

Authorised Leave Policy

OUR TRUST PRAYER

Heavenly Father,
Let peace, friendship and love grow in our schools.
Send the Holy Spirit to give
excellence to our learning,
love to our actions and
joy to our worship.
Guide us to help others,
so that we may all
Learn, Love and Achieve, Together with Jesus.
Amen

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1. Purpose

- 1.1 The Liverpool Diocesan Schools Trust (the 'Trust') recognises that its employees have a life outside of work as individuals, and as part of their family and the wider community, and this sometimes unavoidably places demands on an employee during normal working hours. This policy aims to support employees in such circumstances however, it must be remembered that providing a high quality education to pupils is our over-riding priority and all requests for authorised leave of absence will be considered in this context.
- 1.2 This policy sets out the approach to be adopted to deal with requests for time off from work, and the circumstances in which paid leave and unpaid leave may be granted.
- 1.3 It aims to ensure fairness and consistency in the way in which requests are dealt with across the Trust, whilst recognising that circumstances will vary between schools.
- 1.4 The Trust is committed to having an open dialogue with employees in connection with any requests for authorised leave.

2 Applicability

- 2.1 This procedure applies to all employees working for the Liverpool Diocesan Schools Trust, including permanent, fixed term, full time and part time employees.
- 2.2 Teachers and term time only support staff have contracts of employment which provide for annual holidays to be taken during school closures. There is therefore no contractual entitlement to time off during term time. However, employees have an entitlement in law to time off work in certain circumstances and this policy sets out those entitlements.
- 2.3 It is also recognised that from time to time, the Trust may agree to grant individual employees time off (paid, unpaid or "in lieu" where flexible working is possible) during term time, or at any time for full-year employees, for a variety of reasons. Such time off may be granted on request and at the Trust's discretion.
- 2.4 The Trust is committed to supporting employees to work flexibly through informal arrangements, as well as through formal flexible working agreements and offering authorised leave opportunities as set out in the following policy. This may include agreeing to short term or day to day changes to working arrangements for example coming into work later or finishing earlier, swapping a working day or arranging to work from home. Employees should discuss and agree individual requests with their Headteacher/Line Manager.

3.Roles and Responsibilities

- 3.1 The Headteacher or CEO is responsible for considering requests for time off under the terms of this procedure, although they may choose to delegate responsibility to line managers. The Headteacher or CEO is responsible for ensuring that decisions about time off are made fairly and consistently within their school, taking into account all the relevant information. The Headteacher or CEO will,
 1. consider all requests for special leave, arranging a meeting with the individual to discuss the request if required;
 2. grant leave in accordance with the policy;
 3. ensure that requests are dealt with sympathetically, compassionately, confidentially where appropriate, and in accordance with this policy;
 4. not refuse requests unreasonably;
 5. inform the employee of the outcome of their request in a timely manner. If a request cannot be agreed, clear reasons must be given and any alternative arrangements considered.
- 3.2 The Headteacher, CEO (or delegated other) is responsible for notifying payroll of any leave

granted without pay or where pay will be affected.

- 3.3 The school must keep a record of all authorised leave (paid or unpaid) taken, including where requests are denied, so that the use of this policy can be properly monitored
- 3.4 Employees are responsible for ensuring requests for leave are made using the Trust's HR system, in accordance with this policy, and in good time wherever possible.
- 3.5 Human Resources are responsible for advising management in relation to the application of this Policy.
- 3.6 Headteachers/line managers should retain confidential records of the authorised leave taken by employees. If unpaid leave is granted, pay deductions for teachers are based on 1/365th of the employee's normal annual salary. Any deduction for support staff will be based on their hourly rate for any hours of unpaid leave taken.
- 3.7 It is recognised that, on some occasions, individual circumstances may need to be taken into account. In any such case, the final decision on granting leave of absence will be at the discretion of the Head teacher and/or CEO.

4.Principles

- 4.1 Requests for time off should normally be made formally through the HR system, although urgent 'on the day' requests may be made by telephone and the form completed retrospectively. In some cases, specific requirements exist which are documented below.
- 4.2 In some circumstances it may be appropriate for management to seek supporting information / documentation when considering a request for time off. Regard should be given to the confidential nature of the information which may be given.
- 4.3 Time off must be approved in advance before it is taken, unless impractical to do so, for example where requests to take leave may have to be made at very short notice, or even after the event.
- 4.4 The granting of authorised leave is not an automatic entitlement; any decisions on requests for authorised leave will take account of both the school's operational requirements and the employee's own needs.
- 4.5 Where reference is made to a number of days in a 12-month period this refers to the academic year.
- 4.6 If there are concerns about the use of authorised leave, this will be discussed with the employee concerned in the first instance. If there is evidence of the system being abused, then it will be referred to the Trust's Disciplinary Procedure.
- 4.7 If an employee considers that a decision has been made unfairly, or not in accordance with this policy, they may ask for the decision to be reviewed by the Headteacher or CEO (informal resolution). If this does not resolve the matter, they should refer to the Trust's Grievance Procedure.
- 4.8 It should be noted that each case will be judged on its own merits and circumstances. The granting or refusal of time off in one case will not necessarily set a precedent for others.

5.Emergency Time Off for Dependents and Domestic Leave

- 5.1 Employees have the right to unpaid time off work to deal with emergencies involving a dependent.
- 5.2 The Headteacher or CEO may grant up to a total of 5 days paid leave in an academic year for emergencies involving a dependent and domestic leave. In exceptional circumstances, additional paid leave may be granted at the Discretion of the Trust Chief Executive Officer or nominated delegate senior officer.

Employees should be aware that paid time off for family and domestic reasons is not an annual entitlement, but determined on each occasion according to the case and individual circumstances.

Emergencies involving a dependent

- 5.3 A dependent is a spouse, partner, child or parent of the employee or someone who reasonably relies on the employee for help in an emergency situation. "Child" for the purposes of this leave is a child under the age of 16 years, or up to the age of 18 years in the case of a disabled child (in receipt of a disability living allowance)
- 5.4 Time off for dependents only applies to emergency situations and events not known in advance, for example:
- a dependent falls ill, is injured or assaulted
 - unexpected disruption or breakdown in care arrangements
 - a dependent having a baby who goes into labour unplanned
 - child involved in an incident at school.
- 5.5 Where an employee needs to take time off for a dependent then they should inform their manager as soon as possible and let them know how long they expect to be absent. It is expected that time off should only last one day in the first instance in order to deal with the initial need and put in place alternative arrangements. There is also an expectation of shared care, where a child has either parents, or where there are a number of siblings in the case of elder-care.
- 5.6 The Headteacher or CEO should also look flexibly at the alternatives to paid or unpaid leave which might be available dependent upon circumstances such as working from home, flexi time, time in lieu, and temporary adjustment to hours or annual leave.

Serious illness

- 5.7 The Headteacher or CEO will always look sympathetically on circumstances involving the serious illness of a child or close relative. Each request for time off will be considered on a case-by-case basis subject to the specific circumstances of the request and being mindful of consistency and fairness. In this event, Headteachers and the CEO are reminded to consider the full range of options available to them including flexible working arrangements, annual leave (where applicable), paid leave and unpaid leave.

"Serious illness" is defined as that which makes it necessary for the employee to make urgent and special arrangements for the care of a relative (e.g. following discharge from hospital, or where a child is so ill that a parent is required to be in permanent attendance). This provision will only be made when there is no other person/provider/carer available to look after the sick relative. If the outcome of the illness is such that the patient requires long term care, the Headteacher or CEO may grant a reasonable period of unpaid leave.

Domestic leave

- 5.8 There are no rigid criteria for domestic leave but reasons for requests may include: a personal crisis (e.g. burglary; serious damage to the home due to flood, fire or storm; breakdown of marriage or long-term relationship; domestic violence)
- 5.9 The employee must notify the Headteacher or CEO (or his/her line manager) as soon as possible of the reason for the absence or a need to leave the workplace if they are already at work. The employee will need to say how much leave s/he would like to request.
- 5.10 It is expected that the employee will remain in touch with their Headteacher or CEO during the period of domestic leave, and that any request to extend the amount of leave initially requested should be made at the earliest opportunity
- 5.11 Where two or more people from the same household are employed by the Trust, only one employee per household will be granted time off for instances where a presence is required at the property concerned, e.g. house flooded due to burst pipes.

6. Bereavement Leave and Parental Bereavement Leave

- 6.1 Leave with pay for compassionate reasons will normally be granted to all employees regardless of length of service, for the death of, or attendance at the funeral of, a close family relative or dependent. A close relative or dependent is defined as spouse/partner, parent/guardian, grandparent, sibling or child.
- 6.2 Bereavement leave will not normally exceed a total of 5 days paid leave plus one day's paid leave to attend a funeral in an academic year. Additional paid leave may be granted in exceptional circumstances at the discretion of the Trust Chief Executive Officer or nominated delegate senior officer.
- 6.3 There is not an automatic entitlement to the maximum of 6 days leave, the amount of paid leave granted will take in to account the closeness of the relationship to the deceased and the level of involvement that the member of staff has in making the funeral arrangements, along with the timing and location of the funeral. Each situation needs to be considered sensitively and on a case by case basis, but by way of guidance:
 - 6.3.1 a longer period of leave would generally be granted where the deceased is immediate family (partner, parent, sibling, child, or someone else who lives with the employee) and/or where the employee is involved in making the funeral arrangements
 - 6.3.2 a shorter period of absence would generally be granted where the employee is not involved in making the funeral arrangements and the deceased is a grandparent, aunt/uncle, cousin, personal friend, or relative of the employee's spouse/partner.
- 6.4 Parental Bereavement Leave is a statutory entitlement to two weeks' leave for all parents if they lose a child under the age of 18, or have a stillbirth from the 24th week of pregnancy. The right exists irrespective of how long they have been employed.
- 6.5 Parental Bereavement Leave can be taken in blocks of one week. If the employee chooses to take two weeks they need not be consecutive weeks. The leave may be taken at any time within the period of 56 weeks beginning with the date of the child's death.
- 6.6 Parents with at least 26 weeks' continuous service on the Saturday before the child's death and whose weekly average earnings are at least £120 per week before tax will also be entitled to 2 weeks contractual bereavement pay.
- 6.7 A parent includes birth parents and those with parental responsibility, e.g. adoptive parents, legal guardians and the partner of the child's parent if they live with the child and the child's parent in an enduring relationship (whether of the same sex or different sex).

7 Time off for Medical Appointments

- 7.1 Employees are expected to arrange medical appointments at either the end of the working day wherever possible or during lunch breaks, or to make use of flexi time / time in lieu where this is available.
- 7.2 Where an employee is unable to ensure that a doctor or hospital appointment is made in their own time, then time off with pay up to 3 hours can be granted for an appointment made during working hours. The Headteacher or CEO has the discretion to extend the paid time granted based on an assessment of the individual circumstances. The employee must provide a copy of the appointment card / letter.
- 7.3 Whilst initial hospital appointments may be unavoidably within work time, where possible, follow-up appointments should be arranged in the employee's own time. If this also proves difficult, then effort should be made to arrange appointments either at the beginning or the end of the school day to minimise disruption.
- 7.4 All non-elective hospitalisation should be treated as sickness and medical certificates provided in line with normal sickness absence procedures.

8 Medical screening, donors & optional procedures

- 8.1 Paid time off will be given for the purposes of appropriate medical screening, including all cancer screening. This will not be regarded as sickness absence and the Headteacher or CEO should record the absence as authorised leave.
- 8.2 Employees are expected to arrange blood donor sessions during non-working hours.
- 8.3 An employee may be granted paid time off for up to 4 weeks at the discretion of the Headteacher or CEO to act as an organ / bone marrow donor; supporting medical documentation will be required.
- 8.4 For optional treatment and procedures (that are not medically required for health reasons), for example, fertility treatment, gender reassignment, sterilisation treatment, employees should attempt to make appointments leading up to the procedure, e.g. consultations, non-surgical tests, outside of their working day. Where appointments can only be made during the course of the working day, Headteachers are encouraged to be flexible, for example, allowing an employee to start work late or finish early and to make up any time owed. At the discretion of the Headteacher or CEO, paid leave up to a maximum of 5 days will be granted to support IVF treatment.

However, each case should be considered on an individual basis and employees will be required to provide an appointment card or letter to confirm the details. Consideration should also be given to requests for extended periods of time off on an unpaid basis.

- 8.5 Employees who choose to undergo treatment and procedures for cosmetic reasons, for example, cosmetic surgery, will be expected to use their annual leave entitlement. The only exception to this is surgery supported by an underlying medical reason, supported by a medical practitioner, which will be treated as sickness absence. If the procedure results in unanticipated complications, this should be treated as sickness absence and will be covered by the Schools Supporting Attendance Policy.

9 Time off for Religious Observance

- 9.1 Requests for time off to attend religious or cultural tradition should be considered sympathetically and accommodated wherever possible, although extended absences will need to be balanced with the operational needs of the school. Requests should be given with as much notice as possible so that full consideration can be given.
- 9.2 Up to 1 day with pay during an academic year may be granted where the employee's religion requires them to attend on a day on which they would normally be in school during term time. Time off in excess of this, and time required for travelling, should be taken as unpaid leave.
- 9.3 The Headteacher or CEO may ask the employee to produce evidence of the requirement to attend a religious event if necessary.

10 Members of Reserved Forces

- 10.1 An employee who is a member of the non-regular armed forces, e.g. Army Reserve, may be granted leave, with pay, for the purpose of attending annual instruction, up to a maximum of 2 working weeks in any financial year.
- 10.2 Employees who serve as members of the non-regular armed forces should inform their Headteacher or CEO.

Compulsory and Voluntary Mobilisation

In the event of Compulsory Mobilisation, there is no statutory period of notice prior to an issue for mobilisation and the Ministry of Defence is not required to seek the employer's consent. However, wherever possible at least 28 days notice of the date on which the Reservist is required to report

for mobilisation will be given to both the employer and the employee. The school is entitled to seek formal exemption from, or deferral of, Compulsory Mobilisation if it is thought that the absence of the employee would cause serious harm to the school.

Employees are advised to contact HR for information on how their pension will be affected during a period of mobilisation.

Where an employee wishes to undertake Voluntary Mobilisation, they must first seek the prior consent of their Headteacher and approval of the Local Governing Body. Requests should be considered sympathetically giving consideration to the employee's particular circumstances. However, the school is under no obligation to give consent to the release of an employee for the purpose of Voluntary Mobilisation.

11 Public Office

- 11.1 Under Section 6 of the Burgundy Book, it states that 'Teachers shall have entitlements comparable to those of local authority officers so far as paid and unpaid leave entitlement is concerned for jury and other public services'. Therefore the provisions below will apply to all staff, inclusive of teachers.
- 11.2 Time will only be credited for the actual hours of attendance or where the employee is absent for a full working day, time will be credited for a standard working day.
- 11.3 Employees who hold certain public positions are entitled to take reasonable time off with pay to attend meetings and perform the duties associated with them. Leave should be formally requested through the appropriate systems/practices in place in school. In exceptional circumstances, additional days may be granted with the approval of the Governing Body.

This applies to employees who carry out public duties as a member of:

- a local authority;
- a police authority;
- any statutory tribunal;
- a relevant health body;
- the managing or governing body of an educational establishment maintained by a local education authority;
- the governing body of a further or higher education corporation;
- the Teaching Agency;
- the Environment Agency;
- the boards of prison visitors;
- a Water Customer Consultative Panel.

11.4 Magisterial and Justice of the Peace Duties

Employees may be granted leave, with pay, to undertake magisterial or Justice of the Peace duties up to a maximum of 18 days in any academic year. Leave should be formally requested through the appropriate systems/practices in place in the work area. In exceptional circumstances, additional days may be granted with the approval of the Local Governing Body. It is the expectation of the Trust, that employees reclaim any loss of earnings available.

11.5 Monitoring Conditions in Custody

Employees who volunteer in the criminal justice system, who monitor conditions in custody are entitled to a reasonable amount of unpaid time off work to perform their public duties. The amount of time off must be agreed with the Headteacher or CEO. The Headteacher or CEO should consider the employee's circumstances and submit the request to the Local Governing body for approval.

This applies to employees whose duties are as

- lay observers, who monitor conditions in court custody and under escort;
- independent prison monitors, who monitor conditions in Scottish prisons;
- members of immigration visiting committees;

- and members of the short-term holding facilities visiting committees

12 Witness in Court

- 12.1 An employee receiving a summons or subpoena to appear as a witness must report the fact to his/her Headteacher or CEO as soon as possible, and will be granted time off with pay. The employee will provide, on request, documentary evidence in connection with their attendance. It is the expectation of the Trust that employees reclaim any loss of earnings available.
- 12.2 In the event of the employee not being required on a particular day, the employee must report for work.

13 Jury Service

- 13.1 An employee receiving a summons to serve on a jury must report the fact to his/her Headteacher or CEO as soon as possible. It is the expectation of the Trust that employees reclaim any loss of earnings available.
- 13.2 Paid leave of absence will be granted for jury service. The employee will provide, on request, documentary evidence in connection with their attendance.
- 13.3 In the event of the employee not being required to serve on a particular day, the employee must report to work.

14 Special events / functions

- 14.1 Reasonable leave of absence with pay will be granted where an employee is required to attend a specific function or event either as a participant or in support of others, such as:
 - 14.1.1 If requested to attend a particular function or event by a Government Department, the Local Governing Body or the Trust Board
- 14.2 It is the expectation of the Trust that employees reclaim any loss of earnings available.

15 Time off to attend interviews

- 15.1 At the discretion of the Headteacher or CEO, paid time off should be granted for attending job interviews with other schools, usually up to a maximum of 5 days per academic year. This time may be given in half-days. Requests in excess of this, may be granted by exception dependent on the circumstances.
- 15.2 Time off in excess of that set out in 15.1, or for attending interviews with other prospective employers outside of the education sector, may be granted without pay (or the employee may be asked to make the time up / be granted time off in lieu, or to take annual leave if full-year).
- 15.3 The Headteacher or CEO may request to see evidence of the interview. The amount of time off should be agreed locally, taking in to account the time of the interview, the length of attendance required at the interview, the location of the interview relative to the academy and the employee's home, the employee's role, and so on. There is not an automatic entitlement to a full day off.
- 15.4 Visits to schools prior to applying for a post should, wherever possible, be arranged in the employee's own time. If the other school is unable to accommodate this, then reasonable time should be allowed within the 5 days specified above.
- 15.5 Visits to schools after being offered a new job (or educational training providers where an employee is commencing a teacher training programme) should, wherever possible, be arranged in the employee's own time. If the other school / training provider is unable to accommodate this, a visit is necessary, and it is operationally possible, the employee may be released unpaid, or may be paid at the discretion of the Headteacher or CEO if it is within the five days specified above. Where the Headteacher or CEO determine leave should be without pay they must ensure

Payroll is informed.

- 15.6 Employees who are selected for compulsory redundancy will be entitled to reasonable time off work with pay to attend interviews for other jobs in accordance with the Trust Redundancy Policy.

16 Time off to attend a graduation, wedding, or move house

- 16.1 At the discretion of the Headteacher or CEO, one day's paid leave may be granted within an academic year for attending one of the following, the wedding of a close relative or family friend or dependent (as defined in 6.1), or the graduation ceremony of an employee's child or partner, or to move house where the event falls in term time or to attend a school prize distribution ceremony. Where it is possible for annual leave or time in lieu to be used, the Headteacher may request that this is taken instead of paid leave.

17 Leave for examinations

- 17.1 Time off to sit an examination that is part of an agreed support package of study will be granted with pay.
- 17.2 The leave entitlement applies only to 'first time' examinations. Leave to retake an examination is at the discretion of the Headteacher or CEO and is unpaid.
- 17.3 Reasonable paid time (for example time twice the length of the exam itself) will also be granted for study leave relating to examinations taken as an agreed package of support.

18 Disability Leave

- 18.1 Impairment related absences may occur when disabled employees have to take leave due to external circumstances which affect their ability to attend work such as:
- 18.1.1 Breakdown of usual arrangements at work (sickness of personal assistant, unavailability or malfunction of aid or adaptation, lifts, toilets, car parking, etc) where no suitable alternative arrangement or work can be found (e.g. at home or another site)
 - 18.1.2 Breakdown of usual arrangements which make it unreasonably difficult to get to work, including unfavourable weather conditions which put employee at risk) and alternative arrangements cannot be made
 - 18.1.3 Time off for impairment related medical visits (if not already covered under hospital / medical appointments)
- 18.2 When an absence is unavoidable and is related to a disability, but is not due to illness/sickness, reasonable disability leave may be granted with pay. This will avoid disabled employees from having to take leave that is then inappropriately classified as sick leave.
- 18.3 Absence will still need to be managed in a proactive way, with support offered to disabled employees, in order to minimise the number of absences where appropriate. The Headteacher or CEO and the employee should discuss reasonable ways of overcoming any issues and try to reduce the need to take impairment related leave through flexible working and the use of technology.

19 Other requests for leave of absence without pay

- 19.1 Leave, without pay, may be granted in exceptional and urgent circumstances where all alternative authorised leave options are inappropriate or have already been exhausted.
- 19.2 Wherever possible and appropriate, annual or flexi leave should be taken in preference to unpaid leave, unless the employee has already taken or pre-booked their full leave provision.

- 19.3 Employees should speak to their line manager in the first instance. Leave should be formally requested through the appropriate systems/practices in place in the school.
- 19.4 It is suggested that an employee may be permitted to take up to a maximum of 12 weeks unpaid leave in any financial year. In exceptional circumstances, consideration may be given to a longer period at the discretion of the Headteacher or CEO.

20 Long term unpaid leave

- 20.1 Employees may wish to apply for longer periods of unpaid leave for a variety of reasons, such as a career break, sabbatical, personal development, study or caring responsibilities.
- 20.2 Such leave requests will be for a minimum period of 3 months and no more than 12 months.
- 20.3 Long-term unpaid leave is not an entitlement. An employee must make any request to their Headteacher or CEO who will consider each case on its merits. Requests will be considered entirely at the school's discretion and are unlikely to be granted where this would have a detrimental effect on the needs of the school.
- 20.4 Employees do not receive or accrue any annual leave during a period of long-term unpaid leave. A long-term leave will not be taken into account when calculating overall continuous service, however service will not be broken.
- 20.5 Long-term unpaid leave will also have an effect on pension benefits. If you require further information on longer-term unpaid leave, please contact the HR Advisory Team.

21 Monitoring & Review

- 21.1 It is expected that each school will monitor the use of this policy at a local level, and maintain records of authorised leave taken with and without pay.
- 21.2 This policy will be reviewed at least every three years or as a result of changes to legislation

