

Time Off Policy

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Document information

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Purpose	This procedure deals with time off work for reasons other than sickness, maternity, paternity, adoption, parental or annual leave. Reference should be made to the Parenting Policies or Management of Sickness Absence Policy and Procedure where appropriate.		

Document accessibility

If you would like this information in another language or format please speak to your Headteacher/Principal.

HR Contact Details

Human Resources – Schools

Phone 01922 655868

E-mail HRSchoolsConsultancy@walsall.gov.uk

1. Introduction

- 1.1 It is important that suitable rules and procedures are in place within school/academies which will promote fairness and consistency in the treatment of individual employees and which reflect the relevant policies on equal opportunities and appropriate legislation.
- 1.3 This Procedure deals with time off work for reasons other than sickness, maternity, paternity, adoption, shared parental leave, ordinary parental leave, foster care leave or annual leave. Reference should be made to the Parenting Policies or the Management of Sickness Absence Policy and Procedure where appropriate.
- 1.4 Employees should be encouraged to make personal arrangements outside normal school/academy/working hours in order to minimise the impact on their normal work activities and on the effective running of the school/academy. However it is recognised that on occasion, this may not be possible for reasons beyond the control of the employee and therefore provisions for special leave are contained within this document.
- 1.5 The Headteacher/Principal has delegated responsibility for granting special leave as outlined in this document. If leave is required for any other reason, this should be referred to the Governing Body for consideration, along with routine reports on the granting of any special leave.
- 1.6 Time off may be granted with or without pay and salary will be deducted for periods of unpaid leave, in accordance with agreed procedures.
- 1.7 Authorised leave of absence (paid or unpaid), does not break continuity of employment. However unpaid leave of absence does not count towards reckonable service for pension purposes.
- 1.8 Unauthorised leave of absence will be dealt with in accordance with the Disciplinary Procedure and salary will be deducted accordingly, following written notification from the Headteacher/Principal to the employee.
- 1.9 Cover for teachers who are granted leave of absence will be arranged in accordance with any statutory, national or local agreements in place at the time.

2. Applying for Time Off

- 2.1 Applications for time off should be submitted in the first instance to the Headteacher/Principal. Except in an emergency, applications must be submitted as far in advance as possible and six weeks' notice is normally required.
- 2.2 The Headteacher/Principal will consider the request, having regard to statutory obligations, the nature of the request, the employee's eligibility and the needs of the school/academy.
- 2.3 Time off for part of a working day may be granted at the discretion of the Headteacher/Principal in exceptional circumstances and no more than once per term.
- 2.4 If time off is required in order to deal with an unexpected or sudden emergency concerning a dependant, the employee must notify the Headteacher/Principal as soon as practicable,

giving the reason for their absence and how long they expect to be away from work in order to deal with the emergency.

- 2.5 If there is disagreement regarding the granting of special leave, the matter may be referred to the Governing Body by the employee or Headteacher/Principal.
- 2.6 In exceptional circumstances, extended unpaid leave may be authorised by the Governing Body. The terms of this leave should be confirmed to the employee in writing in order to clarify the contractual situation during their absence.
- 2.7 For Local Government Pension Scheme members, pension contributions during periods of approved unpaid leave are as follows:
- Unpaid leave of up to 14 days - The period of unpaid leave will be deemed pensionable. Both the employee and the employer will pay contributions based on the pay the employee would have received during the period of absence.
 - Unpaid leave of 15 days or more – The period of unpaid leave is non-pensionable. Employees will have the option to purchase the full period of 'lost' absence via Additional Pension Contributions (APC).

Employees should contact Payroll for further information about APCs and associated costs.

3. Guidance on Statutory Time Off

Trade Union Duties and Training

- 3.1 Officials of recognised trade unions/professional associations have the right to reasonable paid time off work to attend to appropriate industrial relations duties and to undergo training for those duties. Further details are provided in a separate Trade Union facilities agreement.

Time Off to take care of Dependants

- 3.2 This right is set out in the Employment Rights Act 1996 and refers to time off in order to deal with an unexpected or sudden emergency concerning a dependant. Dependants are classed as a spouse, child, parent or person living in the same house as the employee, excluding a tenant, boarder, lodger or employee. Reasonable time off without pay will be granted in cases where a dependant falls ill, has been involved in an accident, has been assaulted or has given birth; to make longer term care arrangements for a dependant who is ill or injured; on the death of a dependant; when there is an unexpected disruption or breakdown in care arrangements for a dependant; when there is an unexpected incident involving the child of an employee when the child is at an educational establishment. In most circumstances, it is anticipated that a maximum of one or two days should be sufficient to make appropriate arrangements. See also local provisions below allowing for a period of time off with pay in specified circumstances.

Carers Leave

- 3.3 An employee who is caring for a dependent with long term care needs is entitled to one week's unpaid leave (in a rolling 12 month period) in order to provide or arrange care.

3.4 A person is defined as a dependent if they:

- are a spouse, civil partner, child or parent of the employee;
- live in the same household as the employee (other than as a boarder, lodger or tenant);
- reasonably rely on the employee to provide or arrange their care.

Long term care need is defined as:

- an illness or injury that requires care for more than three months;
- having a disability under the Equality Act 2020;
- care connected with old age.

3.5 Requests for leave can be in half or full days, consecutive or non-consecutive days, up to the maximum of one week. A week's leave is determined by reference to the employee's normal working week (contracted hours).

3.6 The employee requesting carers leave should give details of the duration of leave requested and confirmation that the employee's relationship to the dependent and their care need meets the defined criteria. The employee must give at least twice the amount of notice than the period of leave requested.

3.7 A request for statutory carer's leave can be postponed by the School/Academy if it unduly disrupts school service. However, it should be explained to the employee why postponement is necessary and, in consultation with the employee, reschedule the leave allowing them to take it within one month of the original request date.

4. Guidance on Other Requests for Time Off

Interviews

4.1 Time off with pay to attend interviews for educational appointments in the case of teachers, or for public sector appointments in the case of non-teaching staff. Written evidence of details of the interview should be provided to the Headteacher/Principal.

4.2 The Headteacher/Principal has discretion as to the amount of time off. For example, an employee attending an interview in the morning will be expected to return to work in the afternoon and vice versa.

4.3 If the employee is invited to attend a whole day interview, dependant on the circumstances, the manager may grant half day paid time off. Similarly, if the employee is required to travel some distance to the interview, which may necessitate a full day off, or the interview is in the middle of the day, the Headteacher/Principal may grant half day paid time off.

For an employee involved in an interview process taking place over 2 days, half days pay will be allowed for each day.

4.4 An employee who has been formally declared 'at risk' of redundancy may take reasonable time off with pay to look for another job, including attending job interviews outside of the redundancy modification order as required by law. The employee is still required to provide evidence of the interview.

- 4.5 Teachers moving school/academies may be allowed up to a maximum of 1 discretionary day to visit their new school/academy. This will be with the agreement of the Headteacher/Principal and at a mutually agreed time.

Study and Examination Leave

- 4.6 Time off with pay in order to take relevant professional/other examinations as part of an approved course of study. If the examination is in the morning, the employee will be expected to either attend work in the afternoon and vice versa.
- 4.7 Revision leave may also be granted prior to such examinations. 1 day revision leave per 3 hour examination up to a maximum of 3 days. Half day revision leave per examination of less than 3 hours up to a maximum of 1 and a half days.
- 4.8 Employees who are requested to undertake mandatory training which falls outside of their contracted hours should be allowed reasonable time off, with pay to attend or time off in lieu may be agreed, if practicable.

Other Professional Reasons

- 4.9 Teachers may be involved in the activities of Examining Groups requiring their release from work for several days per year. Time off with pay should be granted wherever possible and having regard to the provisions contained within the document “Conditions of service for school teachers in England and Wales – Memorandum of Agreement for the Release of Teachers”.
- 4.10 Any employee who, in their professional role, is asked to give a lecture, demonstration etc during school/academy hours should seek approval for time off prior to accepting the invitation. If approved, time off will be with pay.

Bereavement

- 4.11 Up to 4 days (including funeral) with pay following the death of a close relative, having regard to individual circumstances. An additional day (unpaid) may be granted for travelling time if the funeral is at a distance. A close relative would be partner, parent, partner’s parent, sibling, child, grandparent and grandchild. One day with pay to attend funeral of other relative. Time off with/without pay may be granted by the Governing Body to attend the funeral of a non-relative.

Parental Bereavement Leave

- 4.12 Parental bereavement leave will be granted to parents or primary carers following the death of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy. Primary carers include adopters, foster parents and guardians as well as close relatives or family friends who have taken responsibility for the child’s care in the absence of parents.
- 4.13 Parents or primary carers will be entitled to a statutory two weeks’ leave, and this will be paid at full pay for all employees (rather than the statutory rate). This is in addition to the bereavement leave in section 4.10.
- 4.14 Leave can either be taken in one block of two weeks or in two separate blocks of one week (but not as individual days), and can be taken within a 56 week period from the date of the child’s death.

- 4.15 Leave can be taken without prior notice in the initial period (within 56 days of the child's death). Where leave is to be taken after the initial 8 week period, a minimum of one weeks' notice should be given, where possible. There is no requirement to provide the school/academy with a copy of the death certificate. However, the employee is required to inform their Headteacher/Principal if exercising their statutory entitlement to take parental bereavement leave.

Other Private/Family Business

- 4.16 At the employers discretion, up to one day per term, with pay, but may be extended to 3 days in exceptional circumstances in order to deal with urgent and unforeseen private or family business.
- 4.17 Maximum of three days per school/academy year, with pay, in order to deal with the serious illness of a close relative.
- 4.18 One day with pay may be granted in order to attend the wedding of a parent, brother/sister or child. If an employee has annual leave which can be taken at this time, they will be expected to book annual leave.
- 4.19 One day with pay in order to move house, on the basis that the employee is remaining in employment at the school/academy.
- 4.20 One day with pay to allow the employee to attend their graduation or other similar ceremony. One day without pay may be granted to enable the employee to attend the graduation of their partner or child.
- 4.21 Time off with pay for the purpose of cancer screening whether at hospital or at the doctors.

Public Duties

- 4.22 Employees who hold certain public offices are entitled to reasonable, unpaid time off. However local provisions allow for time off with pay in specific circumstances.
- 4.23 Time off with pay for jury service. Employees should claim the allowance for loss of earnings and an equivalent sum will then be deducted from their salary.
- 4.24 Time off with pay up to a maximum of one day per 2 school/academy weeks for Magistrates/JPs up to a maximum of 26 days per annum. A sum equivalent to any allowances claimed for loss of earnings will be deducted from salary.
- 4.25 Up to 16 days with pay per annum in order to attend annual training for Territorial Army, or similar service organisation. (Every effort should be made to arrange to attend annual training during school/academy holidays.) A sum equivalent to any pay received by the employee during their training will be deducted from salary.
- 4.26 Time off with pay will be considered to allow employees to attend meetings of other public bodies e.g. School/academy Governing Bodies.
- 4.27 One day with pay (polling day) for employees who are candidates in local government elections.

Medical, Dental or Hospital Appointments

- 4.28 The school/academy will allow paid time off for employees to attend medical, hospital or emergency dental and optical appointments. Employees must provide evidence of the appointment and where possible arrange these appointments outside of working hours.
- 4.29 Where treatment is ongoing, or the employee regularly books the appointment during working hours the Headteacher/Principal has the right to query the arrangements, although it is accepted that some appointments such as hospital appointments may be outside of the employee's control.
- 4.30 Where a hospital appointment lasts all day (for example, for treatment or admittance as a day patient etc) it will be recorded as a medical appointment. This will not count as sickness absence, however, any recovery period as a result of hospital/medical treatment or subsequent days in hospital will be counted as sickness absence.
- 4.31 With regard to regular opticians and dental appointments, these must be arranged outside of working hours. The Headteacher/Principal has the right to refuse paid time off for such appointments.

Occupational Health

- 4.32 Employees who have been referred internally for occupational health and physiotherapy appointments will be allowed to attend in works time and will not be required to book additional leave.

IVF Treatment

- 4.33 Consideration for requests for time off for IVF treatment will be treated as time allowed for a hospital medical appointment. This applies to both male and female employees.

Cosmetic Surgery

- 4.34 Employees requesting leave for cosmetic surgery need to provide evidence that it is deemed necessary for medical reasons. In such cases employees must submit written confirmation from a medically qualified consultant that this is the case, and any related absence will be managed in accordance with the Management of Sickness Absence Policy and Procedure.