

Leave of absence for reasons other than sickness -teaching/non-teaching staff

1 General Information

- (a) The procedure is applicable to all teaching and non-teaching staff, employed by the schools under the Amethyst Academies Trust.
- (b) Before approving an application for leave of absence, the person responsible will consider the extent to which the school is likely to suffer from the member of staff's absence and whether other arrangements might reasonably be made.
- (c) The Headteacher/Head of School is authorised to approve leave of absence within the terms of these regulations.
- (d) Where discretion is delegated to the Headteacher/Head of School, an application for leave of absence should be made to the Headteacher/Head of School who will keep a record of leave which is granted.
- (e) Where an employee and a Headteacher/Head of School are unable to agree on the granting to leave of absence, appeal may be made to the Governing Body either by the employee, Headteacher/Head of School or by his/her professional organisation.
- (f) No employee shall, except in the case of sickness, be absent from duty without permission. Applications should be submitted as early as possible and, except in urgent cases when it is unavoidable, at least one week before the date on which leave is required. Whenever possible, six weeks' notice should be given. In cases of extreme necessity where the teacher is absent without having obtained prior consent, the teacher must notify the Headteacher/Head of School, as soon as possible.
- (g) Cover for employees who are granted leave of absence will be provided in accordance with the provisions in force at the time.

2 Deduction of Salary

- (a) Where the absence without salary does not exceed five normal school days (including any days on which the school may be closed other than during a recognised holiday period) salary will be deducted only in respect of absence on such normal school days, even if the absence extends on both sides of a weekend.
- (b) Where leave without salary is granted in excess of five normal school days (including any days on which the school may be closed other than during a recognised holiday period), salary will cease to be payable on the first day of absence from school, and payment will not be resumed until the date on which the teacher recommences duty, notwithstanding the intervention of a week-end or one of the recognised holiday periods.
- (c) Where an employee, having been granted leave without salary in excess of five normal school days immediately proceeding one of the recognised holiday periods, resumes duty on the first normal school day after such a recognised holiday period, the Governing Body may, in special circumstances, consider some modification of paragraph 2(b) if application is made by the employee concerned.

(d) When leave is granted without salary, teachers should be aware that the deduction of pay will be calculated on the basis of 1/365ths (or pro rata for part time staff) of annual salary for each day of absence on which the staff member is not available for duty (including instances given in 2(c) above) and applications should therefore state clearly the specific period for which leave of absence is required.

(e) It is not permissible to rearrange PPA time to facilitate known leave of absence with the exception of category 5 urgent and unforeseen absence.

Categories where approval is delegated to Headteacher/Head of School

	Reason for Absence	Period of Absences (working days)	Salary
Category 1	Interview for a post. Teachers/non-teachers applying for leave of absence for this purpose may be required to provide evidence of the time and place of the interview.	As may be necessary	With salary
Category 2	Duties required by Examining Boards groups in connection with recognised examination	As may be necessary	With salary
Category 3	Weddings:- Attendance at the wedding of the parent, brother, sister, child, grandchild, ward or godchild.	One day	With salary
Category 4	Urgent and unforeseen private or family business normally requiring absence for one day or less. "Urgent" means essential and unavoidable for purpose which could not have been foreseen. For instance, this could include telephone news of a serious crisis at home.	Normally not more than one day per term but may be extended to three days in exceptional circumstances.	With salary
Category 5	Partial leave of absence. When a teacher/non teacher is in school for part of a day the Headteacher/Head of School may exercise their discretion in dealing with applications from staff for partial leave of absence in such circumstances (e.g. emergency treatment, hospital appointments, health screening).	As may be necessary	With salary
Category 6	Family Bereavement: In the event of a death of an established partner or close relatives e.g. child, parent or grandparent; child, parent or grandparent of established partner: grandchild, brother, sister, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother in law sister-in-law, uncle or aunt (whether by marriage or not), nephew, niece, or first cousin.	Not normally to exceed three school working days (up to 5 school days maybe granted if necessary according to circumstances). Any longer period would require the approval of the Chair of Governors.	With salary
Category 7	Attendance at a funeral of a person other than a member of the teacher's family (see category 7).	Up to one day	With salary
Category 8	Serious illness in the immediate family (established partner, child, parent, grandparent, brother or sister). Please also refer to carers leave.	Not more than one school day in a term but may be extended to three days in exceptional circumstances. Any longer period would require the approval of the Chair of Governors	With salary

		and may be without salary.	
Category 9	Removal of house effects consequent to taking up a post in the Trust or whilst remaining in the employ of the Trust (not consequent on taking up a post elsewhere)	One day	With salary
Category 10	University Graduation or similar ceremony if the employee or any member of the immediate family is receiving award.	One day	With salary
Category 11	Days of religious observance/ attendance at religious ceremonies. For adherents of certain religions, attendance at specified religious ceremonies is of major importance. At the commencement of the school year, the employee must demonstrate that attendance at specified ceremonies on the dates concerned is a vital part of his or her religious obligations. The Headteacher/Head of School should consider your request sympathetically however they can refuse if it will affect the School/Service.	Normally not more than two working days in a school year. Any longer period would require the approval of the Chair of Governors which may be without salary.	With salary
Category 12	Jury service and/or attendance at Court. Employees should submit the form supplied by the Lord Chancellor's Department or the Court authorities to request leave of absence and the daily allowance stated will be deducted from salary. Employees should ensure that the Headteacher/Head of School is notified immediately of any change of arrangements to attend court.	As may be necessary	With salary (less any allowances in lieu of salary which the teacher is entitled to claim)
Category 13	Study and Examination Leave (It is intended that this provision shall normally apply to a teacher who is pursuing a course of study. a) Leave of absence to teachers for the period necessary for the purpose of sitting examinations b) Study leave revision	As may be necessary Up to the equivalent of three school days in a school year provided the course of study has been approved by the Chair of Governors.	With salary With salary
Category 14	Right to time off for public duties Section 50 ERA 1996 states that: An employer shall permit an employee who is a justice of the peace to take time off during the employee's working hours for the purpose of performing any of the duties of his office An employer shall permit an employee who is a member of – a) a local authority b) a statutory tribunal	If you qualify, the time must be agreed with your employer beforehand and your employer can refuse your request if it is unreasonable. Whether time is classed as 'reasonable' will depend on how much time is required, how much time off the employee has	Your employer does not necessarily have to pay you while you take your time off for public duties.

	<p>c) a police authority d) a board of prison visitors or a prison visiting committee e) a relevant health body f) a relevant education body or g) the environment Agency or the Scottish Environment Protection Agency</p> <p>to take time off during the employee's working hours for the purpose of performing any of the duties of their office.</p>	<p>already been permitted and the circumstances of the employer's business and the effect of the employee's absence on the running of that business.</p>	
Category 15	<p>a) Annual Training for H.M. Forces Attendance at annual camp as volunteers, member of Territorial Army or similar service organisations. Employees will be expected to make every effort to arrange such training to take place during school holiday periods. b) Mobilisation If a reservist is "called up", they must notify their manager as soon as possible. The reservist's Headteacher/Head of School should also receive notification of the call up directly from the Ministry of Defence (MoD).</p> <p>Reservists may be mobilised on a voluntary or compulsory basis. In instances of voluntary mobilisation, the employer is required to give its consent before individuals can be released from their employment. Where call up is compulsory, employers cannot refuse permission but can apply for exemption or deferral. The reservist or the school can seek exemption or deferral, but this must be done within 7 days of the individual being served with a call up or recall notice. An application for exemption or deferral may be made on the basis that the school can show that the loss of the employee will cause serious harm to business which could not be prevented by the financial assistance granted by the MoD. The Reserve Forces Appeal Tribunal will consider any appeals.</p> <p>Contract Where the employee's call up is compulsory, the reservist's contract of employment will subsist during the period of military service, until such a time as either party terminates it. This will mean that they continue to accrue continuous service and statutory entitlements. Contractual entitlements (except pay) will continue to accrue unless an express agreement is reached to the contrary. Where the call up is voluntary the Headteacher/Head of School has discretion as to whether the contract subsists (as above) or terminates and revived upon return to employment at the school. If the contract is terminated</p>	<p>Not more than 10 days in a school year</p>	<p>With salary for one week: balance without pay.</p> <p>During the period of military service, the reservist will receive pay from the MoD to cover any shortfall in civilian earnings, not from the School.</p>

	and revived, the period of military service will not count towards the employee's length of continuous employment.		
Category 16	Urgent and/or exceptional circumstances where the employee will not be employed elsewhere during the period for which leave is granted, subject to approval by the Chair of Governors.	Up to forty school days	Normally without salary

Approved by Governors: **To go for Ratification 15/02/2018**

Review Date: