



The Woodlands Centre

# Managing Attendance Policy (Special Leave)

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## Managing Attendance Policy (Special Leave)

This Policy/Procedure has been agreed by the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- National Education Union
- National Association of Schoolmasters Union of Women Teachers
- Association of Teachers and Lecturers
- National Association of Headteachers
- Association of School and College Leaders
- Unison
- GMB

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# Managing Attendance (Special Leave)

## 1. Introduction

School employees are paid on the basis of satisfactory attendance and performance. While it's recognised that most employees will occasionally have genuine and acceptable reasons to be absent from work, any absence will cause operational difficulties, undermine quality and efficiency, and increase costs.

It recognises that whilst a certain level of leave may be inevitable, a reasonable balance must be maintained between the needs of the school and the support of the employee requiring time off.

Headteachers have the discretion to agree changes to working patterns to allow staff to make up time by working additional hours. This is subject to operational requirements of the school and if agreed should be kept on personal files for audit purposes.

All leave in relation to sickness should be managed in accordance with the Managing Attendance Policy and Procedure (Sickness Absence).

All other requests for any other leave should be managed under this policy.

## 2. Aims of the Policy

The aim of this policy is to encourage and assist all employees to achieve and maintain acceptable standards of attendance at work by:

- Providing a safe and healthy working environment and where possible, enhance the health and well-being of employees.
- Equipping all Headteachers and Line Managers to manage leave requests consistently, fairly and in a confidentially transparent manner through the use of clear procedures and guidelines.
- Ensuring that all employees understand their obligations and entitlements with regards to special leave.

## 3. Scope

This procedure covers all teaching staff employed under the Conditions of Service for Schoolteachers in England and Wales, including those employed by the Governors of an Academy and Aided school where adopted. It also applies to Support staff employed in schools and Academies covered under the NJC National Agreement on Pay and Conditions of Service. The procedure will be applied fairly to full time or part time staff and to staff employed on a temporary or fixed term contract regardless of:

- Racial group
- Gender
- Disability
- Marital or civil partnership status
- Sexual orientation
- Age
- Religion or belief
- Transgender

- Trade union membership

This procedure does not apply in respect of staff who employed on a casual basis, including supply teachers.

#### **4. Managing Attendance Procedure**

All leave requests should be submitted to the Headteacher or Line Manager on a School Special Leave Request form (Appendix B), allowing at least one weeks' notice of the requested leave being taken.

For 'other' leave not listed in this policy, a Request for Leave form (Appendix B) should be fully completed by the employee and passed to the Headteacher/ Line Manager allowing two weeks' notice. This should include an explanation for the leave request. The Line Manager (where this is not the Headteacher) should pass this decision to the Headteacher. The Headteacher may wish to discuss the application with the relevant committee of Governors before reaching a decision.

When considering applications for 'other' leave not listed in this policy (or discretionary additional leave to types of special leave permissible under this policy) consideration will be given on a case by case basis. Factors to be considered include:

- Consistency of approach
- Personal circumstances of the employee
- Special Leave already taken by that employee in the current academic year and whether this was granted or refused
- burden of additional costs;
- detrimental effect on ability to meet customer demand;
- inability to re-organise work among existing staff;
- Detrimental impact on quality and/or performance.

Once a decision is made to a request for leave, the Headteacher/ Line manger must complete the Headteacher/ Line Manager's section of the Request for Leave form to notify the employee of the decision. This includes whether the request is granted and whether the leave will be with or without pay. The Headteacher's decision is final.

In the event of emergency leave where prior notification is not possible the employee is required to contact their Headteacher/Line Manager in accordance with the school's agreed procedures for reporting sickness absence to their Headteacher or Line Manager. This should be as soon as is reasonably possible but not usually any later than one hour before their expected start time. The Request for Leave form (Appendix B) should then be completed on return to work.

If no contact has reasonably been made, the Headteacher has the discretion to make a deduction to salary for the unauthorised leave.

#### **5. Responsibilities**

It is the responsibility of the employee to provide notice of leave by completing a Request for Leave Form prior to the leave required (Appendix B) and ensuring the Headteacher or Line Manager is made aware of a request for leave as soon as reasonably possible. It is the responsibility of the Headteacher to ensure leave requests are dealt with in a fair, consistent and confidentially transparent manner. The Headteacher or Line Manager should record

and monitor leave appropriately and may seek the advice of the appropriate Governor Committee for a decision to grant any other leave request that is not listed in this policy.

Headteachers/ Line Managers are responsible for ensuring that accurate records are maintained. They should also ensure that staff absences are regularly monitored and reviewed and that appropriate confidentiality is maintained.

Headteachers/ Line Managers are responsible for identifying patterns of absence within schools which may be an indicator of employee's personal or work related issues. Where such patterns are identified, Headteachers/ Line Managers can seek appropriate advice from HR on possible actions.

## **6. Misuse of Policy**

The misuse of this policy may result in disciplinary action. The Headteacher has the responsibility to monitor levels of absence, if an employee unreasonably exceeds emergency leave within a school year, or is deemed to be falsely requesting leave that has been agreed by the Headteacher/Line Manager, action may be necessary under the disciplinary policy.

In the event that special leave is declined and an employee proceeds to take the leave then disciplinary action will be considered.

## **7. General notes**

The list of 'close relatives' detailed in this policy is not exhaustive. Consideration should be made as to the impact a family member may have on the employee's life.

The legal definition for Time off for Dependents is "reasonable amount of time". For the purposes of this policy the term 'reasonable' should be decided by individual schools on a case by case basis, depending on the school staffing levels and the subsequent impact individual absences are likely to have on these.

## **8. Monitoring and Review**

The Governing Body will monitor the outcomes and impact of this policy/procedure on an annual/bi-annual basis in conjunction with school representatives.

This procedure will be reviewed no later than 2 years by Human Resources in consultation with Trade Unions.

## **Appendices**

Appendix A: Leave Guidance

Appendix B: Request for Leave form

## Appendix A

All leave will be pro-rated for part time workers

LEAVE	DEFINITION OF LEAVE	CONDITIONS OF LEAVE	PAID	UNPAID
<b>Death of close relative</b>	<p>Close Relative: Parent, Sibling, Spouse or Partner, Child, Mother-in-law, Father-in-law, Grandparent or Grandchild</p> <p>See 8. General Notes</p>	<p><b>Time allowed is per relative.</b></p> <p>If the death results in an inquest reasonable time off will be allowed.</p>	<p>Up to 5 consecutive working days, including day of funeral.</p>	<p>Additional leave up to 1 month may be granted.</p>
<b>Serious illness of dependent or close relative</b>	<p>Serious Illness is defined as a sudden injury, impairment or diagnosed condition that has significant impact on the individual affected. (i.e. hospitalisation due to a car accident, stroke, meningitis or heart attack)</p> <p>*Close Relative is deemed to be a Parent, Sibling, Spouse or Partner, Child, Mother-in-law, Father-in-law, Grandparent or Grandchild.</p>	<p><b>Time allowed is per school year.</b></p> <p>Due to the nature of the leave it is expected that the 5 days will be taken as consecutive working days.</p> <p>This leave is not to be used for adhoc minor illnesses for a dependent. (Please see Emergency leave)</p> <p>See 8. General Notes</p>	<p>Up to 5 consecutive working days.</p>	<p>Additional compassionate leave up to 1 month may be granted.</p>
<b>Emergency Leave</b>	<p>To cover unexpected minor illnesses of a dependent that prevents the dependent from attending their normal activity. (Cold, flu, chickenpox, and viruses (not an exhaustive list)).</p> <p>To cover in the event a dependents normal activity is closed unexpectedly. (i.e. snow closure).</p> <p>To cover in the event of a genuine emergency such as a car breakdown or house flood.</p>	<p><b>Time allowed is per school year.</b></p> <p>This leave is to be used in the event a child is ill and unable to attend nursery or school and in the event of any other emergency such as a car breakdown or burst pipe at home.</p> <p>There is an expectation that the employee will do their utmost to find alternative arrangements in relation to care of dependents in the event of an emergency and/or unexpected illness.</p> <p>See 8. General Notes</p>	<p>Up to 2 days.</p>	<p>An additional 1.5 days may be granted</p> <p>(optional for schools to include)</p>

LEAVE	DEFINITION OF LEAVE	CONDITIONS OF LEAVE	PAID	UNPAID
<b>Funeral of friend or colleague</b>		<p>If significant travel is required this is to be discussed with the Headteacher.</p> <p>In the event the funeral is for a colleague it is Headteachers discretion to allow time off.</p>	<p>Up to 1/2 a day</p> <p>(1 day if significant travelling involved.)</p>	
<b>Appointment Attendance</b>	<p>Hospital, Doctor, Dentist,</p> <p>Supporting an appointment with dependent relative.</p>	<p><b>Time allowed is per school year</b></p> <p>In all circumstances every effort should be made to make appointments outside normal working hours.</p> <p>Proof of appointment should be produced on all occasions.</p> <p>Any period of rest required after a hospital appointment should be taken unpaid or covered with a fit note.</p> <p>In the event of fertility treatment there is an allowance for additional paid time off where required.</p>	<p>Up to 3 days</p>	<p>Additional time may be granted at school's discretion.</p>
<b>Public Duties</b>	<p>Magistrate, Justice of the Peace, School Governor.</p> <p>Member of a: Local Authority, Health Authority or Trust, Statutory Tribunal.</p> <p>Retained Firefighter or Special Constable.</p>	<p><b>Time allowed is per school year</b></p> <p>The 18 days could be taken across 36 half days i.e. morning or afternoon sessions.</p> <p>Armed forces reservists, please refer to reservists policy.</p>	<p>Up to a maximum of 18 days</p>	



LEAVE	DEFINITION OF LEAVE	CONDITIONS OF LEAVE	PAID	UNPAID
<b>Election Duties</b>	Presiding Officer, Poll Clerk, Counting Assistant, in either Council, Parliamentary, European or Police Commissioner Elections.	Schools may choose to refuse employees requesting time off to attend election duties if this will be detrimental to service delivery.  If agreed, time off is allowed with pay by the school in addition to the payment made by the council. However, If the election falls outside of the employee's normal working hours the employee will not receive additional pay by the school.	Up to 1 working day.	
<b>Examinations</b>	Examinations related to the employee's professional development required by the school.  Other examinations undertaken at the request of the school.  This does not apply to any other examinations the employee may take unrelated to their school post.	Any travel over and above normal travel should be claimed in accordance with the School's Travel & Subsistence policy.	Reasonable time off to cover examinations	
<b>Examining Groups</b>	Employees involved in: <ul style="list-style-type: none"> <li>• External Examiner/Markers and Awarders</li> <li>• External Moderator</li> <li>• Setters or revisers of question papers</li> <li>• The groups instructors or presenters of INSET course</li> <li>• Membership of Committees</li> <li>• Membership of subject panels</li> <li>• Representation on regional or national organisations</li> </ul>	The amount of release time required will vary depending on role and subject.  Time off to cover duties in accordance with appendix ii of the Burgundy Book will be granted.		Reasonable time off

LEAVE	DEFINITION OF LEAVE	CONDITIONS OF LEAVE	PAID	UNPAID
<b>Jury Service</b>	Summons to serve on a jury.	<p>Please refer to the link below gives advice around how to claim for expenses and what employees required to attend jury service will be paid. <a href="https://www.gov.uk/jury-service/what-you-can-claim">https://www.gov.uk/jury-service/what-you-can-claim</a></p> <p>The employee will receive an expenses claim form from the court in their jury pack. The employee will need to send the expense claim form to the payroll team. Six weeks prior to the when the employee is to serve, the payroll team will calculate the net pay for the court and will provisionally deduct 10 days' pay with the proviso that the payroll team will refund any excess deductions the following month if the employee does not serve for the full 10 days. The court will only pay the employee for any earnings they have already lost.</p>		
<b>Wedding</b>	To attend a wedding of a close relative or a member of staff within the same school.	See 8. General Notes		1 day
<b>Interviews</b>	To cover an interview for a post within the education sector.	Paid leave is only offered to staff with more than one whole school years' service, and only with advanced notice. Employees on fixed term contracts will also be eligible for paid leave.	1 day	At School Discretion
<b>House Move</b>	When a member of staff changes residence but maintains employment within the school.			1 day

LEAVE	DEFINITION OF LEAVE	CONDITIONS OF LEAVE	PAID	UNPAID
<b>Domestic Abuse</b>	Where a case has been identified by the authorities, the school will fully support the employee where possible.	To allow for attendance of appointments with support agencies, solicitors, re-housing, court appearances etc...  See School Domestic Abuse Policy for further details	Up to 5 working days	
<b>Adverse Weather Conditions</b>	In the event adverse weather conditions have an impact on travel and/or School Closure.	The expectation is that an employee will make all reasonable efforts to attend work. If they are unable to attend but a decision is taken by the Headteacher to keep the school open this will be unpaid.  If the Headteacher makes a decision to close the school then the employee will be paid whether they attempt to attend work or not.	The period of the school closure  (If the school the employee works in is closed)	The Period of leave  (if the school the employee works in remains open)
<b>Strike Action</b>	In the event an employee agreed to take industrial action or refuses to break a picket line and does not attend work.	If the Headteacher makes a decision to keep the school open then all employees taking strike action will have pay deducted on daily rate for the period of strike action.  If the Headteacher makes a decision to close the school then the employee will be paid whether or not they take strike action unless they opt to take the pay reduction in the spirit of strike action.  If other schools/nursery's in the area are closed and this impacts a dependents normal activity please refer to <b>Emergency Leave</b> .	The period of the strike action  (if the school the employee works in is closed)	The period of the strike action  (if the school the employee works in remains open)

**ABSENCE REQUEST FORM**

Name	
Job Title	

Date/Time from		Date/Time to						
Cover required								
8:30	8:50	Lesson 1	Lesson 2	Break	Lesson 3	Lesson 4	Lunch	Lesson 5

Date/Time from		Date/Time to						
Cover required								
8:30	8:50	Lesson 1	Lesson 2	Break	Lesson 3	Lesson 4	Lunch	Lesson 5

Date/Time from		Date/Time to						
Cover required								
8:30	8:50	Lesson 1	Lesson 2	Break	Lesson 3	Lesson 4	Lunch	Lesson 5

**Reason for request:**

(Please attach a copy of any relevant appointment cards etc)

Signed

Date

**Absence for training/CPD**

Title	
Organiser	
Venue	

**Leave of Absence Decision**

Your request for leave is;

Approved with pay  Time to be made up Yes  No

Approved without pay

Not approved

Reasons for non-approval;

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Signed \_\_\_\_\_ Date \_\_\_\_\_

Cover Arrangements	
Covered required	
External Cover required	
Booking made with	
Name of supply	