



## TRINITY CATHOLIC SCHOOL

### Leave of Absence Policy



#### 1. Principles

- Annual leave and occupational sick leave will be in accordance with the relevant conditions of service for teachers and support staff.
- Other leave of absence will normally be on an unpaid basis, unless otherwise specified.
- All leave allowances should be applied pro rata to an employee's contracted hours, unless otherwise stated.
- The operational needs of the school will be paramount and, except in emergency circumstances, adequate notice of a request for leave of absence must be given.
- The responsibility for exercising discretion on behalf of the Governing Body is the Headteacher's, in accordance with the professional duties defined in the School Teachers Pay and Conditions Document.
- Informal resolution is always encouraged as the first step to resolving difficulties, but where genuine grounds can be provided, a dispute or grievance about a request for leave of absence or payment during leave of absence may be dealt with through the Schools Grievance Procedure; there is no right of appeal to a leave request being declined.
- All requests for leave must provide the school with reasonable notice.
- It should not be assumed approval has been given until a response has been provided by the Headteacher or appropriate manager in the school.
- Where the request for leave concerns the Headteacher requests should be made to the Chair of Governors.

#### 2. Annual Leave Entitlement for Employees covered by Local Government Terms and Conditions. (support staff)

For support staff contracted to work for 52 weeks' per year, this leave will normally be taken during the school holidays and must be agreed with the Headteacher or nominated person in reasonable time, prior to the leave being taken. Only in exceptional circumstances and with the express consent of the Headteacher, can leave be taken during term time. Support staff working all year around may carry forward up to 5 days' to the next annual leave year, provided this is done with the Headteacher's consent and leave is taken prior to 31<sup>st</sup> May. The leave year runs from 1 April to the following 31 March.

**Staff will not be permitted to take leave during the term unless express consent from the Headteacher has been given. If annual leave is granted, this will be unpaid.**

All employees should make partners aware that as a rule, time off in term time will not be granted for surprise holidays, birthdays or anniversaries.

### 3. Teachers' Working Time

A Teacher employed full-time must be available for work for 195 days' in any school year, 190 of those days must be days of which he/she may be required to teach pupils and perform other duties and 5 days' must be days on which he/she may only be required to perform other duties. The same applies for a teacher employed part-time, except the number of hours he/she must be available for work must be a proportion of full-time hours.

In addition to the hours a teacher is required to be available for work, he/she must work such reasonable additional hours as may be necessary to enable him/her to discharge effectively his/her professional duties as outlined in the School Teacher Pay and Conditions Document.

These provisions do not apply to employees on either the Leadership or Leading Practitioner pay ranges or those acting up in such a role.

### 4. Leave Of Absence

Applications for leave of absence should be made within the timescales set out below on the pro-forma in **Appendix 1**. However, in some circumstances, such as an emergency, a written request prior to the absence may not be possible though the employee should report their absence verbally through the normal procedures. In such cases a written request should be submitted as soon as possible after the event.

Type of Leave of Absence	Minimum Notice
CPD events	10 working days
Planned appointments and meetings	5 working days
Emergency events	As soon as possible

*A summary guide on the types of leave /pay entitlements is outlined in **Table 1-5 in Appendix 2**.*

### 5. Part-time Employees

5.1 The entitlements detailed in this policy are based on an employee working full-time. Where an employee works part-time all entitlements are on a pro rata basis. Staff working on a term-time only basis will be considered as being full- or part-time in relation to their contracted hours per week.

5.2 Where a part-time employee attends CPD on their day off or outside their normal working hours they will either be given equivalent time off in lieu or paid on the same basis as a full-time employee. This should be agreed prior to the commencement of the period of absence.

### 6. Pension Implications

Staff taking leave of absence must be aware of the pension implications resulting from lost pensionable pay due to any unpaid periods of service.

Should an employee wish to buy 'lost' pension for authorised unpaid leave of absence or unpaid maternity leave they should receive a letter from their employer (see Appendix 4) as soon as they return to work explaining their right to make an Additional Pension Contribution (APC). If the employee then makes an application within 30 days of returning to work the employer will pay 2/3rds of the cost of the lost pension.

Further details and the application form are available from the self-service modeller available at [www.warwickshire.gov.uk/pensions](http://www.warwickshire.gov.uk/pensions) under Pension Contributions in the section "Additional Pension Contributions".

Advice on how to use the calculator can be sought from 01926 412682 or by emailing [pensions@warwickshire.gov.uk](mailto:pensions@warwickshire.gov.uk)

- Please note that if a member of staff is a member of the Teachers' Pension Scheme (TPS), pension contributions cannot be paid for periods of unpaid leave.
- Further advice can be sought from the TPS by following the links at [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk) or by calling 0845 606 6166

This may also affect other benefits such as National Insurance and tax contributions. Further advice should be sought from your payroll provider.

## 7. Personal Leave of Absence

The School's policy as agreed by the Governing Body is:

**7.1 Time off for a sick child or dependant** – Employees have a statutory entitlement for unpaid time off in unplanned/emergency situations to care for a sick child or dependant.

In exceptional circumstances personal leave for unplanned/emergency situations may be paid for the first day of absence only with the Headteachers authorisation. This would typically relate to the hospitalisation of the child or dependant.

**7.2 Compassionate (including Bereavement) or Exceptional Leave** - Noting the provision set out in 7.1, emergency and discretionary leave enables employees to take time off work to deal with an unexpected or sudden emergency involving a dependant. The leave is to deal with the immediate issues and to sort out long term arrangements if necessary. The circumstances that enable employees to take Compassionate or Exceptional leave are:

- Providing assistance where a dependant falls seriously ill, gives birth, is injured or assaulted
- Making arrangements for the care of the dependant who is seriously ill or injured.
- The death of a dependant.
- The care of the dependant has unexpectedly been disrupted or terminated.
- There is an unexpected incident involving the child of an employee whilst at school.

A dependant is a spouse, child, foster child, child in law, parent (next of kin or parent in law), relative or partner living in the same household as the employee (it excludes tenants,

lodgers or boarders of the employee). A dependant also includes any person who reasonably relies on the employee to make arrangements for the provision of their care.

**See Table 1-5 Appendix 2 for an outline of the various entitlements.**

An employee must notify their line manager/ Headteacher as soon as practically possible in the event of an emergency.

The Headteacher may approve up to five days' paid leave per leave year (pro rata for part timers) for Compassionate, Emergency or Exceptional leave for a close relative (is defined as a husband, wife, partner, son, daughter, father, mother, brother or sister, parent in law or next of kin).

For most cases, one or two days' are reasonable to deal with a problem. The time off is to enable an employee to cope with a crisis, to deal with the immediate care and where necessary to make longer term care arrangements for the dependant. Where paid leave is granted only the first day of absence will usually be paid in any one period of absence, unless discretion is applied by the Headteacher.

**See Table 1 for details of entitlements for time off for Bereavement.**

**7.3 Other personal reasons** - Exceptionally, there may be other personal reasons for requesting leave of absence. Usually these will be 'one off' events affecting family. An example might be attendance at a child's or one's own graduation ceremony, child in a school nativity play etc. Such leave, where granted, will normally be unpaid and subject to adequate notice so that replacement staff can be employed if necessary.

Holidays to celebrate anniversaries, birthdays etc. are not considered to be 'one off'.

**7.4 Career Break/Extended Leave Of Absence** - Requests for longer periods of leave will be considered on an unpaid basis, for example, in the case of a lengthy period of caring for a chronically sick, disabled, or terminally ill, dependant relative. Extended leave can be for up to 3 months in duration but may be longer at the headteacher's discretion. Sufficient notice that allows the appointment of a replacement should be given wherever possible. Further guidance on Career Breaks is set out in **Appendix 3**.

**7.5 Moving House** - Up to 2 days' paid leave may be granted for staff moving house in connection with taking up employment within the school.

Other staff may be granted 1 day's unpaid leave at the discretion of the headteacher.

**7.6 Volunteer Reserve Forces Leave** - Reservists are required to inform their line manager that they are a member of the Reserve Forces. Reservist employees will also be required to grant permission for the Ministry of Defence (MoD) to write to the Headteacher to make sure the school are aware and provide details of mobilisation obligations and rights as an employee reservist.

Reservist training normally takes place during evenings and weekends. Headteachers may however grant up to 14 days leave (paid or unpaid) at their discretion where training falls within an employee's normal working hours.

Leave may be refused if it would have a detrimental impact on the running of the school. In any case teachers and other classroom based staff will only be granted paid leave if the force's unit cannot arrange exercises during holiday periods

**7.7 Mobilisation** - Mobilisation is the process of calling Reservists into full-time service to serve alongside the Regular Armed Forces on operations. The Ministry of Defence aims to give as much notice as possible of mobilisation (but at least 28 days). In circumstances where a reservist employee is mobilised they will not be paid by the school and should be placed on a Career Break for payroll purposes to ensure their continuous service is not broken.

If an employee who is mobilised wishes to remain in the LGPS the school's payroll provider should be informed who will calculate the amount of contributions that the employee and the Ministry of Defence (MoD) must pay. For Teachers the relevant form must be completed, available online at [www.teacherspension.co.uk](http://www.teacherspension.co.uk)

For further information on mobilisation, please refer to the SaBRE (Supporting Britain's Reservists and Employers) website: [www.sabre.mod.uk](http://www.sabre.mod.uk)

## **8 Carry-over Of Annual Leave**

The School expects employees who work 52 week contracts and are covered by Green Book (support staff) terms and conditions of employment to take their full entitlement of leave in each leave year, which runs from April to March. Where this is not possible, with the knowledge of and by arrangement with the Headteacher, employees may carry forward 5 days to the next annual leave year, provided this is taken prior to 31 May. Advice should be sought from your HR provider when sickness has prevented annual leave from being taken.

## **9 Religious Observance**

Where staff can show that they are bona fide adherents of any organised religion and that they require leave for the purpose of an official holy day, the Governing Body will allow up to 2 days' unpaid leave. Equality and Diversity advice should be sought if required. Arrangements for taking such leave will be a matter for the discretion of the Headteacher and may include staff being asked to make up this time at a later date or if this is not possible any leave granted should be without pay.

## **10 Sporting Events**

Where staff can show they are representing their country (or competing/refereeing nationally at a high level or at a prestigious event) they should write to the Headteacher so that arrangements can be made for paid or unpaid leave.

### **11.0 Public Service and Duties Leave (see Table 4)**

Subject to the needs of the school, employees are entitled to reasonable time off in order to carry out the following public duties and activities (please note this is not an exhaustive list):

- A Justice of the Peace
- Jury Service

- A court witness/McKenzie Friend
- A Member of the Magistrates Courts Committee
- A Member of a Family Practitioner Committee
- A Member of a Local Authority
- Serving on such other local or regional public bodies as the Governors may authorise
- Campaigning as an official candidate for a General Election
- Campaigning as an official candidate for a European Election

Under s.50 of the Employment Rights Act 1996 employees who hold certain public positions have a right to reasonable unpaid time off during working hours. This may, for example, involve being a magistrate, school governor or member of a public body. There is no definition in law as to how much time off is reasonable for the purpose of public duties.

For a full-time employee carrying out the above activities, a reasonable amount of time off will be a maximum of 2 normally unpaid days (with the discretion to pay given to the Headteacher) or the equivalent in part days per year. Time off for part-timers will be calculated proportionately by reference to the working hours and working weeks. Leave will normally be granted where this can be reconciled with the operational needs of the school/service.

**Jury Service** - Employees will be notified of a requirement to carry out Jury Service by letter from the courts. A copy of this letter should be given to their Headteacher and a request made for the absence from work.

Unless the absence would have a serious impact on the business then the school recognises that it must approve the time off.

Employees will receive normal pay during the period of Jury Service on the condition that any payments received from the court for loss of earnings are paid back to the school. The court will normally provide individuals with a 'Loss of Earnings' form which should be sent to the school and subsequently to the schools payroll provider who will complete and return to the individual to submit to the court.

Once the court confirm how much they will pay for loss of earnings (normally on a Remittance Advice slip) a copy should be sent to the school to be passed to the payroll provider who will deduct the relevant amount from the next monthly pay. Failure to return the Remittance Advice slip will be investigated and could be considered Gross Misconduct under the Disciplinary Policy and Procedure.

**A Court Witness/McKenzie Friend (an unpaid advocate usually in family courts)** - If an employee attends Court as a witness for WCC/their employer, then this is part of their duties and they will be paid as if attending work. In other cases, where an employee is subpoenaed or subject to a witness summons order to attend Court, special leave with pay will be granted. However, as with Jury Service, the employee must pay back the loss of earnings allowance. Where the employee is not eligible to claim the above allowance then special leave would not be appropriate and the employee would need to take annual leave instead.

## 12 Study/Examination Leave

For employees who are sitting examinations relevant to their current post or career, providing the school is paying the fees, half a day study leave per examination plus half a day per examination will be paid.

### **13 GCSE Duties & Activities**

For Teachers who are engaged in activities for examining groups, please refer to appendix II of the Burgundy Book, Memorandum of Agreement for the Release of Teachers.

### **14 Time Off For Trade Union Duties**

The school recognises the legal requirement for employers to allow reasonable time off work for the school's elected representatives of recognised trade unions to carry out their duties in the school in which they are elected. Duties that warrant time off with pay include:

- consultation on terms and conditions of employment or the physical conditions of work;
- consultation on recruitment and selection policies, redundancy and dismissal arrangements;
- meetings with school management or LA officers on matters of joint concern;
- representing a union member at a grievance or disciplinary hearing;
- attendance at relevant training courses organised by the trade union.
- Attendance at AGM/EGM

The County Council has a separate agreement with Trade Unions and Professional Associations to provide paid time off for their county representatives, this is covered in **Code of Practice for trade union representation and the management of employee relations** and can be found in the school office or on the WES website . The nominated county representatives are allowed pre-agreed time off each week to carry out their duties and the school is reimbursed from a central budget.

There is no legal definition of reasonable time off. It is important for trade union representatives and schools to be balanced and flexible in how these requests for time off are addressed with the representative providing as much notice as possible, giving details of the reason for taking time off and how much time off is required.

Schools may need to take into account factors such as the:

- nature of the work undertaken
- need to do the work
- needs of the line manager and impact on immediate work colleagues
- importance of health and safety at work
- amount of time off already taken for trade union duties and activities

It's recommended that in the event of a refusal to grant paid time off for a workplace representative that this is communicated to the appropriate County Secretary of the relevant trade union.

### **15 Bad Weather Conditions/Flight Interruptions**

There may be circumstances when the employee is unable to attend work due to bad weather or flight interruptions, but the school remains open as usual. All reasonable effort should be made to attend work. Alternative arrangements may be agreed with the Headteacher, e.g. working from home or at a different location. Where this is not possible, non-attendance will normally be treated as unpaid leave.

### **16 Time Off For Medical Appointments**

The school will allow reasonable paid time-off for employees to attend medical appointments, which are unable to be arranged out of working hours. Before arranging non-urgent doctor's medical appointments, employees should seek the approval of their Headteacher if it is necessary to take time off work. Employees should make every attempt to make these appointments at the beginning or end of the day or during lunch breaks to minimise the time they have to be absent from work.

Routine doctors or dentists appointments e.g. check-ups should not be taken during term time or working time for those working in holiday periods.

Elective procedures should be arranged during holiday periods and will usually be unpaid.

## **17 Maternity, Paternity, Adoption Carers Leave & Antenatal Care & Parental Leave**

Details for maternity, paternity, adoption, carer's leave and antenatal care can be found in the relevant Family Friendly guides available via the school office/WES website.

## **18 In Vitro Fertilisation (IVF)**

All employees, regardless of hours worked or length of service, are entitled to a reasonable number of days paid leave for the purpose of attending IVF appointments and undergoing fertility treatment. The Headteacher may also grant unpaid leave at their discretion.

## **19 Interviews**

The Governing Body recognises the need for prospective employers to occasionally require interviewees to attend for more than one day, especially for school management posts. This is where there might be a requirement for prospective candidates to undertake a preliminary visit before the formal interviews.

In order to maintain a fair balance between the operational needs of the school and to minimise the burden on other staff, and to be fair to employees who will be seeking to further their career in the education sector, the Governing Body will grant leave of absence for interviews as follows:

- a) The Headteacher is empowered to approve up to a maximum of 5 days paid leave of absence for interviews, to cover both formal and informal stages of the process, during any one academic year.
- b) Further leave of absence for this purpose will normally be agreed and will be on an unpaid basis.

Headteachers may exercise their discretion to grant further paid leave for employees to attend interviews and selection processes. Consideration should be given to:

- whether the employment is within the education sector (this will normally count as a factor in favour of granting paid leave.)
- the frequency of such requests.
- the length of service the employee has in their current post.



- whether the employee is facing redundancy or otherwise has an uncertain future in their current post (in which case paid leave should be granted – if in doubt seek advice from the HR Provider.)
- c) For support staff any days beyond the initial 5 days could be made up during holiday periods, instead of being on an unpaid basis, provided that their work can be carried out during holiday time.

## **20 Unauthorised Absence**

If an employee takes leave of absence without the prior consent of the Headteacher, the reason for the absence will be ascertained. If, in the Headteacher's judgement, the reason for absence merits investigation, this will trigger an investigation which could be considered as an allegation of misconduct or gross misconduct under the Disciplinary Policy.

## **21 Monitoring**

The school/Trust will monitor all applications and decisions relating to requests for leave or absence under this policy to ensure that a fair and consistent approach is taken for all staff.

## Appendix 1

### Application for Leave of Absence

This form must be used when an employee requires time off work under the Leave of Absence Policy. This form should **not** be used for cover requests when the employee is at work but undertaking alternative duties.

All requests approved are subject to cover arrangements and, on occasion, it may be necessary to withdraw approval to ensure school activities are appropriately supervised.

<b>Name</b>		<b>Job Title</b>	
<b>Reason for request</b> – if the request relates to time off to support a dependant or attend a funeral, please state the person's relationship to you.			
<b>Date from</b>		<b>Date to</b>	
<b>Time from</b> if part-day leave		<b>Time to</b>	
<b>Cover required</b> ( <i>continue overleaf if necessary</i> ):			
<b>Date</b>	<b>Period and Class</b>	<b>Details/Notes</b>	
<b>Employee's Signature</b>			<b>Date</b>
<b>Headteacher's Comments</b>			
<b>Headteacher's Signature</b>			<b>Date</b>

#### Decision

<b>Paid</b> leave of absence is <u>approved</u> for these dates:	<b>From</b>	<b>To</b>
<b>Unpaid</b> leave of absence is <u>approved</u>	<b>From</b>	<b>To</b>
Request for leave of absence is <u>declined</u>	<b>From</b>	<b>To</b>
<b>Reason request is declined:</b>		
<b>Signed</b>		<b>Date</b>

Completed forms should be returned to the Headteacher/School Office.

## Appendix 2

Table 1 – Personal Leave * only staff with a floating leave entitlement i.e. 52 week all year round support staff					
Type of Leave	Description	Maximum no. of Days	Counts against leave	Paid or Unpaid	Counts against pay entitlement
<b>Dependant</b>	This leave may be requested to allow an employee to deal with an immediate crisis or set up alternative care arrangements when normal arrangements break down. The leave is intended to enable an employee to deal with an emergency situation and not to provide the care themselves. Leave can also be requested to attend medical appointments with dependants.	Up to 5 days per academic year	Yes	Unpaid for Dependants leave	Yes
<b>Compassionate Leave</b>	Sympathetic consideration will be given in the case of serious or life-threatening illnesses of a dependant. A dependant is defined, as the employee's parent, wife, husband or partner child, or someone who lives as part of the family, but not the employee's tenant, lodger or boarder. It also includes someone for whom the employee is the main carer.	Discretionary	No	Discretionary for Compassionate leave (normally paid)	No
<b>Bereavement</b> <i>Close relative</i>	A close relative is defined as a husband, wife, partner, son, daughter, father, mother, brother or sister.	Up to 5 days	No	With Pay	No
<b>Bereavement</b> <i>Other relatives</i>	Leave will usually be granted for the employee to attend the funeral. However at the Headteacher's discretion consideration will be given to requests for additional leave where the employee is the primary person making funeral arrangements.	Max 1 day	No	With Pay	No
<b>Bereavement</b> <i>Close friends</i>	Leave may be granted for attendance at the funeral of a close friend. Additional leave may be granted if travelling to the funeral.	½ day	No	With Pay	No
<b>Domestic crisis</b> Emergency leave	The School recognises that circumstances may make it necessary and unavoidable for an employee to be absent due to a domestic crisis (including damage or disruption to property e.g. flood, burst pipes, house fire).	Discretionary	Yes	Unpaid	Yes
<b>Fertility treatment</b>	Each request will be considered individually in the context of the particular circumstances. Note: undergoing IVF treatment is regarded as pregnant for the period following implantation of the fertilised ova until the end of the protected period.	Discretionary	No	With Pay	No

<b>Table 2 – Health Related Leave</b>					
<b>* only staff with a floating leave entitlement i.e. 52 week all year round support staff</b>					
<b>Type of Leave</b>	<b>Description</b>	<b>Maximum no. of Days</b>	<b>Counts against leave entitlement*</b>	<b>Paid or Unpaid</b>	<b>Counts against pay entitlement</b>
<b>Blood donors</b>	Subject to operational requirements employees may be given reasonable time off.	Discretionary	Yes	Discretionary (Normally with pay)	Yes
<b>Bone marrow and Organ donors</b>	Subject to operational requirements employees may be given time off to donate bone marrow. This may include examinations prior to the donation and hospitalisation and recuperation.	5	Yes	With Pay	Yes
<b>Cancer screening</b>	Routine cancer screening (for example cervical cancer screening and breast examinations) should take place outside normal working hours. Where this is not possible, or where the screening is non-routine, leave of absence should be granted for the purpose of attending such appointments	As required	No	With pay	No
<b>Dental treatment</b>	Emergency appointments only where it has not been possible to arrange them outside normal working hours.	Discretionary	Yes	Discretionary	Yes
<b>Medical appointments and treatment</b>	Emergency appointments or where it is not possible to arrange outside normal working hours e.g. hospital appointments	Discretionary	Yes	Discretionary	Yes

**Table 3 – Training Related Leave**

**\* only staff with a floating leave entitlement i.e. 52 week all year round support staff**

Type of Leave	Description	Maximum no. of Days	Counts against leave entitlement*	Paid or Unpaid	Counts against pay entitlement
<b>Time off to Train</b>	Employees have a <b>statutory right to request leave</b> to undertake training which they believe will improve their effectiveness in their role and overall performance of the school.	Discretionary - depends on the course requirements	No	Discretionary	No
<b>Study leave and time off for examinations</b>	Leave may be requested for periods of study to prepare for examinations relevant to their employment.	Discretionary	Yes	Discretionary	Yes
	Leave may be requested for time off to sit examination. Paid leave will only be granted if the exam is relevant to the individual's employment.	½ day per examination	Yes	With Pay where relevant to employment	Yes
<b>Graduation</b>	Leave may be requested for the employee to attend their own graduation	Discretionary	Yes	Discretionary	Yes
<b>Requests for CPD</b>	Leave may be requested to attend CPD events. Usually CPD requirements are determined through the appraisal process.	As required	No	With pay	No

**Table 4 – Public Service and Duties Leave**

**\* only staff with a floating leave entitlement i.e. 52 week all year round support staff**

Type of Leave	Description	Maximum no. of Days	Counts against leave entitlement*	Paid or Unpaid	Counts against pay entitlement
<b>Court Appearances</b>	Where the employee is called to court to act as a witness or as the accused.	Discretionary	Yes	See 11.	Yes
<b>Jury Service</b>	Employees are entitled under national conditions of service to receive paid leave of absence for jury service. Employees may be required to request a postponement when the service falls on key academic dates	Duration of service	No	Paid, less the loss of earning entitlement under the juror's allowance	No
<b>Elections candidates</b>	<p>Employees standing as a candidate at local or central government elections.</p> <p>If employees are planning to stand for election they are required to discuss with the Headteacher the ongoing impact on their employment should they be elected and how this can be accommodated.</p>	Discretionary	Yes	Discretionary	Yes
<b>Volunteer Reserve Forces</b>	<p>Teachers – leave of absence is at the discretion of the Headteacher and due to conditions of service will only be granted in exceptional circumstances.</p> <p>Support Staff – leave of absence for training or voluntary service is at the discretion of the Headteacher.</p>	Discretionary  See 7.6	No	Discretionary	No
<b>Other Public Duties</b>	Employees who hold certain public offices have a right to 'reasonable' time off to perform their duties. This could include acting as a Magistrate, Justice of the Peace, a local councillor or member of a tribunal, serving on an NHS Trust, school governing body, policy authority, environmental agency, etc.	Discretionary, up to 2 days per year	No	Discretionary (normally unpaid)	No

<b>Table 5 – Other Leave</b>					
<b>* only staff with a floating leave entitlement i.e. 52 week all year round support staff</b>					
<b>Type of Leave</b>	<b>Description</b>	<b>Maximum no. of Days</b>	<b>Counts against leave entitlement*</b>	<b>Paid or Unpaid</b>	<b>Counts against pay</b>
<b>Moving house</b>	Employees should make all efforts to move outside of their normal working hours. Where this is not possible or where an employee is moving to take up his/her post at the school, sympathetic consideration will be given to granting leave of absence.	2 days where job related	No	Paid	No
		1 day (subject to impact on running of school)	Yes	Discretionary	Yes
<b>Religious observance</b>	The School recognises the importance of religious observance and will attempt to accommodate the needs of the employee.	Discretionary up to 2 days	No	Discretionary	No
<b>Job-seeking and retraining in a redundancy situation</b>	An employee who is 'at risk' of redundancy can take reasonable time off with pay to look for another job or arrange training	As required	No	Paid	No
<b>Secondments</b>	A temporary transfer of an employee to another associated organisation for operational, developmental or project purposes. The secondment will be governed by an agreement between all parties involved.	Normally up to 12 months	No	Paid by employer to which seconded	No
<b>Adverse Weather conditions</b>	Where severe weather conditions prevail, employees are expected to make every effort to attend work, using alternative modes of transport where possible. Employees who are genuinely unable to attend work should where possible and with agreement of the Headteacher work from home.	Discretionary	No	Discretionary	No
<b>Attendance at Interview</b>	Leave of absence can be requested to attend interviews.	Discretionary	Yes	Discretionary	Yes
<b>Visits to new employers before commencement</b>	Leave of absence can be requested to visit a new employer's workplace prior to the employee's commencement with them.	Discretionary	Yes	Discretionary	No

Type of Leave	Description	Maximum no. of Days	Counts against leave entitlement.	Paid or Unpaid	Counts against pay entitlement
<b>Unpaid leave e.g. sabbaticals, voluntary service overseas, etc.</b>	An extended period of absence from work, after which the employee intends to return to work. To be eligible the employee must have: At least 2 years' service with the School Satisfactory performance in all aspects of work A satisfactory attendance and conduct record	Discretionary	No	Unpaid	n/a
<b>Trade Union activities (including Health and Safety representatives)</b>	Subject to operational requirements reasonable paid time off will be granted to recognised TU representatives for the purposes of representing members in the school, TU training, attending official TU meetings, attending meetings arranged by the school to which representatives are invited and undertaking union learning activities.	As agreed	No	Paid	No
<b>Wedding</b> <i>Own</i>	It is expected that employees will arrange their own wedding during school closure periods and therefore leave of absence will not be required. In exceptional circumstances beyond the employee's control, e.g. term- dates are changed after the wedding has been booked, leave of absence will be granted.	Discretionary	Yes	Discretionary	Yes
<b>Wedding</b> <i>Friends and relatives</i>	Only unpaid discretionary leave will be considered.	Maximum 1 day	Yes	Unpaid	n/a
<b>Other matters not covered by provisions</b>	The Headteacher has the discretion to consider requests for leave of absence for any reason other than those detailed above. Each request will be considered on a case-by-case basis and on its individual <b>merits e.g Examiner/Moderation/ Standardisation meetings</b> which is at the discretion of the Headteachers. Exam boards normally pay for release and if this is not given will also be at the Headteachers discretion.	Discretionary	Yes	Discretionary	Yes



## **Appendix 3**

### **Career Breaks**

It is recognised that during an employee's working life there will be times when personal commitments may take priority over work e.g. bringing up children, longer term care for sick or dependant relatives, or pursuing a course of further education. The school may be able to accommodate such personal commitments, where operationally practicable, through career breaks. Employees should also give consideration to flexible working requests depending on their individual needs.

Career breaks enable employees to take an unpaid break from work for personal reasons whilst maintaining continuity of service with the school. The employee should try to give as much notice as possible to commence a career break (ideally 3 months) but a shorter notice can be accepted at the Headteacher's discretion for example where a dependant needs care at short notice.

With the exception of continuity of service all other terms of the employment contract with the school will be suspended (i.e unpaid, no reckonable service – unless LGPS members buyback lost membership). On return, at an agreed date following the career break, the employee will be able to return to the same or similar post within the school without competitive selection.

A career break may be considered appropriate for example:

- To extend a period of maternity/adoption leave
- To care for dependants
- To enter full time education
- Extended foreign travel

These reasons are not all inclusive and others may be considered, with the exception of taking up other full time paid employment. Employees who are on a career break may in exceptional circumstances take up a part time role for example to support a university course or extended travel. Permission must be sought from the school before taking this up. Staff should agree with the school the best way of keeping in touch throughout the career break in terms of where to send key updates and information and availability for possible meetings.

### **Eligibility**

All permanent employees with at least two years' continuous service with the school regardless of the number of hours worked are eligible to apply for a career break.

### **Length of career break**

The minimum length of break is 3 months, for teaching and classroom-based staff the expectation would be for this to equate to a term, and the maximum is 1 year. There is no limit to the number of career breaks an employee can take, providing they return to work at the school for a minimum of 2 years between each break.

### **Restructuring and/or Reductions in staffing**

Consideration of planned organisational change should be taken before a career break is authorised particularly where there is potential for a reduction in posts.

If an employee is on a career break when a restructure is being considered, every effort should be made to contact them in order for them to have input into any consultations or feedback

processes. Employees may be given the opportunity to return to work early if they wish to if the temporary cover can be ended at no additional cost.

Employees on a career break must be included in selection processes even if the Headteacher is unable to make contact with them.

### **Extending the career break**

If the employee wishes to extend their career break, if the break taken was to be less than one year, they must do so in writing normally giving as much notice as possible. The Headteacher will give consideration to the extension along the same lines as the original request and may grant up to 1 year in total.

### **Cutting short the career break**

There will be no automatic right to cut short a career break but the Headteacher will consider such requests from an employee if they can be accommodated.

### **If the employee does not return from the career break**

If an employee does not wish to return from a career break, they should confirm this in writing **at least 4 weeks'** prior to their expected return date, for those employed under School Teachers Pay and Conditions of Service the appropriate notice must be given in accordance with those terms. If, on the school writing to the employee to confirm the return date, the employee does not respond, their contract will be terminated on that expected return date.

### **Conduct during a Career break**

Employees should be aware that they remain employees of the school during a career break. Whilst an employee's off duty hours are their personal concern they should not put themselves in a position where their duties and private interests conflict. The standards of the School's Code of Conduct should be maintained during a career break and any breach could result in action being taken under the schools Disciplinary Procedure.

## Appendix 4

### Letter to LGPS staff taking unpaid leave

Dear .....,

I am writing to in line with the LGPS requirements to notify you within 30 days of returning to work from unpaid leave that any period of unpaid leave e.g. additional maternity, paternity or adoption leave will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of unpaid absence.

If you are granted unpaid leave of absence, including jury service and parental leave etc, the period will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of absence.

The amount of pension lost is calculated as the appropriate fraction of your assumed pensionable pay for that period of absence (i.e. 1/49th of your assumed pensionable pay if you were in the main section of the scheme or 1/98th if you were in the 50/50 section).

If you wish to purchase the amount of lost pension and you make the election within 30 days of returning to work then the cost of the APC is split between you and the school.

You will pay one-third of the cost and the school will pay the rest. This is known as a Shared Cost Additional Pension Contributions (SCAPC). You can pay these additional contributions in a one-off lump sum or through regular payments from your wages. The maximum period of absence you can elect to buy back by a SCAPC is a period of 3 years.

If you have membership of the LGPS before 1 April 2014 you will have built up benefits in the final salary scheme. If you choose to pay for the lost pension in the scheme the amount you pay will go towards covering the protections associated with the pre 1 April 2014 membership.

If you wish to look into buying back the lost pension you will need to find the amount of pay you lost for the period of the absence from your payslip then go to [www.warwickshire/pensions](http://www.warwickshire/pensions). There you will find a section named Pension Contributions, scroll down and use the online calculator to work out how much it will cost you.

To find out more contact the Pensions Section for further information on paying Additional Pension Contributions. Advice can be sought from 01926 412682 or by emailing [pensions@warwickshire.gov.uk](mailto:pensions@warwickshire.gov.uk)