

Leave of Absence Policy for Teachers Based in Schools/Colleges and other Establishments

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For ease of reference, the term ‘headteacher’ is used to cover headteachers, principals and managers and the term ‘school’ is used to apply to schools, colleges and other services covered by this policy.

1. Purpose

This policy sets out the circumstances in which teachers will be granted paid or unpaid leave of absence during term time. It aims to promote a fair, reasonable, non-discriminatory and consistent approach to granting such leave, recognising that there are occasions where discretion and flexibility need to be exercised.

The policy recognises that teachers do not have the discretion to take annual leave, and so provides for leave of absence in certain circumstances where other employees would be expected to use annual leave, such as to attend functions of significance to their family members or when moving house.

2. Scope

This policy is recommended to governing bodies for adoption in schools for teachers in all LA establishments. It also applies to teachers employed to work in any centrally-managed service.

3. Legislative Framework

The Education (Teachers) Regulations 1993, as amended by the Education (Teachers) (Amendment) (No 2) Regulations 1997, contain provisions specific to teachers.

In addition, a range of general legislation provides the right to time off for certain reasons, such as the Employment Relations Act 2004, Employment Rights Act 1996 and the Work and Families Act 2006.

This policy differentiates between leave of absence governed by statute and that over which some discretion may be exercised.

4. Authorisation of Leave of Absence

In schools with delegated budgets, the authority to grant leave (with or without pay) rests with governors. However, headteachers have delegated powers to manage this policy. Leave for headteachers should be authorised by Chairs of Governors.

5. Reasons for, and amounts of, leave of absence

Appendix 2 sets out the reasons for which paid or unpaid leave of absence will be granted, the recommended maximum number of days per year, funding arrangements and further guidance.

6. Exercise of discretion

When considering non-statutory requests for leave of absence, headteachers should have regard for fairness and consistency within the context of:

- The operational needs of the school including continuity of educational provision and health and safety;
- Budgetary implications
- The individual needs of the teacher concerned;
- The length of time requested;
- The amount of notice given.

Where permission has been granted, pay should not normally be deducted where the school does not incur costs and is not specifically identified on **Appendix 2** in the policy.

Teachers may ask for written reasons why a request has been declined or partly awarded.

7. Requests for, and recording of, leave of absence

Requests for leave of absence should be made, giving as much notice as possible, by letter (stating the reason for the request and the relevant date(s)) or completion of a request for leave of absence form. A sample form that governing bodies may wish to adopt is at **Appendix 1**. Advance requests obviously cannot be made in the case of domestic emergencies, but teachers should notify the school as soon as possible of the reason for their absence and either complete a request form or provide a letter on their return to work.

Headteachers should retain accurate written records of leave requested, granted and not granted for reference purposes and for scrutiny by governors.

8. Time off for Medical Visits, Health Screening and Amica Counselling

Teachers are expected to request medical appointments, e.g. doctor, hospital, dentist, health screening, counselling, outside normal working hours wherever possible and to attend work before/after visits where appropriate. However, it is recognised that hospital appointments are generally outside the individual's control and so greater flexibility and sensitivity should be exercised by headteachers in such cases.

Optician appointments must **always** be made outside working hours, **except** where the council's scheme for regular DSE use applies and in exceptional situations, e.g. emergencies or where the teacher's optical condition constitutes a disability (for example, retinopathy appointments).

With the exception of emergencies, prior permission to attend appointments during working hours must be sought. Where a series of visits is anticipated, the timing and frequency should be discussed in advance with the headteacher so that arrangements can be made both to assist the employee to attend and to minimise the impact on service delivery.

9. Donation of Blood or Plasma

Employees wishing to donate blood or plasma will be allowed to do so during normal working hours. Prior permission for absence should be obtained in the same way as for medical visits

10. Right of appeal

Any right of appeal against a decision not to grant leave would be to the Governors' Appeal Committee.

11. Policy abuse

Any leave taken under this policy must be used only for the purpose for which it was requested. Failure to comply with any aspect of the policy may be dealt with under the disciplinary policy and could result in disciplinary action, up to and including dismissal.

12. Policy Review

This Policy was ratified at Teachers` Negotiating Committee (TNC) in June 2014. It will be subject to review in line with relevant legislation and emerging good practice, with the involvement of relevant Trade Unions/Professional Associations.

LEAVE OF ABSENCE REQUEST FORM

Name:	Employee Number:
Number of working days/hours requested:	
Date(s) requested: From.....to.....	
<u>TYPE OF REQUEST</u> Emergency/Domestic Leave <input type="checkbox"/> Other Leave <input type="checkbox"/>	
Reason for request	

Signed:.....

Date:.....

FOR HEADTEACHER/GOVERNOR USE:

No of days/hours approved: With pay: Without pay
Reason(s) if request partially approved/not approved
Reason(s) if request approved without pay

Signed:.....

Date:.....

Once completed, this form should be retained by the school and a copy returned to the Teacher for their records