

Falcons Primary School



FALCONS
PRIMARY SCHOOL

Leave of Absence Policy

(To be read in conjunction with the Staff Attendance Policy)

Approved by GB: February 2025

*Review Date: February 2030

*Subject to any changes in the interim period which may be made by the Headteacher and brought to the attention of the Governing Body.

School Vision and Ethos Statement

We encourage all members of the Falcons Community to respect one another, to know that everyone has an important part to play in making the school as good as it can be, to take responsibility and be responsible, to strive for excellence and to try one's best in everything we do.

Our vision for Falcons Primary School is to be recognised as a school that values uniqueness, where children are provided with the skills to enable them to become:

- * successful learners
- * responsible citizens
- * creative thinkers and
- * reflective individuals.

SIKH ETHOS

The school draws on the teaching of the Sikh faith and is committed to providing not only an academic education, but one that will also encompass an underlying message of unity, equality and respect. High morals, discipline, love, compassion and selfless service towards all regardless of faith, gender or colour. Falcon School will embrace a universal, inclusive approach to spirituality.

AIMS

To achieve our vision, we aim for all pupils, staff, governors and parents to:

- Work in unity to make Falcons School a welcoming, stimulating and successful school. Encourage good manners, self-discipline and the desire to be enthusiastic learners who grow into forward thinking responsible citizens who respect, value and care for themselves and others.
- Provide an ethos with clear boundaries and expectations, enabling all children to succeed and to reach their full potential confidently, in a safe and supportive environment.
- Become excellent lifelong learners who are independent and prepared for the wider world and aim high to achieve aspirational goals.

This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Leave of Absence Policy

Contents	Page
1. Purpose	4
2. Scope	4
3. Authorisation of Leave of Absence	4
4. Reason`s for, and amounts of, leave of absence	4
5. Exercise of discretion	4
6. Requests for, and recording of, Leave of absence	5
7. Time off for Medical visits, Health Screening & Counselling	5
8. Donation of Blood or plasma	5
9. Requesting Leave at Short Notice	5
10. Unauthorised Absence	5
11. Late Return from Leave	6
12. Compassionate Leave	6
13. Policy abuse	6
Appendix 1	(Separate Attachment)
Appendix 2	

1. Purpose

This policy sets out the circumstances in which staff 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 applies to all employees of Falcons Primary School.

3. Authorisation of Leave of Absence

The Head Teacher has delegated powers to manage this policy. Leave for the Head Teacher should be authorised by the Chair of Governors.

4. 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.

5. Exercise of discretion

When considering non-statutory requests for leave of absence, the Head Teacher will 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. Staff may ask for written reasons why a request has been declined or partly awarded.

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

Requests for leave of absence should be made, giving as much notice as possible, and ideally no less than 4 weeks notice, 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.

Accurate written records of leave requested, granted and not granted will be retained for reference purposes and for scrutiny by governors.

7. Time off for Medical Visits, Health Screening and related 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 will be exercised in such cases.

Optician appointments must **always** be made outside working hours, **except** where the school'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).

For the avoidance of doubt, the following will apply:

- Absence from school for any hospital, therapy or medical appointment which is related to a medical condition, counts as sick leave.
- Doctors – Every effort should be made to arrange medical appointments outside of working or school hours except where this is unavoidable, in which case the leave will be paid if agreed by the Head Teacher.
- Hospital – Paid leave may be granted on production of hospital appointment cards/letters. The employee should make every effort to schedule visits outside of term where possible. Hospital stays will be treated as sickness absence.
- Emergency Dental Appointments – Emergency dental treatment is considered as paid sick leave.
- Routine Dental Check-ups – All staff are expected to arrange their routine dental checks ups for the school holidays.
- Part time staff are asked, wherever possible to arrange their medical and therapy appointments on their non-working days.

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 Head Teacher so that arrangements can be made both to assist the employee to attend and to minimise the impact on service delivery.

8. 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.

9. Requesting leave at short notice

The Head Teacher will try to accommodate staff who request leave at very short notice because of an emergency arising. S/he, however, may decide that a member of staff is absent from work without authorisation if the reason for absence cannot be evidenced afterwards. Any members of staff who take leave, which has not been previously approved, may be subject to disciplinary action.

10. Unauthorised Absence

Where an employee is absent without explanation or contact, pay will be stopped. If an acceptable explanation is given to the Head Teacher, pay can be reinstated at a later date.

The Head Teacher/School Business Manager should make reasonable efforts to make contact by telephone

or recorded letter advising the employee that if he/she fails to make contact with work, contact would be made with their nominated next of kin.

If the employee is subsequently contacted, the Head Teacher should take into account the length of absence and the employee's explanation in deciding what, if any, action needs to be taken.

If despite reasonable efforts it proves impossible to contact the employee, on the fifth day of absence the Head Teacher will send a second letter by recorded delivery asking the employee to attend an investigation meeting. The letter will refer to the attempts to contact the employee and seek an explanation for their absence at an investigation meeting, set 5 days following the expected date of delivery. The letter will also explain that a continued absence is a breach of their contract of employment, which could lead to disciplinary action being taken, and an outcome of this could be dismissal from the school. It will be made clear in the letter that failure to make contact or attend the investigation meeting will result in a conduct hearing being arranged.

11. Late Return from Leave

If for any reason staff are late returning from an agreed holiday they must notify the Head Teacher as soon as possible to explain the reasons why. Failure to do so, and/or failure to provide a satisfactory explanation, may lead to disciplinary action being taken for unauthorised absence and salary being deducted for the period of absence.

12. Compassionate Leave

In addition, and consistent with current legislation, additional compassionate leave may be granted in exceptional circumstances, with or without pay at the Head Teachers discretion.

13. 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.

APPENDIX 1



LEAVE OF ABSENCE REQUEST FORM

Name:	Employee Number:
Number of working days/hours requested:	
Date(s) requested: From..... to	
TYPE OF REQUEST Emergency/Domestic Leave Other Leave	
Reason for request	

Signed:.....

Date:.....

FOR HEAD TEACHER/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 member of staff for their records

APPENDIX 2



RECOMMENDED MAXIMUM NUMBER OF DAYS PAID LEAVE PER ACADEMIC YEAR

Head Teacher will grant a total of up to 5 working days paid leave of absence per academic year for these reasons **combined**. Governors may extend this provision by a further 5 working days per academic year or beyond this in exceptional cases.

No more than 10 days (18 days for Magistrates/Justices of the Peace) paid leave per year (pro-rata for part-time employees) will be granted for the following types of special leave combined:

- ☐ Service on public bodies (including governing bodies)*
- ☐ Volunteer members of non-regular forces;*
- ☐ Sporting competitions (in the City, County or Country)*

Reason	Recommended max days per academic year	Funding	Guidance
Serious illness or death of a close relative or friend/domestic emergency/attendance at funeral (<i>not limited to close relatives</i>)	5#	School	An 'emergency' is defined as 'an unexpected event requiring immediate attention'. A teacher will, therefore, be unable to give notice of the leave requirement. The time required to address the emergency will be for a finite period. Once the need for immediate action has been addressed, the emergency will be considered to be over. Whilst headteachers should aim to be as flexible as possible when granting emergency/domestic distress leave, they must be mindful of the needs of the school. Headteachers should discuss all requests for such leave with the teacher in an attempt to reach

			an amicable agreement, which may include combining paid emergency/domestic distress leave with an element of unpaid leave. In addition, all teachers have the right to time off to care for a dependant in certain circumstances, including when the arrangements for a dependant's care are unexpectedly disrupted and where the employee has advance notice of the unavailability of childcare but is unable to make suitable alternative arrangements. Therefore, headteachers need to consider the circumstances of the employee and the availability of alternative childcare in considering requests for time off to care for dependants/close relatives. Whilst the statutory right is to unpaid leave, the school provides for paid leave. 'Dependant' is defined as a spouse, child, parent or person who lives in the same household as the teacher, other than their employee or tenant. For this policy, the definition of a 'close relative' includes child, parent, and spouse/partner. It also covers other relatives/close friends where the teacher can demonstrate that they have been responsible for the individual's upbringing or are the main carer.
Functions of importance to family members	1#	School	Paid leave will be given for, for example, the graduation ceremony of son/daughter or the wedding of a close relative (child, parent, brother/sister, any other relative who normally resides with the teacher or a person who stands in loco parentis to the teacher or vice versa) on the actual day of the event. As much notice as possible of the event should be given.
Moving house	1#	School	Paid leave, on the day of the move, will be given for the purpose of moving house during term-time where it is impossible for the move to take place during the holiday period.
Job interviews	2#	School	staff who are in a redundancy situation can apply for reasonable paid time off for job hunting with any employer.
Examination	5#	School	For actual period of examination (NOT study leave), for improvement of a teacher's qualifications, including reasonable travelling time.
Religious festivals	1# Option to grant 1 additional day's unpaid leave	School	For observance of major religious festivals by a member of the faith concerned. Although there is no express right to time off work for this purpose, headteachers should sympathetically consider such requests where it is reasonable and practical for teachers to be away from work. The Employment Equality (Religion or Belief) Regulations 2003 protect workers from discrimination on the grounds of religion or belief (as well as those who have no religion or belief).

			Forward planning by both headteachers and teachers for time off is necessary. Teachers should give as much notice as possible of a leave request and be aware that the headteacher may not always be able to accommodate it. Headteachers should be mindful that such occasions are of significant personal importance to the teacher concerned, so uncertainty over whether time off will be granted until very near the occasion itself can cause unnecessary distress. Some religious festivals are based on the lunar months and, therefore, dates change from year to year. For example, the Muslim festivals of Eid-ul-Adha or Eid-ul-Fitr are approximately 11 days earlier every standard year. Furthermore, the dates of these festivals may not become clear until close to the actual day. However, although teachers may not know the exact date, they should be able to advise the possible dates. Whilst it may be possible for one employee, or a small number of employees, to be absent, it may be difficult if numerous requests are made. Where this is the case the headteacher is recommended to discuss the matter with the employees affected, and their trade unions/professional associations, with the aim of exploring all the available options to minimise the potential disadvantage to staff of a particular religion/belief and balance the needs of the school and other employees. No time off in lieu will be granted where a religious festival occurs at the weekend or outside term time.
Visits to other schools/colleges; educational visits; in-service education Annual training – non-regular	5	School	
Annual training – non-regular forces*	Up to 2 weeks	School	Employees serving in the Reserve Forces will be entitled to up to two weeks leave* (average earnings), less any payments received from the Reserve Forces (excluding out of pocket expenses), to attend their annual training camp. Any further requests considered will be for unpaid leave.
Representing country/county at national/international sporting events*	5	School	

Delegate at: - Church Synods (or equivalent) - T.U. conferences - Local government conferences Committee member of national education body	5	School	
Governing body meetings (as a governor)	5	School	Leave of absence will be granted for official duties in connection with service as a governor, for example membership of a working party, in addition to attendance at governing body meetings
Time off for work in the community	1	School	Teachers may request one day's paid leave per academic year to support charitable work in the community and develop their skills. This work must directly assist the community, have relevance to the work of the school/local authority and be consistent with its priorities. A teacher wishing to participate must be able to show that there is a benefit to those they are assisting and that the work helps develop them in their own job. Advance approval, giving adequate notice, should be sought. Approval is subject to the overriding needs of the school. No additional cost should fall on the school, which means that teachers who will have to be directly replaced cannot be released. The teacher will be required to sign an undertaking acknowledging that, during this leave, the school/local authority bears no responsibility for them/their actions, they accept the responsibility of being seen as a Falcons Primary School employee and that they should conduct themselves in accordance with the relevant Code of Conduct
Public Duties		School	No specific amount of time off is laid down in law and there is no obligation to pay for leave that is granted. However, this policy provides for up to 10 days paid leave per year (pro-rata for part-time teachers), or 18 days per year (pro-rata) when serving as a Magistrate/Justice of the Peace, to be granted, subject to the needs of the school. Any leave authorised for other reasons will be in addition to leave for public duties. Teachers thinking of taking on public duties are encouraged to investigate the time off likely to be required, which will vary depending on the nature of the role, and discuss this with their headteacher at the earliest opportunity. It will aid this discussion if they think through the implications for their job and consider some possible solutions. The headteacher can then discuss with the teacher how the time off can best be accommodated. Time off must be agreed with the headteacher in advance. It may not be possible to grant paid leave at the requested time in all cases and a headteacher may not be able to grant a request if it is felt to be unreasonable. Whether a request for time off is classed as 'reasonable' depends on: • what the duties are • the time needed to carry them out • the impact on the school • how much time has already been taken for public duties.

Member of Local Authority*	15, 18 or 20	School	Where the duties of office and attendance at meetings will involve absence from work, a member of staff intending to stand for election as a member of a District Council must inform the headteacher of this intention in writing. The letter should confirm the likely periods and frequency of absence. The headteacher should make staff aware of the limitations/ requirements of this policy. Absences must be reported on the monthly service return. Absence for part of a session will be treated pro-rata. Paid leave will be granted on the following basis: • Leader/Deputy Leader, Mayor or Chairman of large district council (population exceeding 250,000) – up to 20 days pa • Leader/Deputy Leader, Mayor or Chairman of a small district council (up to 250,000 population), or Chairman of a Committee of any district council – up to 18 days pa • Council member not holding any of the above offices – up to 15 days pa Where 5 or more days paid leave is granted for purposes such as other public duties or trade union duties, the basic maximum leave for the roles above will be reduced to 15, 13 and 10 days respectively. Where less than 5 days paid leave is granted, the total amount of leave for both public duties and other purposes will not exceed the appropriate basis maximum.
Magistrate/Justice of the Peace*	18		Magistrates are asked to commit at least 26 half-days per year to sit in court. Employers are required by law to grant reasonable time off work for magistrates to fulfil this commitment. This policy provides for a maximum of 18 days per year (pro-rata for part time teachers) to be granted, subject to the needs of the service. Magistrate duty rotas are provided well in advance, so planning for these absences should be straightforward. A member of staff wishing to serve as a magistrate must apply in writing to the governing body, which should make them aware of the limitations and requirements of this policy. Applications will be dealt with individually according to the requirements of the Lord Chancellor's Office. Where the application is supported by the governing body, and subsequently accepted by the Lord Chancellor's Office, the Headteacher should be informed of the member of staff status as a magistrate. Magistrates are not paid for their services. Staff granted time off to carry out these duties should claim the allowances available and the equivalent sums will be deducted from salary for each half day/day of absence and these deductions credited centrally. Time-off for magistrate duties should be recorded on the monthly return to enable Payroll to make the appropriate deductions. If an employee is absent for half a day, this should be clearly indicated on the service return (i.e. 'am only' / 'pm only').

Meetings re national/provincial council affairs*	10	School	
Certain committees when specifically nominated*	10	School	Where the employee receives a fee this must be paid over to the council.
Regional or area health authority*	10	School	
Tribunal or similar body*	10	School	Where the employee receives a fee this must be paid over to the council.
Youth Offending Panel*	10	School	
Candidate for parliamentary/LA election	1	School	Staff offering themselves as a candidate for parliamentary/local authority election will not be paid for absences while campaigning, from the date of the writ to the day of the election. A member of staff standing as a candidate for such elections is granted paid leave on the day of the poll only.
Duties associated with local/national elections	Day of poll only	School	
Jury service	As required	School	Staff called for jury service must be granted leave as required – headteachers could find themselves in contempt of court for not allowing such leave. Allowance for loss of earnings is to be claimed from the court and an equal amount will be deducted from the employee's pay. Jury service usually lasts for 10 days, but some trials take longer – jurors are usually warned in advance if a trial is expected to last a long time. The headteacher should be advised as soon as the teacher is called for jury service and the teacher should provide a copy of the letter calling them up.
Attending court as a witness	As required	School	Staff issued with a witness summons must be granted time off to attend court – headteachers could find themselves in contempt of court for not allowing such leave. Allowance for loss of earnings is to be claimed from the court and an equal amount will be deducted from the employee's pay. The headteacher should be advised as soon as the staff member is summoned and should provide a copy of the letter received from the police (prosecution witnesses) or defence solicitor (defence witnesses).
Other reasons		School	Staff may request paid or unpaid leave of absence for other exceptional situations not listed above. It is recommended that headteachers seek HR advice in such circumstances. Staff instigating legal action themselves would be required to take any time off as unpaid leave.

			If a member of staff requests extended leave for the purpose of going on a pilgrimage the headteacher should attempt to accommodate the request, bearing in mind that this may be a once-in-a-lifetime experience. Any extended leave granted would be on an unpaid basis, apart from the first day which would be paid in line with time off for religious festivals above. Teachers with relatives abroad may have particular religious/cultural needs for occasional extended leave for births, weddings and deaths. Headteachers should attempt to accommodate such requests if reasonable and practicable. Leave should not be granted for holidays or to accompany a spouse/partner on a business trip/function. One exception to this would be if the holiday was booked before the teacher took up employment and the school had been notified of this in advance, in which case the leave granted would normally be unpaid.
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