade for attendance.

9.6 This policy applies to time off to take action which is necessary because of an immediate or unexpected crisis. This policy does not apply where you need to take planned time off or provide longer-term care for a dependant. If this is the case, you should take advice from the Vice Principal with responsibility for staff attendance management, the Federation Chief Finance Officer or the Executive Principal.

9.7 Whether a leave of absence is granted by the Executive Principal, will depend on the circumstances, including nature of the problem, the closeness of the relationship between you and the dependant, and whether anyone else is available to assist. A leave of absence is unlikely to be considered necessary if you knew of a problem in advance but did not try to make alternative arrangements. It is expected employees will make arrangements in advance for any foreseen problems to avoid the need for emergency leave.

## 10. ABSENCE WITHOUT PAY

10.1 Any personal reason other than those above which could not reasonably have been scheduled for a non-working day or within annual leave e.g family occasions or special events, can be considered by the Executive Principal. It is not likely that any request for LOA without pay in excess of 5 days per academic year (not necessarily continuous) will be considered.

## 11. APPLYING FOR A LEAVE OF ABSENCE

- 11.1 All applications for leave should be made to the Executive Principal in writing as soon as the need to be absent is known. A completed Federation leave of absence (LOA) request form must accompany the application, plus any evidence of need, e.g.: letter detailing an examination date. In an emergency, the relevant setting should be informed by telephone.
- 11.2 If you fail to notify us as set out above, you may be subject to disciplinary proceedings under the Federation Disciplinary Policy for taking unauthorised time off.
- 11.3 We may in some cases ask you to provide evidence for your reasons for taking the time off, either in advance or on your return to work. Suspected abuse of this policy will be dealt with as a disciplinary issue under the Federation Disciplinary Procedure.