

HARLOW FIELDS SCHOOL & COLLEGE



POLICY TITLE:	LEAVE OF ABSENCE POLICY
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COMMITTEE:	FGB
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AUTHOR:	JUNIPER EDUCATION
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Signed by Chair of Governors:	CHAIR OF GOVERNORS ACTION ON 9TH OCTOBER 

Relevant to: Maintained Schools and Academies

Status: Non-statutory

This is a model policy/procedure which reflects legislation, any relevant statutory and non-statutory guidance and best practice. The responsibility for setting policy and procedure resides with the Governing Board/Trust and as such the relevant body must be satisfied that the content of the policy/procedure suits their requirements and should consult their staff/local trade union representatives prior to its formal adoption

DATE: October 2022

LAST EDITION: April 2020

REVIEW: Every 2 years (Recommended)

Updates since last edition

Sections 1-5	Introductory sections reviewed and updated for clarity 3.2 / 4.0 / 5.0 reviewed and updated Procedure - system to be updated by 7:30am
Section 1 - Maternity Support Leave Section 2 - Cancer Screening.	Consider whether you wish to apply a consistent approach for support staff and teachers where terms differ and should amend the policy accordingly - "Time off granted with pay for consistency with other staff terms"

Appendix 1	Removed reference to additional parental leave (replaced by shared parental leave)
Appendix 1 & 3	Re-ordering of provisions
All sections	Reviewed for gender neutral language
Appendix 4	Holiday section updated to confirm entitlements

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INDEX

1. Introduction and Scope	5
2. Procedure for applying for leave of absence	7
3. Notice requirements	7
4. Emergency leave requests	8
5. Considering leave of absence requests	8
6. Appeals	9
7. Unauthorised absence	10
8. Data Protection	10
Appendix 1 Table of family related leave	11
Appendix 2 Table of health related absence	15
Appendix 3 Table of Public service and duties leave	17
Appendix 4 Table of training related leave	20
Appendix 5 Table of other leave	21

1. Introduction

This policy sets out how requests for leave of absence will be managed.

The leave of absence policy balances the needs of the establishment with the interests of individual employees. It is based on the following principles:

- To achieve a high level of attendance and minimise disruption to the operation of the school and additional staffing costs;
- Employees should exercise their best endeavours to minimise absences, including wherever possible arranging non-urgent appointments outside of working time;
- To support employees by recognising that on occasion there may be circumstances where employees need to request time off during term time.

Leave of absence falls into three main categories for the purposes of this policy. The tables in the Appendices attached to this policy detail the types of leave of absence that may be requested and indicate whether the leave of absence is:

- Statutory - where there is a legal entitlement to some leave
- Contractual - where there is an entitlement as part of the employees' terms and conditions
- Discretionary - where there is no entitlement but leave may be agreed after consideration of the circumstances

For statutory and contractual leave, the table sets out the legal/contractual entitlement to leave and whether leave is paid or unpaid.

Where leave of absence is discretionary, a consideration will be made as to:

- Whether to grant the leave
- How much leave to grant
- Whether the leave will be paid or unpaid

2. Scope

The policy applies to all employees.

The Policy covers all absences except sickness which is covered by the Sickness Absence Procedure.

This procedure should be read in conjunction with other policies and procedures covering attendance and health, including the procedures and policies on sickness absence, flexible working and mental health and wellbeing.

School policies can be found on sharepoint

[HFS Policies - Home](#)

3. Roles and Responsibilities

3.1 It is the responsibility of the governing board to:

- Monitor and review policies and procedures which safeguard the health, safety and welfare of staff and ensure they are implemented in a fair and reasonable manner and the operational impact on the school;
- Depute a governor to implement the absence management procedures in the case of the absence of the head teacher; and
- Establish an appeals committee as required.

3.2 It is the responsibility of the head teacher and to:

- Ensure employees are aware of the leave of absence management policy and procedures,
- Implement the leave of absence management procedures fairly, sensitively and confidentially;
- Monitor and regularly review levels of absence and take action as appropriate;
- Approve requests for leave of absences (headteacher & SLT)
- The school is committed to ensuring that all staff are informed about INSET dates in a timely manner.
- These dates will be communicated to all staff well in advance, allowing working parents sufficient time to make any necessary arrangements for alternative childcare.

3.3 It is the responsibility of all staff to:

- Take reasonable measures to minimise their absences;
- Comply and co-operate with the leave of absence management procedure;
- Inform their manager in general terms as soon as reasonably practicable of any significant issues that may impact on their ability to perform their normal duties.
- Staff members who have children attending school are responsible for ensuring they are aware of any INSET days at their child(ren)'s school . It is expected that staff will make the necessary arrangements for alternative childcare on these days. If, for any reason, alternative childcare cannot be arranged, staff should follow the dependency request process outlined below. This process allows staff to formally request time off due to childcare requirements. Please ensure that any requests are made as early as possible to allow for appropriate consideration and planning. We ask all staff to take proactive steps in managing childcare during INSET days to ensure minimal disruption to both their own responsibility and the schools operations.

4. Procedure for applying for leave of absence

For any absences which are not sickness related, employees must follow this policy.

Requests for leave of absence should be submitted by using your Active People HR login.

The employee must give as much information as possible when considering the request and indicate whether they are requesting paid or unpaid leave to assist **headteacher / SLT** in considering the request and making a decision.

Each request will be considered on its own merits in accordance with this policy.

Where an individual's overall attendance causes concern, appropriate action may be taken. This may include exploring flexible working options and/or setting attendance targets.

Failure to follow this policy, unauthorised absences and failure to meet attendance targets where set may result in action under the school's capability or disciplinary procedures.

4.1 Notice requirements

Specific notice periods are mandatory for some types of leave (e.g. maternity, paternity leave) and these are indicated in the leave tables below, together with the reference point for further information.

For all other leave, employees should request leave of absence with as much notice as possible, and in any case in accordance with following timescales.

Length of leave of absence requested	Minimum Notice required
Up to 5 days	1 week
5 days and over	1 month

4.2 Emergency leave requests

Where you are unable to adhere to the notice requirements, this will be classified as “emergency leave” you are still required to complete the Active People HR “Leave of Absence” process.

Dependency Leave:

There are many forms of dependency leave which are covered in this policy, however, the most common is detailed below.

Childcare:

If a member of staff is absent from school and has a child attending the same school, it is essential that the staff member ensures alternative arrangements for the collection of their child(ren).

This is to safeguard both the staff member and the pupils, ensuring that everyone’s well being is prioritized. Staff members must inform the school in advance if their child(ren) will need to be collected by another individual during their absence. The designated collector should be known to school staff, and any changes to these arrangements must be communicated promptly.

The school is committed to ensuring the safety and welfare of all pupils and staff, and this policy aims to ensure that children are collected safely and that any concerns about staff health are addressed appropriately.

Time off to set up alternative care arrangements when a child’s normal carer is suddenly unable to provide care or when normal childcare arrangements are not available is covered under time off for dependents. NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.

In emergency leave circumstances the employee should follow the agreed procedure detailed below:

Procedure:

All staff must update the Active People HR system **by 7.30am** for emergency leave request. The **Headteacher / SLT** will respond to this emergency leave of absence request to ascertain further information and to decide as to whether this leave is to be classified as unpaid or paid. Please note: Dependency leave will be classified as unpaid until the process has been completed.

5. Considering leave of absence requests

The **Headteacher / SLT** will, on receipt of a leave of absence request, consider the request in line with this leave of absence policy, the particular circumstances of the case and any operational requirements of the establishment. They will also take into account any other relevant factors including:

- how many previous requests have been made by the employee and for what reason
- whether any previous requests for absence in the same circumstances have been approved, how many, for how long and whether the leave was paid or unpaid
- how similar requests from other employees have been dealt with
- whether they are setting a precedent for how similar requests will be dealt with in future

The **Headteacher / SLT** will notify the employee by updating the Active People HR system, as soon as possible, of the decision.

If the request is not agreed the employee will be notified that they have the right to appeal against

the decision. The request for leave of absence and a copy the decision will be placed on the employee's personal file.

6. Appeals

Employees have the right to appeal against a refusal to approve a leave of absence request or against a refusal to approve paid leave (where the time off has been granted as unpaid leave). Appeals should be submitted within 5 days of receiving the decision.

Any appeal lodged against a decision relating to a request for leave of absence will be heard by the Headteacher.

The employee and their chosen representative (a representative from a recognised trade union or work colleague) may attend any such appeal meeting to make representation.

The decision of the Headteacher will be final.

7. Unauthorised absence

Employees who take time off work without following the appropriate procedure for requesting leave and/or who take time off without receiving appropriate approval may be subject to disciplinary action in line with the disciplinary procedure.

Employees who take unauthorised absence will not receive payment for such absence other than in exceptional circumstances.

8. Impact on Pension

When a Pension Scheme member has unpaid leave of absence, the period of any such leave will not count towards their Pension.

- Members of the Local Government Pension Scheme can buy back any period of authorised unpaid leave through an Additional Pension Contribution (APC) contract. [LGPS member site](#)
- Members of the Teachers' Pension Scheme can purchase additional pension subject to a minimum amount. [Working Life | Teachers' Pensions](#)

9. Data Protection

When an employee makes a request for leave of absence under this policy, the school will process any personal data collected (including written records of meetings held under this process) in accordance with its data protection and retention policies. Data collected as part of a leave of absence request is held securely and accessed by, and disclosed to, individuals only for the purposes of processing leave of absence requests.

10. Equality, Diversity and Inclusion

These procedures will be operated in an inclusive manner. While some terminology is replicated from statute and/or national terms and conditions, relevant provisions will be interpreted as being sex and gender neutral where appropriate.

Appendix 1 Table of family related leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Adoption Leave	<p>Subject to meeting the relevant qualifying conditions and notice requirements employees who have been newly matched with a child for adoption by an approved adoption agency and who will be the primary adopter are entitled to 26 weeks ordinary adoption leave followed by up to 26 weeks additional adoption leave. The secondary adopter may be entitled to paternity leave and/or shared parental leave.</p> <p>The employer and employee can also agree to up to a maximum of 10 days paid 'keeping in touch' days during the period of adoption leave for the primary adopter.</p> <p>Employees who are local authority foster parents and also approved as prospective adopters and who have a child placed with them in a "foster to adopt" situation will be entitled to adoption leave if they are the primary adopter.</p> <p>Employees who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation may be entitled to adoption leave (primary adopter) and/or paternity/shared parental leave (secondary adopter) subject to meeting the eligibility criteria.</p>	<p>Statutory.</p> <p>Mandatory notice requirements apply.</p>	<p>Statutory - paid/unpaid subject to qualifying conditions.</p> <p>Eligible employees may also be entitled to contractual adoption pay.</p>
Pre-Adoption Meetings	<p>Adopters have a statutory right to time off to attend pre-adoption meetings. The purpose of the request for time off must be to meet with a child/children matched for adoption with the employee or for another purpose connected to the adoption.</p> <p>The entitlement is to paid time off to attend up to five meetings for the 'primary' adopter. The 'secondary' adopter is entitled to unpaid time off to attend up to two meetings. Employees are encouraged to arrange appointments outside their working hours wherever possible.</p> <p>There is no statutory right to further pre-adoption leave but requests may be considered on a discretionary basis.</p>	<p>Statutory – time off should not exceed 6.5 hours per appointment.</p>	<p>Statutory paid (primary adopter)/unpaid (secondary adopter)</p> <p>Pay is discretionary if any further leave is approved.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Ante-natal Care (for pregnant employees)	All pregnant employees have a statutory right to reasonable paid time off work for ante-natal care but are encouraged to arrange appointments outside of their working hours wherever possible. Antenatal care may include relaxation and parent-craft classes if they have been recommended by a doctor or midwife.	Statutory – reasonable time off	Statutory – paid
Ante-natal Care (requests for time off made by fathers to be/ partners and nominated carers)	<p>All employees in a qualifying relationship with a pregnant employee or their expected child (including spouse, civil partner and person in a long-term relationship with the pregnant employee) are entitled to take time off during their working hours in order to accompany the pregnant employee to two ante-natal appointments. The appointments must be made on the advice of a registered medical practitioner, midwife or registered nurse.</p> <p>Employees who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation have the right to unpaid time off work to accompany the pregnant person to up to two antenatal appointments.</p> <p>Any time off requested to attend further ante-natal appointments will be at the discretion of the employer.</p>	Statutory – two appointments not exceeding 6.5 hours per appointment	<p>Statutory – unpaid</p> <p>Pay is discretionary</p>
Parent craft and routine antenatal classes	Requests to attend parent craft classes or routine antenatal classes which have not been specifically recommended by a doctor or midwife (see ante-natal care above) and which cannot be arranged for outside normal working hours may be considered at the discretion of the employer.	Time off is discretionary	Pay is discretionary
Bereavement leave/Time off to attend funerals	<p>Parental Bereavement Leave is available for eligible parents.</p> <p>Requests for time off due to bereavement / to attend a funeral in other circumstances will be considered on a discretionary basis.</p> <p>NB: "time off in consequence of death of dependant" to make necessary arrangements is covered by time off for dependants leave.</p>	<p>1-2 weeks within 56 weeks of child's death</p> <p>Time off is discretionary</p> <p>Statutory – reasonable time off</p>	<p>Statutory pay subject to qualifying service and earnings</p> <p>Pay is discretionary</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid/ Unpaid
Childcare (time off to make alternative childcare arrangements)	<p>Time off to set up alternative care arrangements when a child's normal carer is suddenly unable to provide care or when normal childcare arrangements are not available is covered under time off for dependants.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – reasonable time off to deal with the emergency</p> <p>Any time off beyond immediate crisis -discretionary</p>	<p>Pay is discretionary</p> <p>Pay is discretionary</p>
Time off for Dependants	<p>Employees have a statutory right to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer-term arrangements. The emergency must involve a dependant of the employee.</p> <p>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.</p> <p>It also includes someone for whom the employee is the main carer. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – there is no set period and the length of leave authorised will depend on individual circumstances and leave for this reason may be offered in addition to other discretionary leave.</p>	<p>Pay is discretionary</p>
Domestic crisis / damage to property	<p>In exceptional circumstances it may be necessary and unavoidable for an employee to request leave to deal with a domestic crisis (which may include serious damage or disruption to property).</p>	<p>Time off is discretionary</p>	<p>Pay is discretionary</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Elder Care	<p>Requests for time off to deal with unexpected emergencies to care for an elderly person who is an immediate family member or other elder dependant cared for by the employee is covered under time off for dependants.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – reasonable time off</p> <p>Any time off beyond immediate crisis -discretionary</p>	<p>Pay is discretionary</p> <p>Pay is discretionary</p>
Fertility Treatment	Each request will be considered individually in the context of the particular circumstances.	Time off is discretionary	Pay is discretionary
Foster Care	<p>Requests for leave by foster carers to attend meetings and/or attend training commitments may be considered on a discretionary basis.</p> <p>Foster carers who are also approved as prospective adopters may be entitled to adoption leave (and to attend pre-adoption meetings), if they have a child placed with them in a “foster to adopt” situation and they will be the primary adopter.</p>	<p>Time off is discretionary</p> <p>Statutory – subject to meeting the qualifying conditions.</p>	<p>Pay is discretionary</p> <p>Statutory - paid/unpaid subject to qualifying conditions.</p> <p>Eligible employees may also be entitled to contractual adoption pay</p>
Graduation of child/partner	Requests for leave to attend the graduation ceremony of a child/partner will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary
Maternity Leave	<p>Subject to meeting the relevant qualifying conditions and notice requirements pregnant employees are entitled to 26 weeks ordinary maternity leave followed by up to 26 weeks additional maternity leave.</p> <p>The employer and employee can also agree to up to a maximum of 10 days paid 'keeping in touch' days during the period of absence.</p>	<p>Statutory.</p> <p>Mandatory notice requirements apply.</p>	<p>Statutory - paid/unpaid subject to qualifying conditions</p> <p>Eligible employees may also be entitled to contractual maternity pay.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Maternity Support Leave (support staff on LG conditions) See also Paternity Leave	Maternity support leave of 5 days shall be granted to the child's father or the partner or nominated carer of an expectant person at or around the time of birth.	5 days – mandatory for staff on Local Government conditions of service	Pay is mandatory due to Local Government conditions of service
Maternity Support Leave (teaching staff and other staff not on LG conditions) See also Paternity Leave	There is no entitlement to maternity support leave for teaching staff although requests for leave from the child's father or the partner or nominated carer of an expectant person at or around the time of birth may be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary
Parental Leave	The right to parental leave entitles all eligible employees who have completed one year's qualifying service to take a period of unpaid leave to care for each child under 18 years of age. Parental leave is for parents, adoptive parents and guardians to care for their children. Parental leave must normally be taken in blocks of one week and a maximum of 4 weeks is permitted per year unless the employer agrees to more.	Statutory - 18 weeks in total for each eligible child. Mandatory notice requirements apply.	Statutory – unpaid
Paternity Leave (Included in Maternity Support leave where eligible)	Paternity leave is available to a person whose partner is having a baby, adopting a child or having a baby through a surrogacy arrange.	Statutory – one or two consecutive weeks leave for each pregnancy or adoption (Statutory paid (2 weeks SPP or 1st week full pay if eligible for Maternity Support Leave 2nd week SPP)
Shared Parental Leave (SPL)	Subject to meeting relevant qualification criteria and notice requirements, those with shared responsibility for a child at birth or date of placement in the case of adoption may be eligible to take SPL. SPL is available where one partner is entitled to maternity/adoption leave and brings this to an end early. The remaining period can then be shared between the partners. SPL may only be taken during the year following birth/adoption placement.	Statutory – maximum of 50 weeks leave (less any period of maternity/adoption leave already taken) may be used as shared parental leave, subject to meeting eligibility criteria	Statutory – paid/unpaid subject to qualifying conditions

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Surrogacy	<p>An employee acting as surrogate is entitled to maternity leave subject to meeting the eligibility criteria.</p> <p>An employee taking parental responsibility for a child born by a surrogate is not entitled to maternity leave but may be entitled to adoption leave and/or shared parental leave subject to meeting the eligibility criteria.</p> <p>Employees who are intended parents by virtue of a surrogacy arrangement are entitled to unpaid time off to attend up to 2 ante-natal appointments of the surrogate not exceeding 6.5 hours per appointment (see ante-natal care above).</p>	<p>Statutory subject to meeting eligibility criteria</p> <p>Statutory subject to meeting eligibility criteria</p> <p>Statutory</p>	<p>Statutory - paid/unpaid subject to qualifying conditions</p> <p>Statutory - paid/unpaid subject to qualifying conditions</p> <p>Statutory - unpaid</p>

Appendix 2 Table of health-related absence

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Blood Donors	Subject to operational requirements employees may request reasonable time off on a discretionary basis.	Time off is discretionary	Pay is discretionary
Cancer Screening	For routine cancer screening (for example cervical cancer screening and breast examinations) employees should make all reasonable efforts to arrange appointments outside working time. Where this is not possible, or where the screening is non-routine, leave of absence will be granted for the purpose of attending such appointments.	Time off as and when – mandatory due to conditions of service for support staff (Green Book) Time off is discretionary for teachers.	Paid – mandatory due to conditions of service for support staff Pay is discretionary for teachers
Dental Treatment	For all routine dental appointments, employees should make all reasonable efforts to arrange appointments outside working time. If emergency or urgent treatment is required employees may request leave during the normal working day and such requests will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary
Elective surgery that is not medically necessary / recommended	Employees who wish to undergo elective surgery that is not medically necessary / recommended should arrange such surgery (and any pre/post operation appointments) during school closure periods/periods of annual leave. They should ensure that they have enough time to recover before the start of term/end of period of annual leave. Leave of absence will not normally be granted although requests will be considered on a case-by-case basis. If, following elective surgery that is not medically necessary / recommended, the employee becomes medically unfit as a result of the surgery sickness absence provisions will apply.	Time off is discretionary Sickness absence in line with normal entitlements	Pay is discretionary Statutory and contractual sick pay entitlement will be payable where eligible.

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Elective surgery that is medically necessary / recommended	Where the elective surgery is medically necessary / recommended normal sickness provisions will apply. Employees may be asked to provide evidence that the surgery is necessary / recommended.	Sickness absence in line with normal entitlements	Statutory and contractual sick pay entitlement will be payable
Medical appointments and treatment	All routine medical appointments and treatment should be arranged for outside the employee's normal working hours. If an emergency appointment or urgent treatment is required employees may request leave during the normal working day and such requests will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary

Appendix 3 Table of Public service and duties leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Court / Employment Tribunal Appearances	Employees who are required to attend court as a witness, juror or because they are pursuing a claim or are the subject of criminal proceedings must notify the school as soon as they receive the hearing date or a witness summons.	Time off is discretionary (except where a witness summons is produced by the employee when they must be released)	Pay is discretionary
Jury Service	All employees must be allowed to take time off for jury service. Under national conditions of service employees are entitled to receive paid leave of absence for jury service.	Statutory right to leave for the duration of jury service	Contractual - paid.
Public bodies (service on) and public duties	<p>Justices of the Peace/Magistrates</p> <p>Members of a local authority/local councillors</p> <p>Members of a statutory tribunal e.g. an Employment Tribunal</p> <p>Members of a relevant health body/authority for example health trusts</p> <p>Members of a relevant education authority for example Maintained school or college Governing Body (i.e. School Governors) (n.b School Governors at Academies are not currently included in this right)</p> <p>Members of the prison Independent monitoring boards</p> <p>Members of a panel of lay observers who monitor conditions for prisoners under escort and in court custody</p> <p>Members of Teaching Regulation Agency</p> <p>Members of the Environment Agency</p> <p>Members of Visiting Committees for the immigration detention estate</p> <p>Members of Visiting Committees appointed to monitor short-term immigration holding facilities</p>	<p>Statutory right to a "reasonable" amount of time off, to be agreed between the employee and employer beforehand.</p> <p>The amount of time that may be considered reasonable should be based on:</p> <ul style="list-style-type: none"> • How long the duties might take • The amount of time the employee has already had off for public duties • How the time off will affect the school/organisation <p>Employers may refuse time off if they consider it is unreasonable</p>	<p>Contractual Paid leave.</p> <p>Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the employing school.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Reservists – time off for training	<p>Volunteer reservists (e.g. members of the Territorial Army) may request time off to carry out training. There is no statutory entitlement to time off for training. Employers may consider such requests on a discretionary basis.</p> <p>N.b Reservists who are mobilised must be given time off, unless their employer believes their absence would cause serious harm to their organisation.</p> <p>In these circumstances, employers have the right to seek exemption from it, or to defer or revoke the mobilisation.</p> <p>Employers may be eligible to claim expenses in respect of additional costs incurred whilst replacing a reservist (to a maximum of £110 per day). Employers may also be able to receive a payment of up to £500 per month for each full month a reservist is absent from work (pro-rated for parts of month and part time workers).</p>	Time off is discretionary	Pay is discretionary
Trade Union Representatives – requests for time off to act as a companion to another employee attending a disciplinary or grievance	Trade Union representatives have a statutory right to take a reasonable amount of paid time off to accompany a worker at a disciplinary or grievance hearing so long as they have been certified by their union as being capable of acting as a worker's companion. The right to time off only applies where the person being accompanied is employed by the same employer as the certified companion.	Statutory – "reasonable" time off	Statutory – paid
Trade Union Activities	<p>Employees who are members of an independent trade union recognised by the employer in respect of that description of employee are to be permitted reasonable time off during working hours to take part in any trade union activities.</p> <p>Activities include (but are not limited to) actions taken by members in relation to their union, for example voting in elections, meeting with union representatives and attending workplace meetings.</p>	Statutory – "reasonable" time off to carry out their activities according to the agreements reached between the employer and the appropriate trade union.	<p>There is no statutory right to payment for time off to carry out trade union activities.</p> <p>Any payment for time off to carry out Trade Union activities is at the discretion of the employer.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Trade Union Duties	<p>Employees who are elected union representatives of an independent trade union recognised by their employer for collective bargaining purposes are entitled to reasonable time off during working hours to carry out certain trade union duties.</p> <p>Duties are tasks undertaken by union representatives on behalf of the members, for example negotiating with the employer or organising elections.</p> <p>These duties must be on behalf of employees of the employer to be covered by the statutory right to paid time off.</p>	<p>Statutory entitlement to "reasonable" time off to carry out trade union duties.</p> <p>When considering what is reasonable, employers need to balance the right that the union representatives have to conduct their duties with the need for the efficient running of the school.</p>	Statutory – paid
Trade Union Learning Representatives	<p>Employees who are members of an independent trade union recognised by the employer can take reasonable time off to undertake the duties of a Union Learning representative, provided that the union has given the employer notice in writing that the employee is a learning representative of the trade union and the training condition is met.</p> <p>Union members are also entitled to reasonable time off for accessing the services of union learning representatives.</p>	<p>Statutory – "reasonable" time off to carry out their duties/undergo training relevant to their functions as a Union Learning Representative.</p>	Statutory – paid

Appendix 4 Table of training related leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Time off to Train	<p>All employees who have worked for their employer for at least 26 weeks and whose employer has 250 employees or more (this right therefore applies to employees at Community and Voluntary Controlled schools where the employer is the Local Authority) have the right to request time off to undertake training which they believe will improve their effectiveness in their role and overall performance of the school/academy.</p> <p>Only one request may be made in any 12-month period.</p>	Discretionary - depends on the course requirements and operational needs of the school	Pay is discretionary – depends on the course and its benefits to the individual and the school
Study Leave and Examinations	<p>Leave may be requested for periods of study to prepare for examinations. The employee must notify the Headteacher /Principal as soon as possible of dates and reasons for leave.</p>	Time off to study for exams is discretionary	Pay is discretionary

Appendix 5 Table of other leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Examination Board duties (release of teachers)	Request from teachers for leave of absence to carry out duties/activities connected with Examining Groups/Boards will be considered on a discretionary basis	Discretionary	Pay is discretionary
Holiday	<p>All employees are entitled a minimum of 5.6 weeks statutory leave pro-rated for part-time hours. Employees may have a contractual leave entitlement which exceeds the statutory entitlement and this will be set out in the contract to employment.</p> <p>For those employees working less than 52.14 weeks, annual leave is deemed to be taken during the closure periods. Requests for time off to go on holiday in term time will not normally be granted.</p> <p>For employees who work 52.14 weeks it is normally expected that annual leave will be taken during school closure periods. All requests for annual leave should be made in line with school procedure and appropriate notice must be given.</p>	Statutory/Contractual	Statutory/Contractual paid leave
Job-seeking and retraining in a redundancy situation	<p>An employee who is under notice of redundancy (and who has been continuously employed for 2 years by the date their notice period ends) can request reasonable time off with pay to look for another job or to arrange training.</p> <p>N.B The Redundancy Policy gives the right to reasonable time off for interviews to staff at risk of redundancy</p>	<p>Statutory – reasonable time</p> <p>Contractual (if adopted model redundancy policy)</p>	<p>Statutory – paid (n.b regardless of how much time off an employee takes for job hunting in any week, employers are only required to pay up to 40% of that week's pay.)</p> <p>Discretionary</p>
Interviews	If an employee not at risk of redundancy requests time off to attend an interview, this will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Moving house	Employees should make all efforts to move house outside of their normal working hours. Where this is not possible or where an employee is moving to take up their post at the school/academy, sympathetic consideration will be given to considering a leave of absence request.	Time off is discretionary	Pay is discretionary
Religious observance	<p>The employer recognises the importance of religious observance and will attempt to accommodate the needs of the employee, including for example, time away from work during the day for prayer or to accommodate periods of fasting.</p> <p>Employees whose religious duties are not covered by weekends or the current statutory bank holidays may request time off for religious festivals.</p>	Time off is discretionary	Pay is discretionary
Weather – severe conditions	<p>Where severe weather conditions prevail, employees are expected to make every effort to attend work, using alternative modes of transport where necessary.</p> <p>Where an employee, arrives at work late and/or has to leave work early as a result of the conditions, this will normally be treated as a normal full working day (unless otherwise notified).</p> <p>Employees who are genuinely unable to attend work should wherever possible, and with the agreement of the school, work from home or request leave of absence which will be considered on a discretionary basis.</p>	Time off is discretionary	Pay is discretionary