



## Introduction

This document seeks to put in place a policy and recommended procedure for staff leave of absence at Kelsey Primary School.

## Linked Policies

This policy should be read in conjunction with the following policies:

- Whilst no policies are directly relevant to this, it is important to consider:
  - The current and projected financial position of the school.
  - The staffing required to safely and sustainably operate the school.

## Aims

The staff leave of absence policy is designed to:

- Provide a rationale for possible leave of absence at Kelsey Primary School.
- Put in place a procedure to follow in the event a member of staff requests a leave of absence.
- Ensure the process is as fair and transparent as possible.

## Statement of intent

- At Kelsey Primary School we value the commitment of all our staff members. The Governing Body recognises that the success of our school depends on the contributions of all staff and that staff morale is an important factor.
- The Governing Body will observe all its statutory obligations (see appendix 1) and all other requests will be taken on an individual basis.
- As a state run organisation, we are required to strive for value for money and to guide both the Governing Body and the school staff; there are extensive terms for pay and conditions.
- Both of these areas must be considered when any decisions regarding leave are made.
- It is potentially difficult to produce a policy for leave in exceptional circumstances. The school and the Governing Body wish to support school staff in 'exceptional circumstances' but guidelines for a procedure and how it can be best applied are needed to promote fairness and transparency.
- The Governing Body delegates decisions about leave in an emergency situation or an urgent situation, to the head teacher. The head teacher will endeavour to respond to the situation with both sensitivity and promptness.
- The Governing Body trusts the staff member's discretion to deem if it is an emergency/urgent situation.

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- When a request is made for non-urgent leave, the member of staff will be asked to complete a request form (see appendix 2), as soon as they are aware that the leave is required.
- Time allowing, the request will be considered by the Finance and Resources Committee, which convenes five times a year and a written response sent to the member of staff as soon as possible after the meeting (sample letter appendix 3).
- When considering the request the head teacher and Finance and Resources Committee will use the guidelines in appendix 4.
- If a staff member is unhappy with a decision made by either the head teacher or the Finance and Resources Committee they have a right to appeal. The matter would be considered by an appeals committee of the Governing Body.
- The head teacher will keep a record of all leave granted and request forms will be in the public domain unless the staff member wishes it not to be (tick option on request form).
- The special leave year commences on 1st September each year.

### Appendix 1

#### Statutory obligations of the Governing Body

##### Broadly these are:

- Time off for trade union duties in accordance with provisions in Section 61 and 62 of the Employment Rights Act 1996.
- Time off with pay for safety representatives, appointed/elected by recognised trade unions both to carry out safety functions and to undergo relevant training.
- Paid time off for ante-natal care under section 55 of the Employment Rights Act 1996, as part of the provisions for maternity leave.
- Unpaid time off for parental leave, dependants and domestic emergencies.

##### Good practice:

- Leave of absence for the purpose of revision immediately prior to an examination for a recognised qualification or leave of absence for the day(s) on which the examination takes place (max. amount would normally be no more than 3 days per 2 academic years).

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:

- A Justice of the Peace
- A Member of the Magistrates Courts Committee
- A Member of a Family Practitioner Committee
- A Member of a Local Authority (Inc. Teacher Representative)
- Such other public duties as are referred to in of the Employment Rights Act 1996.
- 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.

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For a full-time employee carrying out the above activities, a reasonable amount of time off will be a maximum of 12 days or the equivalent in part days each year. Time off for staff that work part-time would be calculated proportionately to the 12 days by reference to the working hours and working weeks.

In granting a number of days leave of absence to an employee the head teacher requires that the employee, wherever possible, will draw up a schedule of days, as far in advance as possible, in consultation with the head teacher.

In the case of the head teacher seeking time off, consultation will be with the Chair of Governors.

In the event that the employee requests so much time off for public duties and activities that in the opinion of the head teacher and the personnel committee (or Chair of Governors in the case of the head teacher) the operational effectiveness of the school suffers the head teacher (or Chair of Governors) will discuss the need to reduce the amount of time off or make some alternative arrangements with the employee, together with his/her trade union official if requested.

In the event that the matter is not resolved it will be referred to appeals committee whose decision is final.

Service in Non-Regular Forces - Paid leave of absence will not normally be granted for Summer Camp. Additional leave of absence may be granted without pay where there are exceptional circumstances.

Members of the Territorial Army or other reserve forces who are required to undertake training additional to attendance at summer camp and who are unable to arrange for such training to be on days when they would normally not be working will be granted up to 6 days unpaid leave of absence.

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## Appendix 2 Request form for leave of absence

<b>Name:</b>
<b>Date:</b>
<b>Role in school:</b>
<b>Absence with pay/absence without pay (please delete as appropriate)</b>
<b>Reason for Request:</b>
<b>Date(s) for leave;</b> From: To: Total number of days:
<b>Additional relevant comments:</b>
<b>Signed and dated:</b>

Please tick the box if you do not wish this request to be in the public domain

Appendix 3



Dear

The Finance and Resources committee met last week and considered your request for leave of absence. After a discussion and using the school policy for Leave of Absence, we have decided **to / not to** grant your request.

**We have** granted your request on the following grounds / **We have turned down** your request on the following grounds –

1. \*\*\*\*\*
2. \*\*\*\*\*

If you wish to appeal this decision please put your appeal in writing for the attention of the Clerk to the Governing Body who will convene an appeals panel.

Yours sincerely,

Chair of the Finance and Resources Committee

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### Appendix 4

#### Guidelines to support decision-making

- This is a non-exhaustive list. Its purpose is to guide the head teacher and governing body when making decisions about leave.

Reason	Days per annum	Paid or un-paid
Death (including the funeral) of a significant other. <b>‘Significant other’</b> is defined as a person, such as a family member or close friend, who is important or influential in the staff member’s life.	Period reasonably necessary	Paid
Illness or injury of a significant other giving rise to serious domestic difficulties	Period reasonably necessary	Paid
Moving house	Period reasonably necessary (not normally more than 1 day)	Paid
Interviews for posts in the education service (This does not apply where the employee is redundant or a fixed term contract is not renewed)	Period reasonably necessary (not normally more than 2 days)	Paid
Representing the school in any capacity with approval	Unlimited	Paid
Attendance as witness either on subpoena or other direction from a court or at the direction of the police, or voluntary attendance at an inquest as witness.	Period of attendance necessary	Paid
Accepted impossible travel because of weather or other public crisis.	Period reasonably necessary (not normally more than 3 days)	Paid
Any personal reason other than those above which, reasonably, could not have been scheduled for a non-working day or time or within school holidays	period reasonably necessary (not normally more than 3 days)	Paid or unpaid

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### Policy Information:

**Date adopted by the governing body:** December 2016  
**Policy Written by:** Magnus Smedley (Headteacher)  
**Policy Review Date:** March 2021

**Signed:**

**Chair of governors:**

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**Headteacher:**

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