

Leave of absence

1 Introduction

The Trust recognises that staff may occasionally need to take time off during working hours for reasons other than annual leave. The vast majority of Trust staff are restricted to taking holidays outside term time; therefore, a provision for time off is necessary to meet this need.

Employees may be absent for various reasons as outlined in this policy, with leave granted on either a paid or unpaid basis depending on the circumstances. In some cases, staff may be asked to make up time where authorised leave has been granted.

The law may provide a statutory entitlement to time off, and the Trust goes beyond this minimum by offering additional paid and unpaid leave in some circumstances. Unauthorised absence may result in pay being withheld and may also be subject to the Trust's disciplinary procedures.

2 Main principles

Each academy should follow its local authorisation process when applying for and granting leave under this policy. For any clarification regarding this policy, employees should contact their local HR representative in the first instance. For guidance on the fair application of this policy, including the exercise of discretion in special circumstances, the Principal/Head should consult the Trust HR Director.

Annex 1 outlines suggested maximum allowances for leave. The Principal/Headteacher retains discretion in granting leave, particularly in circumstances not explicitly addressed by this policy. In exercising discretion to grant leave, the Principal/Head will need to balance three factors:

- the effective running of the academy;
- the particular merits of the employee's situation;
- the equitable treatment of all staff within the academy and the Trust.

If the impact of an absence would be to create serious operational difficulties in the academy, the request may have to be declined. Factors such as previous granted leave of absence requests, personal circumstances, and the seriousness of the particular case may all be relevant.

3. Types of Leave Entitlements

3.1 Statutory leave

3.1.1 Family related statutory leave.

The following types of statutory leave are available for family-related reasons, subject to eligibility:

- time off for dependants
- parental leave
- carer's leave
- time off to accompany a partner to an antenatal or adoption appointment.

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- neonatal care leave
- parental bereavement leave.

Links to the relevant government guidance can be found in Annex 1. Further information can be obtained from the local HR representative.

3.1.2 Public duties

All members of staff who hold public positions may apply for reasonable time off to perform the duties of their public offices as members of public bodies, particularly:

- Jury service (jurors must claim the allowance for loss of earnings – please see guidelines at the end of this section)
- Local councillor
- Justice of the Peace/Magistrate
- Member of the Environment Agency
- Member of a local authority
- Member of a statutory tribunal
- Member of a police authority
- Member of the prison independent monitoring boards or a prison visiting committee
- Member of a health authority or primary care trust
- Member of a managing or governing body of an educational establishment maintained by a local authority or further or higher education corporation
- Representative of a trade union for trade union duties and activities

With the exception of jury service, the Trust may refuse a request for time off if it considers the request unreasonable. Except for jury service, which will be paid, reasonable time off to perform the duties of public office will be unpaid. The Trust is willing to consider flexible working arrangements where a member of staff submits a request for reasonable time off to fulfil duties relating to their public office.

The amount of time off is not automatic and should be agreed in advance by the Principal/Head, based on:

- The time required to perform the duties
- The amount of time already taken for public duties
- The impact of the absence on the Trust

Requests considered unreasonable may be declined.

Any claims for loss of earnings that can be made from the public body should be submitted, and the amount received must be declared to the Trust, which will then deduct an equivalent amount from salary.

Jury service

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Although this is statutory leave, it is the responsibility of staff who are called for jury service to follow the Trust guidelines and procedures detailed below.

- a) You should inform your academy HR contact as soon as you receive notification, including the expected dates and duration of absence.
- b) If you are not required on any particular day/part day, you should return to work.
- c) You must claim jurors' allowance.
- d) You must request a certificate of all payments of the allowances and produce the certificate on return to work.
- e) You should keep a record of the exact dates/duration of absence and advise the HR on return to work.
- f) Reimbursement to the Trust will be made from your next pay which will not result in any loss as you will be paid your normal gross pay less the payment received.

3.2 Medical appointments

Staff are expected to minimise absence from work by arranging routine medical appointments (e.g. GP or dentist) outside of working hours where possible. Where this is not feasible, staff are encouraged to schedule appointments in a way that minimises disruption to their working day. Paid leave is not automatically granted for routine appointments; however, the Trust will give due consideration to reasonable requests for such time off. The Trust reserves the right to decline paid leave where requests are excessive in comparison to others, or where the appropriate request procedures have not been followed. Such time may need to be taken as unpaid or made up at a later date. For more information, please see Appendix 1.

3.3 Caring for a dependant/family member and domestic emergencies

It is recognised that there may be occasions, due to an emergency arising connected with an employee's immediate family or household, when leave with or without notice may be required. Dependant is defined as a spouse or partner, child, parent, or someone who lives with an employee as part of the family (not a lodger, tenant, employee, or boarder). In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on an employee for assistance. Employees are required to follow their academy absence notification process as soon as they become aware that they need the time off and the likely duration. Additionally, they must notify their line manager.

The absence of employees affects the efficiency of the Trust's functions and employees are expected to keep requests for such leave to a minimum and to cover only the 'emergencies' with which it is designed to assist. Although there is not a statutory obligation to pay staff whilst absent for caring reasons, the Trust will pay staff according to the guidelines in Annex 1. Any additional absence within 12 months will be unpaid, although the Principal/Head has the discretion, in exceptional circumstances, to waive this. Alternatively, staff are welcome to use either TOIL or flexible working arrangements instead of unpaid leave if this option is available.

The paid leave allowance remains at the discretion of the Principal/Head and should not be treated as an additional entitlement. Any paid leave will be available on a pro-rata basis for part-time staff (based on normal working days per week). All paid leave allowances will be based on rolling twelve months and not per academic year. For more information, please see Appendix 1.

3.4 Compassionate leave

In general, compassionate leave is only available for matters involving an employee's immediate family (normally wife, husband, long-term partner, children, parents, grandparents, brother, or sister). The normal academy notification procedures should be followed. Requests for extensions above the length of time specified in Annex 1 must be made to the Principal/Head. Consideration will be given to those responsible for managing the affairs of a deceased, e.g. executor. For more information, please see Appendix 1.

3.5 Other personal and professional reasons

Some examples of the reasons for this type of leave may be examiner's duties, appointments with solicitors, banks, moving house etc. Moving main residence qualifies one day paid leave of absence. In the event of a second move within five years, the second leave will not be paid. The normal academy notification procedures should be followed.

The Trust promotes a diverse and inclusive community for its employees. Where staff observe religious festivals which fall during work time, the Trust will be sensitive to their importance. For more information, please see Annex 1.

Sabbatical leave

Although members of staff have no contractual entitlement to sabbatical leave, the Trust is prepared to consider requests for this for periods of up to one year.

- a) Requests for sabbatical leave will be considered from those with at least seven years' continuous service, although exceptional applications can be made.
- b) The application for sabbatical leave must be provided in letter form to the Principal/Head at least six months in advance of the proposed start of the leave.
- c) In general, where the Trust will incur significant cost relating to the recruitment of a replacement, the request may be refused.
- d) Applications from teachers may be refused where the sabbatical would result in disruption to students which could potentially impact on their outcomes.
- e) Approved sabbatical leave will be unpaid.
- f) All employees taking sabbaticals will be entitled on returning to work to resume their former job or a similar position should their former job no longer exist.

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- g) During the sabbatical employees will be expected to keep in touch with their line manager at least once per term.
- h) The employee must inform the Trust in writing by the beginning of February half –term in the year of their sabbatical as to their intention to return (or not) from 1 September that year.

Date of review	Date agreed	LGBs	MAT Board	Next Review date	Comments
June 2025	July 2025	Autumn 2025	July 2025	June 2027	

Annex 1 – Table of Allowances

Type of leave	Suggested number of days to grant	Paid or unpaid	Additional information
Caring for a dependant/family member (including taking them to medical appointments), domestic emergency, serious illness of a close relative	Up to 5 days (equal to one working week)	Paid	Statutory allowances - Time off for dependants: https://www.gov.uk/time-off-for-dependants - Parental leave: https://www.gov.uk/parental-leave - Carer's leave: https://www.gov.uk/carers-leave - Time off to accompany partner to antenatal appointment/adoption appointment: https://www.gov.uk/paternity-pay-leave/leave - Neonatal care leave: https://www.gov.uk/neonatal-care-pay-leave
Death and funeral of a close relative	Up to 5 days (equal to one working week) + 1 day for the funeral	Paid	Statutory allowance: parental bereavement leave: https://www.gov.uk/parental-bereavement-pay-leave
Memorial service of a close relative	1	Paid/Unpaid	
Medical, dental or ophthalmic appointment	Reasonable	Paid/Unpaid	Staff are expected to minimise absence from work by arranging routine medical appointments to be taken outside of worktime where possible. Where this is not possible, staff are requested to arrange an appointment that minimises absence.
Medical screening e.g. breast, bowel, cervical	Reasonable	Paid	
Fertility treatment	Discretionary	Paid/Unpaid	Reasonable time off as agreed with Principal/Head in advance

Cosmetic surgery (non-medical reason)	N/A	Unpaid	
Moving house	1	Paid	Unpaid if another move takes place within 5 years
Degree ceremony (employee or immediate family)	1	Paid	
Job interview	Up to a maximum of 3 interviews per academic year * * Employees under notice of redundancy will be given reasonable time off to seek alternative employment	Paid	Supporting documentation should be provided if requested
New employment visit	1	Paid	
Accompany colleague at hearing	Reasonable	Paid	
Public duties (e.g. jury service, witness at court)	Reasonable	Paid/Unpaid	Refer to section 3.1 in the policy (statutory allowances)