



MODEL STAFF LEAVE AND ABSENCE POLICY

**This Policy was adopted by the Full Governing Board of
Dawlish Federation of Special Schools**

26/4/17

Version Date: March 2015

For further advice and guidance in relation to this policy, please contact HR ONE at hrdirect@devon.gov.uk or on 01392 385555.

This policy is subject to copyright and must not be published on any school/academy website that can be accessed by the public.

Introduction

The Dawlish Federation of Special Schools recognises and values the contribution of each member of staff to the education of the children in both schools.

High levels of absence among teaching and support staff pose a serious problem for a school in terms of disruption to teaching programmes, pupils' learning and other areas of the school's work. The governing body is committed to managing attendance so that any disruption to the pupils' education or the effective running of the school is minimised. Equally it recognises that during the course of employment, colleagues will occasionally be absent from work through ill health, maternity and other authorised circumstances.

Absence of any staff employed in schools during term time means some impact on the children's education. Therefore, requests from any member of staff for absence 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.

This policy gives details of entitlements of members of staff in relation to absence. Part-time staff will have the entitlement for leave from work reduced in proportion to the percentage of time they work.

Up to a maximum of five days Compassionate Leave per year (from 1st April to 31st March). This is calculated pro-rata for part-time staff. Additional leave will be at the discretion of the Governing Body.

The Managing Sickness Absence Policy assists managers in taking action to arrange any appropriate support that may prevent maximum attendance of staff. This Staff Leave and Absence Policy will therefore be used in conjunction with the Managing Sickness Absence Policy if the amount of absence taken under this Staff Leave and Absence Policy is not considered reasonable.

Seeking Approval for Leave from Work

All staff will be required to follow the School's procedures for requesting leave of absence and for reporting absence. (See Appendix 1 attached)

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.

Requests for paid or unpaid leave must be made in writing to the Head Teacher with full reasons for the request. Requests by the Head Teacher should go to the Chair of Governors. The request should be made as soon as it is known that it will be required, and in any case not less than one full week in advance of the proposed absence, except in exceptional circumstances such as the death or sudden illness of a family member.

The Governing Body has given delegated authority to the Head Teacher to approve leave of absence requests for up to two days. For anything greater the Head Teacher must discuss each case with the Chair of the Staffing and

Staff Leave and Absence Policy. Version date: March 2015

If this document has been printed please note that it may not be the most up-to-date version.

© Devon County Council 2015. All rights reserved.

Personnel Committee (or equivalent) and act on the recommendation made.

Requests for leave of absence will be considered taking into account;

- the principles of this policy,
- the best interests of the pupils and the school,
- treating staff in a fair, reasonable and consistent way,
- national and local terms and conditions of employment.

Where the agreements refer to relatives of the first degree, this is taken to mean – husband, wife, civil partner, permanent partner, brother/sister, parent and child or the corresponding relatives-in-law. Additionally the Governing Body has decided to include grandparents or other relatives/carers who have taken on the main caring role or people who are not related but occupying a similar position in the family.

Long Service Days

All Long Service Days need to be authorised by your Line Manager and the Head Teacher. Long Service Days cannot be taken on Staff Training days or on the first or last day of each half-term. Please give at least one full weeks' notice of your intention to take a Long Service Day.

Dental and Medical Appointments

It is expected that dental and medical appointments will be made out of school hours wherever possible. All pre-planned (non-emergency) dental and medical appointments will be unpaid.

During work time, emergency appointments or pre-planned hospital appointments, including Occupational Health appointments will be paid absence (paperwork must be provided). These should be kept to a minimum and cause as little disruption as possible. In any event, prior approval to attend an appointment will need to be sought and agreed.

Physiotherapy Appointments

Paid or Unpaid Physiotherapy appointments, during school time, will be at Governors discretion.

Emergencies Involving Dependants

All employees have the right to take a reasonable period of **unpaid time off** during working hours to deal with an emergency involving a dependant. A dependant is defined as a spouse/partner, child or parent, or someone who lives with the employee as part of his/her family, i.e. not someone who lives in the house as an employee, tenant, lodger or boarder (NB: civil partners should be considered in the same way as spouse/partner). In the case of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

Time Off for Any Other Emergencies

Please note that, any other Emergency time off, apart from those listed above, will be at the discretion of the Principal as to whether this will be Paid or Unpaid.

Parental Leave

Employees with a child up to the age of five years (eighteen years from 5 April 2015) or 18 years in the case of a disabled child, and with at least one year of continuous service with Ratcliffe School are entitled to parental leave. In the case of an adopted child, the same provisions as above apply but up to the child's fifth birthday (eighteenth birthday from 5 April 2015) or fifth (eighteenth from 5 April 2015) anniversary of their adoption, whichever comes first.

Parental leave is only available for the purpose of caring for a child, for whom the employee has parental responsibility. A child is a person under the age of 18.

Parental leave is unpaid and the maximum entitlement is 18 weeks leave (pro rata for part-time staff) for each child, in total. The leave must be taken in blocks or multiples of one week, and the maximum entitlement in any leave year is four weeks per child.

Parental leave is for each child, so if twins are born each parent will be entitled to 18 weeks leave for each child.

Parents of disabled children are able to use their leave over a longer period, up until the child's 18th birthday and may take the leave a day at a time, if required

The employee must give at least 21 days written notice of the period during which parental leave is requested.

If a father wishes to take parental leave following the birth of a child (in addition to paternity leave), he is required to give at least 21 days' notice to his employer, stating the expected week of commencement of the parental leave and the duration of that leave.

In the case of adoption, a parent must give at least 21 days notice stating the week in which he/she expects to adopt the child. The duration of the leave must also be stated.

Prior to approving the first request for parental leave the school will need to see the birth certificate, adoption paper or proof of disability living allowance.

The governing board is able to require an employee to postpone his/her parental leave for up to six months, where the school cannot cope. Notice of postponement will be given no more than seven days after the request and will state the reasons for postponing the parental leave and when it can be taken. The leave must be granted for the same period as the original request and will begin on a date determined by the Head Teacher, after consultation with the member of staff and be not more than six months after the date originally requested.

Parental leave cannot be postponed when the member of staff gives notice of parental leave to be taken immediately after the birth of their child or at the time of adoption.

The school will accurately record when an employee takes Parental Leave as new employers may seek a declaration of how much Parental Leave has been taken.

Other types of leave

Requests for other types of leave will be managed in accordance with the information in the table on the following pages.

Reasons for Leave with Pay

Reasons for leave with pay	Teachers	Support staff
Sickness	See Section 4 of the “Burgundy Book”	See Part 2, Section 10 of the “Green Book”
Annual Leave	Not Applicable	See Part 2, Section 7 of the “Green Book” for all year round staff, not applicable for term time only staff
For officials of Trade Unions to perform I.R. duties/undertake approved training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA	Authorities shall provide the necessary facilities to Trades Unions including paid leave of absence to carry out their duties. Clarify the local agreement.
For Safety Representatives to perform duties and undertake associated training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA	Clarify the local agreement
Ante-natal care for expectant mothers	The right to paid off time to attend ante-natal care on production of evidence of appointments if requested. “Burgundy Book” Section 5 para 3 – Maternity Scheme	The right to paid off time to attend ante-natal care on production of evidence of appointments if requested.
Attendance as elected members at local authority meetings and properly established committees	Up to 20 days per year or equivalent.	Up to 144 working hours
For members of another school’s Governing Body	Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request.	Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request.
Magisterial duties	Minimum attendance requirement including training and membership of a statutory tribunal not exceeding 20 working days a year	Minimum attendance requirement including training.
Candidates for Parliamentary Elections	Normally not more than 5 working days	Up to 3 weeks’ paid leave of absence during period up to and including polling day.

Reasons for leave with pay	Teachers	Support staff
Lecturing in professional capacity on condition that all fees to be paid to school	At the discretion of the Governing Board.	At the discretion of the Governing Board up to a maximum of 12 working days
Duties in connection with external examinations	Refer to the Burgundy Book - Appendix 2.	At the discretion of the Governing Board
Sitting examinations relating to professional development	Employees are entitled to be paid leave of absence for the purpose of sitting for examinations concerned with the teacher's professional development to the benefit of the school.	Employees are entitled to be paid leave of absence for sitting for approved examinations.
Attendance at approved conferences	At the discretion of the Governing Board subject to conference being of benefit to school and the teacher's professional development.	Up to 12 working days in any one year Grey Pages 4.6(b)
Weddings of close relatives i.e. sibling, parent (or another family member/carer who brought up the employee) or children or corresponding relatives in law	At the discretion of the Governing Board	At the discretion of the Governing Board
Times of severe weather	Permission to leave early should not be unreasonably refused. Head Teacher to ascertain whether possible for teachers to undertake work activities at home in order to fulfil their statutory obligation to work for 195 days in the school year.	Permission to leave early should not be unreasonably refused. Lost hours should be made up where annual leave cannot be taken
Jury Service or attendance as a witness in Court proceedings	For the required period subject to the employee claiming for loss of earnings	For the required period subject to the employee claiming for loss of earnings.
Screening for breast and cervical cancer	For reasonable periods where attendance in school time cannot be avoided.	For reasonable periods where attendance in school time cannot be avoided.

Reasons for leave with pay	Teachers	Support staff
Members of non-regular forces – annual training	Up to two weeks – the second of which is to be unpaid.	Up to two weeks (Grey Pages paragraph 4.6(g))
Potential redundancy	Reasonable time to seek alternative employment	Reasonable time to seek alternative employment
Interviews / selection processes for other posts	<p>Paid leave for time off to attend an interview and/or other selection processes will be granted where the vacancy is at a Local Authority maintained school and/or public body to which the redundancy payment (modification) order applies. This would include interviews at an academy school.</p> <p>Applications for leave to attend interviews / selection processes with other organisations will be at the discretion of the governing body and may be granted as unpaid.</p> <p>Notwithstanding the above, paid time off for this purpose is limited to no more than 3 days in any one academic year. Anything in excess of this will be at the discretion of the governing body and may be granted as unpaid leave.</p>	<p>Paid leave for time off to attend an interview and other selection processes will be granted where the vacancy is at a Local Authority maintained school and/or public body to which the redundancy payment (modification) order applies. This would include interviews at an academy school. [Grey Pages 4.6(k)]</p> <p>Applications for leave to attend interviews / selection processes with other organisations will be at the discretion of the governing body and may be granted as unpaid or taken as annual leave.</p> <p>Notwithstanding the above, paid time off for this purpose is limited to no more than 3 days in any one academic year. Anything in excess of this will be at the discretion of the governing body and may be granted as unpaid leave.</p>

Reasons for leave with pay	Teachers	Support staff
Serious/critical illness of a close relative i.e. spouse, civil partner, partner, sibling, parent (or other relative /carer who brought up the employee), child or corresponding relatives-in-law who lives with the members of staff or lives alone.	In cases of critical/serious illness of close relatives, up to one week's paid leave. In other relationships, applications for unpaid leave should be addressed in writing to the Chair of Governors to consider.	In cases of critical/serious illness of close relatives, up to one week's paid leave. In other relationships, applications for unpaid leave should be addressed in writing to the Chair of Governors to consider.
Death or critical illness of a close relative i.e. spouse, civil partner, partner, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law	Up to 5 working days.	Up to 5 working days.
House removal	One working day with as much advance notice as possible.	One day (term time only employees). Grey Pages 4.6(j)
Sports representation as competitor at national/ international level	At the discretion of the Governing Body.	At the discretion of the Governing body
Election duties	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.

Additional leave with pay may be granted in special circumstances by the governing body

Reasons for Leave without Pay

Reasons for leave without pay	Teachers	Support staff
Non-serious illness of an employee's child (falls under the provision of Emergency Time Off for Dependants)	<p>In the case of a sick child with a non-critical illness, after the first day it will be assumed that alternative arrangements for childcare will be made.</p> <p>The first day would fall under the Emergency Time Off for Dependants provisions and will be unpaid.</p>	<p>In the case of a sick child with a non-critical illness, after the first day it will be assumed that alternative arrangements for childcare will be made.</p> <p>The first day would fall under the Emergency Time Off for Dependants provisions and will be unpaid.</p>
An unexpected or sudden problem involving someone who depends on your help or care (falls under the provision of Emergency Time Off for Dependants).	Up to two days to deal with the emergency and make any arrangements that are needed.	Up to two days to deal with the emergency and make any arrangements that are needed.
Graduation ceremony – employee's own partner, son, daughter or close relative	At the discretion of Governing Board.	At the discretion of the Governing Body
Court hearings – other than those covered under "With Pay" sections – including divorce proceedings, custody of children, maintenance payments and other Court appearance where the member of staff is defendant or involved in non-criminal proceedings	At the discretion of Governing Board.	At the discretion of the Governing Body
Religious devotion days	At the discretion of Governing Board.	At the discretion of the Governing Board
Funerals – other than close relatives as in "With Pay" section	At the discretion of Governing Board.	At the discretion of the Governing Board
House removals – in excess of one day	At the discretion of Governing Board.	At the discretion of the Governing Board

Staff Leave and Absence Policy. Version date: March 2015

If this document has been printed please note that it may not be the most up-to-date version.

© Devon County Council 2015. All rights reserved.

Sporting representations below national level	At the discretion of Governing Board. Normally not more than ten school days in a year.	At the discretion of the Governing Board Normally not more than ten school days in a year.
Delays on return to school caused by industrial disputes	At the discretion of Governing Board.	At the discretion of the Governing Board
Special family flights where spouse or civil partner is in the armed forces	At the discretion of Governing Board.	At the discretion of the Governing Board
Hospital appointments for children where both parents wish to attend.	At the discretion of Governing Board.	At the discretion of the Governing Board
Visits overseas other than for professional development	At the discretion of Governing Board.	At the discretion of the Governing Board
Attendance on courses for personal development not considered beneficial to the school	At the discretion of Governing Board.	At the discretion of the Governing Board
Weddings – Employees own wedding and for those other than relatives first degree	At the discretion of Governing Board.	At the discretion of the Governing Board
Accompanying a pregnant woman, with whom they are having a child, at ante-natal appointments	Up to two ante-natal appointments. See Maternity and Adoption Support Leave Policy	Up to two ante-natal appointments. See Maternity and Adoption Support Leave Policy

The Governing Body may in special circumstances grant discretionary additional leave

POLICY HISTORY

Policy Date	Summary of change	Contact	Version/ Implementation Date	Review Date
March 2015	Revised Policy to reflect updated format as well as revisions to the following sections: <ul style="list-style-type: none"> • parental leave from April 2015 • Interviews / selection processes • time off for teachers in the case of non-serious illness of close relative. • time off to attend antenatal appointments 	HR ONE	March 2015	
April 2017	<ul style="list-style-type: none"> • See Appendix 1 		26/4/17	26/4/19

DAWLISH FEDERATION OF SPECIAL SCHOOLS

STAFF ABSENCE PROCEDURES

Staff must telephone the Main Admin Office from 8.30am onwards on the first day of absence.

Admin Staff will inform the Line Manager of the absence as soon as possible.

If staff are unsure as to how long they will be absent for, they should telephone the Admin Office daily unless a Fitness Certificate has been issued by your G.P.

For absences of 4 days, and up to 7 days, staff must complete a Self-Certificate and return this to Mrs Trudy Wareham, Ratcliffe School or Mrs Lucy Vile, Oaklandspark School.

For absences longer than 7 consecutive days (including weekends and holidays, if applicable) a Fitness Certificate must be provided by your G.P.

Staff are unable to work additional hours to avoid Leave without Pay or the recording of sickness absence. In exceptional circumstances, you may make a request to the Executive Principal and Board of Governors prior to the event.

Staff who leave the site during the school day must advise a member of the Admin Team prior to leaving. This is a requirement under Health & Safety.

Staff must advise a member of the Admin Team when they return to school following any period of absence.

With effect from: 1 April 2017

ABSENCE RECORDING – additional notes

DOCTORS/DENTAL/HOSPITAL/ OCCUPATIONAL HEALTH APPOINTMENTS	DOCUMENTATION TO BE PRODUCED	CATEGORY	SICKNESS TRIGGER
YOURSELF			
EMERGENCY	YES	PAID ABSENCE	MONITORED ALONGSIDE SICKNESS ABSENCE
PRE-PLANNED – hospital only	YES	PAID ABSENCE	MONITORED ALONGSIDE SICKNESS ABSENCE
CHILDREN UNDER 16 YEARS			
PRE-PLANNED – hospital only	YES	COMPASSIONATE LEAVE	NO
EMERGENCY	YES	COMPASSIONATE LEAVE	NO
CHILDREN OVER 16 YEARS			
PRE-PLANNED – hospital only	PRINCIPAL TO DECIDE		
EMERGENCY	PRINCIPAL TO DECIDE		
ATTENDING WITH PARTNERS – Hospital only	PRINCIPAL TO DECIDE		
PHYSIO-THERAPY APPOINTMENTS	GOVERNORS TO DECIDE		
	YES - Unpaid YES - Paid	LEAVE WITHOUT PAY PAID ABSENCE	NO NO
ANTE-NATAL APPOINTMENTS	YES	AUTHORISED PAID ABSENCE	NO
CANCER SCREENING	YES	PAID ABSENCE	NO
CANCER RELATED ILLNESS & TREATMENT	IF APPLICABLE i.e., doctors notes	SICKNESS CATEGORY	NO

For your information:

- **Compassionate leave:** each year runs from 01 April to 31 March – staff are entitled to 5 days compassionate leave per year pro rata (i.e., if you work 4 days a week you are entitled to 4 days compassionate leave per year)
- Once Compassionate Leave entitlement has been used, it will become Leave Without Pay.
- All non-emergency doctors and dental appointments will be unpaid if taken during school working time. All employees are encouraged to book these appointments outside of working hours.

NON-WORKING DAYS, WEEKENDS, HOLIDAYS – how it works

- In a continuous absence, that may cover weekends and non-working days, the only days NOT counted towards the absence will be the weekends and Bank Holidays
- If a Doctor signs a member of staff off from work and it covers a school holiday, these days will be counted (weekends do not get counted).
- Part-time workers e.g., if you work Monday, Tuesday & Wednesday and are absent on Monday and still absent the following Monday (you return Tuesday) this is counted as SIX days absence and NOT four. (This is because it is classed as a continuous absence unless the member of staff advises differently i.e., rings in on Thursday and says they are fit for work even though it is a non-working day). This ensures that the Absence Triggers work fairly for all members of staff regardless of what days they work.
- If you are absent before a school holiday and still absent on return to school (this will, more than likely, be covered by a Doctors Certificate) then this is counted as a continuous absence.