



HOLMER GREEN SENIOR SCHOOL

**LEAVE OF ABSENCE
POLICY**

April 2025

**LEAVE OF ABSENCE POLICY
FOR
SCHOOL STAFF**

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1. INTRODUCTION

- 1.1 Employees have certain entitlements to leave of absence, in particular circumstances, under their conditions of service. This document outlines the policy for the Governing Body to grant leave of absence for employees.

2. SCOPE

- 2.1 The policy set out in this document applies to all Schools based staff under Teachers Pay & Pension Conditions and those staff under the terms of Bucks Pay Employment Conditions.

3. ROLES AND RESPONSIBILITIES

- 3.1 The Governing Body has responsibility for establishing the School's Leave of Absence Policy, for ensuring that the Leave of Absence Policy is followed and for monitoring staff absence rates.
- 3.2 The Headteacher is responsible for implementing this policy within their School. The authority to take decisions under this Procedure rests in the Headteacher or (Chair of Governors in the case of applications for leave of absence from the Headteacher).

4. PRINCIPLES

- 4.1 The Policy and Procedure contained within this document is founded on the following principles:
- a. All employees are treated equally and consistently when applying for leave of absence, in accordance with the School's Equal Opportunities Policy and taking account of differing national and local conditions of employment.
 - b. Where an employee wishes to make representations against a decision made by the Headteacher or Chairman of Governors, as applicable, he/she may write to the Governing Body or its appropriately designated Committee giving full details of the request. The decision of the Governing Body or its Committee is final.
 - c. Unauthorised absence will be dealt with under the School's Conduct and Discipline Policy and Procedure.
 - d. Not to discriminate against any individual in the application of this policy and procedure on the protected characteristics of age, sex, race, caste, disability, gender reassignment, marriage or civil partnership, maternity and pregnancy, religion or belief, sexual orientation, or other grounds protected in law e.g. part time worker status, trade union membership/activities or HIV positive status
 - e. Any leave of absence must not be detrimental to the education of students learning, as they learn best when the staffing of their lessons is consistent. (Support staff only in relation to TOIL – see Paragraph 8).

5. ENTITLEMENT

- 5.1 The Governing Body will grant leave of absence in accordance with national or local conditions of service in the following circumstances:

ENTITLEMENT: WITH PAY

5.2 Jury Service and Other Public Service

An employee receiving a summons to serve on a jury must report this to his/her Headteacher who will grant him/her leave of absence unless exemption from jury service is secured. An employee serving as a juror is required to claim the allowance for loss of earnings to which he/she is entitled under the Juror Allowance Regulations currently in force. The School will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

5.3 Witness Summons

An employee who is subpoenaed as a witness to appear before the court should report this immediately to the Headteacher, who will grant him/her leave of absence with pay for such time as is necessary to discharge the duty as witness.

5.4 Service in Non-Regular Forces

Employees must obtain the Governing Body's consent before joining the Non-Regular Forces (e.g. Territorial Army, Royal Air Force Volunteer Reserve). The Governing Body will grant

two weeks' additional paid leave to volunteer members of the Non-Regular Forces who are required by the Forces to attend summer camp.

* [Such employees are required to show the Headteacher a copy of their Forces' payslip for the period of the summer camp, so that the Headteacher can arrange for a deduction to be made from the employee's school salary of an amount equal to the pay received from the Forces for each normal working day of the absence (i.e. without making any deductions for days when the employee would not normally be working).

Any such employees who are called-out by the Secretary of State for service with the armed forces will be granted leave of absence without pay for the duration of that service (unless the Governing Body applies for and gains exemption, deferral or discharge on the grounds that their absence would cause serious harm to the school in which they are employed.)

5.5 Community Fire Fighters

Paid leave will be granted for Buckinghamshire and Milton Keynes Community Fire Fighters to undergo the necessary training.

5.6 Special Constables

The Council supports special constables in their duties to increase public safety and confidence and staff will be released, with pay, for agreed training and in times of significant emergency.

5.7 Magistrates and Members of Public Bodies

Employees who are appointed as magistrates or who undertake duties connected with the work of district councils or other public bodies, including governing bodies, will be granted leave of absence with pay for the equivalent of up to 208 hours per year in the case of staff on Bucks Pay conditions of service, and 10 school days a year for other staff, unless special approval is given by the Governing Body in exceptional circumstances.

5.8 Union Duties

See the Authority's Facilities Agreement.

5.9 Job Interviews

Reasonable leave with pay will be granted as necessary.

5.10 Paternity Leave

Partners or legal/special guardians of new mothers/adoptive parents are entitled to two weeks Paternity Leave, to support the mother and/or carer of the baby/child. This leave is paid. To qualify the employee needs to have been continuously employed by the School for 26 weeks leading into the 15th week before the expected week of childbirth, or into the week in which they are notified of being matched with a child for adoption. They are entitled to two consecutive (full) weeks Paternity leave, they cannot take odd days.

5.11 Shared Parental Leave

Shared Parental Leave is available to the father/partner of the mother (main carer) of the child if they return to work before using their full entitlement to statutory maternity leave. This also applies to the partner of a couple adopting.

Shared Parental Leave is in addition to the two weeks Paternity Leave. The father/partner may benefit from up to 26 weeks of additional paternity leave. This entitlement must be taken within 56 days of the date on which the child is born/adopted.

5.12 Appointments with Dentist, Doctor etc.

These appointments should be made outside normal working time except in emergencies or where consultants etc. are inflexible over timing.

5.13 Medical Screening

Paid time off will be given to employees who participate in the Council's Health Screening

Programme and for the purpose of breast and cervical cancer screening.

ENTITLEMENT: WITHOUT PAY

5.14 Parental Leave

Employees with one year's continuous service will be entitled to take up to eighteen weeks' unpaid parental leave for the purposes of caring for their child up to the age of 18. Each parent can take up to 18 weeks for each child. If you take it, it should be:

- in blocks of a week at a time
- a maximum of 4 weeks a year for each child

Parental leave arises in respect of each child e.g. if the employee has two children they would be entitled to a maximum of 36 weeks. This applies also to employees who acquire formal parental responsibility for a child aged five or under, on or after this date. This is in addition to other arrangements within these conditions of service for maternity leave, maternity support leave, adoption leave, compassionate leave, carers leave and sabbaticals.

Parental leave will be unpaid and must be taken by the 18th birthday of the child. Where the child is adopted, the leave must be taken within 18 years of placement for adoption or before the child's 18th birthday, whichever is the sooner.

6. DISCRETIONARY

6.1 The Governing Body will normally apply a limit of 3 days' discretionary leave with pay per annum although additional time (either with or without pay) may be granted in exceptional circumstances.

6.2 The Governing Body may grant leave (either with or without pay) for a period of time in excess of the limits quoted in paragraph 1 above, and for any other good reason. These could include any of the circumstances listed below:

DISCRETIONARY: WITH PAY

6.3 Compassionate Leave

Each request will be judged on its individual merits but the following circumstances may be used as guidelines to a maximum of 5 3 days per annum pro rata:

- Absence necessary as a result of the death or serious illness/injury of a close member of the family, close friend or partner.
- Breakdown of normal childcare arrangements.
- Maternity support leave. This recognises the need for employees to have leave associated with their spouse's/partner's maternity at short notice to deal with unforeseen circumstances.
- Other occasions when care of dependants is necessary.

6.4 Election Dues

Permission should be sought if you wish to be appointed as Presiding Officers/Poll Clerks/Counting Assistants at District, County, General Elections and leave will be granted either with or without pay at the discretion of the Headteacher.

DISCRETIONARY: WITHOUT PAY

6.5 Carers' Leave

A carer is someone who, without payment, looks after or provides regular help to family members, neighbours or friends who are sick or disabled, vulnerable or frail. A carer may be the parent or guardian of a child or children. The support given by a carer may be with personal tasks such as dressing or practical tasks such as shopping and cooking; it may be emotional or supervisory. A carer may not necessarily live with the person they care for. Employees with 26 weeks' continuous service may request up to 13 weeks' unpaid Carers' Leave, to be agreed by the Headteacher, at their discretion, and recorded as Carers' Leave.

6.6 Parliamentary Candidates

Permission needs to be sought, but if given leave will be granted without pay, from the date when the candidate's nomination is accepted until the date of the election.

6.7 Religious Festivals

Leave will be granted, but without pay. A limit of 5 days' unpaid leave is normally applied although additional time may be granted in exceptional circumstances.

6.8 Secondment for Other Paid Employment

Leave may be granted without pay for an agreed period of time.

DISCRETIONARY: WITH OR WITHOUT PAY

6.9 Participation in National Sporting, Cultural and Similar Events

Leave will be granted (either with or without pay) for the necessary period of absence.

6.10 Moving House

For employees whose contractual arrangements do not allow them to take annual leave during term-time and where the move cannot be effected in a school closure period, 1 day's leave will be granted (either with or without pay).

7. APPLICATIONS FOR LEAVE OF ABSENCE

Requests for leave of absence (either with or without pay) should be made on the school's "Leave of Absence" form.

8. Time Off In Lieu (TOIL) Support Staff only

HGSS believes that students learn best when they have consistent staff working with them to establish quality relationships and understanding of them. To this regard, HGSS will pay for any additional hours a staff member works (where this has been agreed in advance with the Business Manager and approved by the Headteacher) and will only agree to TOIL in exceptional circumstances.

HGSS reserves the right to refuse TOIL for hours which have not been agreed in advance by the Headteacher. Requests for TOIL must be submitted in advance on the relevant Leave of Absence/TOIL/Cover Request form for approval from the Headteacher. If approved, the Finance Officer will hold the record for all approved TOIL across the school.

Lieu time can be claimed where the additional time worked exceeds 30 minutes and should be redeemed as soon as possible after it has been accrued to avoid an excessive amount accumulating. Lieu time must be taken during the current academic year and cannot be carried over to the next year.

Line Managers must ensure that the use of time in lieu is not excessive and does not expose HGSS to staff shortages. Line Managers should ensure that workload within their department is properly managed so that requests for Lieu time are for exceptional circumstances only.

The accrual of lieu time must not result in an employee working above the weekly hours limit as specified in the Working Time Regulations 1998.

Additional hours paid for:

- School events where not part of your role and agreed in advance.
- Working additional hours to cover staff absence – where agreed in advance.
- Support staff attending a trip to specifically support a student with a disability or learning difficulty that they work with and agreed in advance.

Unlikely to Qualify for Lieu Time

- Attending a CPD course on a non-working day (unless specifically directed by HGSS and lieu time has been agreed in advance with Headteacher).

- Working additional hours where not agreed in advance.
- Attending meetings where included as a reasonable element of your role.
- Voluntarily attending a HGSS trip on a non-working day, including Duke of Edinburgh, Subject trips etc (unless specifically requested by HGSS and lieu time has been agreed in advance with Headteacher).

If individuals choose to stay late to complete work without prior approval then they will not be eligible to make a request for lieu time and will need to discuss the matter with their immediate manager.

It is acknowledged that there are occasions when both the member of staff and the employer will benefit from additional hours being worked, such as a CPD session. In these circumstances, it is not expected that staff will claim for lieu time.

Line managers have the right to refuse a TOIL request if it would be inconvenient for the team or HGSS. If managers are unable to agree to requests they should discuss the reasons for this with the employee, ideally face to face and then record this.

Reviewed by the Governing Body April 2025
Next Review Date: April 2027