

## **PERSONAL LEAVE POLICY**

The management of the school accepts that from time to time staff will need leave of absence for personal reasons or to undertake official duties not related to their work. The governors have delegated responsibility for decisions on this discretionary leave of absence to the Headteacher.

The Headteacher will decide whether the request for leave falls in the compassionate (and therefore paid) leave or the unpaid leave group. This policy is intended to inform staff of the general rules that apply to leave of absence, ensure that applications are properly managed and that necessary steps are taken to maintain an appropriate level of staffing to deliver education in the school. There will always remain some discretion on the part of the headteacher so that the school can respond in a sensitive and supportive manner to a range of different circumstances. In agreeing any absence the school would take into account the needs of the school, any previous requests for leave of absence and the circumstances surrounding the application.

The following guidelines offer information on what would normally be approved.

## **PARENTAL LEAVE**

Statutory entitlement to unpaid leave for both parents including adoptive parents (pro-rata for part-time staff)

An employee must have at least one years continuous service with KCC and is

- Parent of child born after 15 December 1999 who is under 5 years old (includes child's 5 birthday)
- Has adopted a child under the age of 18 (the right lasts for 5 years from the date on which the child is placed for adoption, or until and including the child's 18 birthday whichever is sooner)
- Has acquired formal parental responsibility for a child born after 15 December 1999 who is under 5 years old, ie guardian. (includes child's 5 birthday)

Up to 13 weeks unpaid leave per child can be taken, subject to an employee meeting the criteria above: for part time employees the entitlement will be pro-rata. The right to unpaid leave under this scheme lasts for 5 years and can be taken up to the child's 5 birthday (18 birthday of the child if adopted). Unpaid leave can be taken in blocks of one week up to 13 weeks in total subject to:

- A minimum of one week ( any period less than a week will be counted as one week) unless the child is disabled (in receipt of Disability Living Allowance) when there is flexibility to take leave a day at a time
- A maximum of 4 weeks in any one year
- Providing a minimum of 15 working days notice of their request to take parental leave
- A written reply from the Headteacher (given within 7 days)
- Meeting the requirements of the entitlement

The request for parental leave can be postponed by the Headteacher where the absence would be detrimental to maintaining the operation of the school except where leave is to commence immediately after the child is born or placed for adoption. Such postponement can be extended by up to six months. Written reasons will be provided.

All leave of absence applications (either paid or unpaid) have to be written and applied for via the personal leave proforma in the staff black file.

## **COMPASSIONATE/SPECIAL LEAVE**

Leave of absence with pay (up to 10 days per year)

- Attendance at training courses
- Professional conferences

- Work as a Health and safety representative
- Ante-natal visits
- Paternity leave
- Emergency medical appointments
- Consultant medical appointments
- Interviews
- Removal of house
- Serious illness of spouse/partner, child, father or mother
- Death of mother, father, spouse/partner or child
- Funeral of husband, wife, partner, child, mother, father, brother or sister, father or mother in law
- Consultant medical appointments for dependents.

#### **LEAVE OF ABSENCE WITHOUT PAY**

- House removal upon leaving school (school holidays/weekends/post resignation)
- Visit to doctors, dentists, optician which cannot be arranged outside school hours
- Funeral of other than near relative
- Child's graduation or prize giving
- Work as a governor of a school

#### **TIME OFF FOR DEPENDANTS**

There is a statutory right for employees to take a reasonable period of time off work to deal with a family emergency involving a dependant, which relies on the employee for assistance. There is no qualifying period and the leave is unpaid. There is no limit to the amount of leave and each case will be considered on its own merits in a sensitive and practical way with due regard to the circumstances. As a guide the leave will be sufficient to help the employee deal with the unexpected or sudden problem and make any longer term arrangements. Examples would be:

- If a dependant suddenly falls ill, is injured or assaulted, or gives birth
- The death of a dependant or someone close to the employee
- If a child is involved in a serious incident at school or during school hours
- A sudden breakdown in care arrangements for a dependant
- Dealing with a crisis relating to a family member requiring immediate attendance

It may be appropriate in some instances to offer paid compassionate leave or award a combination of paid and unpaid leave.

There may be occasions when it may not be considered appropriate to award paid or unpaid leave in circumstances where the employee can reasonably be expected to make alternative plans or arrangements which may therefore not require their assistance, or where the arrangements can be undertaken outside of term time.

#### **LEAVE OF ABSENCE FOR EXTRANEIOUS DUTIES**

Reasonable leave of absence with full salary can be granted to enable employees to undertake extraneous duties subject to the needs of the school. The governors will normally meet the salary costs (where there is no reimbursement from another source to the employee) of a member of staff for up to 18 days in any one academic year to enable them to attend to their duties in the following capacities;

- Justice of the peace
- Members of the Local Authority or members of any committee or sub committee thereof
- Persons appointed or nominated by a Government Minister, Association of Local Authorities or a local Authority to serve on a committee, Tribunal or Panel

- Approved Trade Union Duties
- Chairman or vice-chairman of a school governing body
- Subpoenaed witnesses and jurors
- Service in non-regular forces

### **LEAVE FOR RELIGIOUS OBSERVANCE**

Unpaid leave will usually be granted for time off to observe a religious festival or event.

All application for leave of absence for reasons other than personal illnesses, whether with or without pay, should be made in writing (via the personal leave form) to the Headteacher, giving as much notice as possible. The Headteacher will reach a decision and confirm it in writing. The Headteacher's decision will be final.

### **EQUALITY, SAFEGUARDING AND EQUAL OPPORTUNITIES STATEMENT**

St Nicholas School, in all policies and procedures, will promote equality of opportunity for students and staff from all social, cultural and economic backgrounds and ensure freedom from discrimination on the basis of membership of any group, including gender, sexual orientation, family circumstances, ethnic or national origin, disability (physical or mental), religious or political beliefs.

St Nicholas School aims to:

- Provide equal opportunity for all
- To foster good relations, and create effective partnership with all sections of the community
- To take no action which discriminates unlawfully in service delivery, commissioning and employment
- To provide an environment free from fear and discrimination, where diversity, respect and dignity are valued.

All aspects of Safeguarding will be embedded into the life of the school and be adhered to and be the responsibility of all staff.

### **LINKS TO OTHER POLICIES**

Pay Policy Staff Absence Health and Safety
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ANGELA PIKE REVIEWED TERM 3 2017
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