



BERLESDUNA
ACADEMY TRUST

Leave of Absence Policy

This policy was reviewed by Trustees:	
This policy will be reviewed:	Bi-annually
This policy is due for renewal:	April 2026

DATE: April 2024

LAST EDITION: January 2024

REVIEW: Every 2 years (Recommended)

Amendments since last edition

Appendix 1 – Family Leave	New Statutory Entitlement to Carers' Leave wef 6/4/24 Updated Paternity Leave provision in line with Paternity Leave Regulations wef 6/4/24 Parental Bereavement Leave – qualifying service added
Appendix 2 – Cancer Screening	Clarification that time off for Cancer Screening will be granted to all

This is a model policy/procedure which reflects legislation, any relevant statutory and non-statutory guidance and best practice. The responsibility for setting policy and procedure resides with the Governing Board/Trust and as such the relevant body must be satisfied that the content of the policy/procedure suits their requirements and must consult their staff/local trade union representatives prior to its formal adoption. In this context, Education HR does not negotiate and agree its model policies with the Trade Unions/Professional Associations, although they are consulted and their feedback is considered in the development of the documents.

Published by: Juniper Education, Boundary House, 4 County Place, Chelmsford, Essex CM2 0RE

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1. Introduction

This policy sets out how requests for leave of absence will be managed.

The leave of absence policy balances the needs of the establishment with the interests of individual employees. It is based on the following principles:

- To achieve a high level of attendance and minimise disruption to the operation of the school and additional staffing costs;
- Employees should exercise their best endeavours to minimise absences, including wherever possible arranging non-urgent appointments outside of working time;
- To support employees by recognising that on occasion there may be circumstances where employees need to request time off during term time.

Leave of absence falls into three main categories for the purposes of this policy. The tables in the Appendices attached to this policy detail the types of leave of absence that may be requested and indicate whether the leave of absence is:

- Statutory - where there is a legal entitlement to some leave.
- Contractual - where there is an entitlement as part of the employees' terms and conditions
- Discretionary - where there is no entitlement but leave may be agreed after consideration of the circumstances

For statutory and contractual leave, the table sets out the legal/contractual entitlement to leave and whether leave is paid or unpaid.

Where leave of absence is discretionary, a consideration will be made as to:

- Whether to grant the leave
- How much leave to grant
- Whether the leave will be paid or unpaid

2. Scope

The policy applies to all employees.

The Policy covers all absences except sickness which is covered by the Sickness Absence Procedure.

This procedure should be read in conjunction with other policies and procedures covering attendance and health, including the procedures and policies on sickness absence, flexible working and mental health and wellbeing.

3. Roles and Responsibilities

3.1 It is the responsibility of the trust board to:

- Monitor and review policies and procedures which safeguard the health, safety and welfare of staff and ensure they are implemented in a fair and reasonable manner and the operational impact on the school;
- Depute a governor to implement the absence management procedures in the case of the absence of the head teacher; and
- Establish an appeals committee as required.

3.2 It is the responsibility of the head teacher and other line managers to:

- Ensure employees are aware of the leave of absence management policy and procedures,
- Implement the leave of absence management procedures fairly, sensitively and confidentially;
- Monitor and regularly review levels of absence and take action as appropriate;
- Approve requests for leave of absences (headteacher) (amend if all line managers can approve);

3.3 It is the responsibility of all staff to:

- Take reasonable measures to minimise their absences;
- Comply and co-operate with the leave of absence management procedure;
- Inform their line manager in general terms as soon as reasonably practicable of any significant issues that may impact on their ability to perform their normal duties.

4. Procedure for applying for leave of absence

For any absences which are not sickness related, employees must follow this policy.

Requests for leave of absence should be submitted by completing an Absence Request form. Copies of the form are also available from the office.

All applications for leave of absence must be made in writing to

Academy Employee	Line Manager Head of School Headteacher Executive Headteacher
Head of School/Headteacher/Executive Headteacher	CEO
Trust Employee (Central Services)	Line Manager CEO
CEO	Chair of Trust Board

Note 1: The term "Headteacher" is used to identify the person with responsibilities of headship within each Academy, who may be referred to locally as Head of School, Headteacher or Executive Headteacher.

The employee must give as much information as possible and indicate whether they are requesting paid or unpaid leave to assist in the consideration of the request.

Each request will be considered on its own merits in accordance with this policy.

Failure to follow this policy may result in action under the Disciplinary Procedure. See Paragraph 7 for Unauthorised Absences.

4.1 Notice requirements

Specific notice periods are mandatory for some types of leave (e.g. maternity, paternity leave) and these are indicated in the leave tables below, together with the reference point for further information.

For all other leave, employees should request leave of absence with as much notice as possible, and in any case in accordance with following timescales.

Length of leave of absence requested	Minimum Notice required
Up to 5 days	1 week
5 days and over	1 month

4.2 Emergency leave requests

In certain circumstances it may not be possible for the employee to request the leave of absence, in writing, in advance.

In these circumstances the employee must follow the agreed procedure in their school. As a minimum this will include telephoning the school to discuss the reasons for the request for leave of absence.

An initial decision whether leave of absence is granted to cover the initial emergency situation will be made and notified verbally to the employee. A written record of the details of the request for leave of absence and the decision regarding the granting of any leave of absence will be made. The record will be signed by the employee on their return to work. This will then be kept on the employee's personal file.

4.3 Persistent Absences

Where an individual's overall level of attendance causes concern, appropriate action may be taken. This may include exploring flexible working options and/or setting attendance targets. Where an employee is unable to meet or maintain reasonable attendance levels, this may result in formal action under the Capability Procedure.

5. Considering leave of absence requests

All leave of absence requests will be considered in line with this policy, having regard to the particular circumstances of the case and any operational requirements of the establishment. The following factors will also be taken into account:

- how many previous requests have been made by the employee and for what reason;
- how many requests the employee has submitted and have been granted in the previous 12 months
- the employee's general attendance and absence record
- the impact on operational requirements
- whether any previous requests for absence in the same circumstances have been approved, how many, for how long and whether the leave was paid or unpaid;
- whether they are setting a precedent for how similar requests will be dealt with in future

The employee will be notified in writing whether or not their request has been approved and where rejected the reasons, as soon as possible.

If the request is not agreed the employee will be notified that they have the right to appeal against the decision.

The request for leave of absence and a copy the decision will be placed on the employee's personal file.

6. Appeals

Employees have the right to appeal against a refusal to approve a leave of absence request or against a refusal to approve paid leave (where the time off has been granted as unpaid leave). Appeals should be submitted within **five** days of receiving the decision.

Any appeal lodged against a decision relating to a request for leave of absence will be heard by:

****A “Panel” can be a single individual or any number of individuals from the relevant group.**

Academy Employee	Headteacher CEO LGB Panel** Trust Panel
Head of School, Headteacher, Executive Headteacher	LGB Panel** Trust Panel
Trust Employee (Central Services)	CEO LGB Panel** Trust Panel
CEO	Trust Panel

The employee and their chosen representative (a representative from a recognised trade union or work colleague) may attend any such appeal meeting to make representation.

The decision of those hearing the appeals will be final.

7. Unauthorised absence

Employees who take time off work without following the appropriate procedure for requesting leave and/or who take time off without receiving appropriate approval may be subject to disciplinary action in line with the disciplinary procedure.

Employees who take unauthorised absence will not receive payment for such absence other than in exceptional circumstances.

8. Impact on Pension

When a Pension Scheme member has any period of unpaid leave of absence, the period of any such leave will not count towards their Pension.

Appendix 6 provides further information on how members of the Local Government Pension Scheme can buy back any period of authorised unpaid leave through an Additional Pension Contribution (APC) contract, and members of the Teachers’ Pension Scheme can purchase additional pension subject to a minimum amount.

9. Data Protection

When an employee makes a request for leave of absence under this policy, the school will process any personal data collected (including written records of meetings held under this process) in accordance with its data protection and retention policies. Data collected as part of a leave of absence request is held securely and accessed by, and disclosed to, individuals only for the purposes of processing leave of absence requests.

10. Equality, Diversity and Inclusion

These procedures will be operated in an inclusive manner. While some terminology is replicated from statute and/or national terms and conditions, relevant provisions will be interpreted as being sex and gender neutral where appropriate.

Appendix 1 Table of family related leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Adoption Leave	<p>Subject to meeting the relevant qualifying conditions and notice requirements employees who have been newly matched with a child for adoption by an approved adoption agency and who will be the primary adopter are entitled to 26 weeks ordinary adoption leave followed by up to 26 weeks additional adoption leave. The secondary adopter may be entitled to paternity leave and/or shared parental leave.</p> <p>The employer and employee can also agree to up to a maximum of 10 days paid 'keeping in touch' days during the period of adoption leave for the primary adopter.</p> <p>Employees who are local authority foster parents and also approved as prospective adopters and who have a child placed with them in a "foster to adopt" situation will be entitled to adoption leave if they are the primary adopter.</p> <p>Employees who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation may be entitled to adoption leave (primary adopter) and/or paternity/shared parental leave (secondary adopter) subject to meeting the eligibility criteria.</p>	<p>Statutory.</p> <p>Mandatory notice requirements apply.</p>	<p>Statutory - paid/unpaid subject to qualifying conditions.</p> <p>Eligible employees may also be entitled to contractual adoption pay.</p>
Pre-Adoption Meetings	<p>Adopters have a statutory right to time off to attend pre-adoption meetings. The purpose of the request for time off must be to meet with a child/children matched for adoption with the employee or for another purpose connected to the adoption.</p> <p>The entitlement is to paid time off to attend up to five meetings for the 'primary' adopter. The 'secondary' adopter is entitled to unpaid time off to attend up to two meetings. Employees are encouraged to arrange appointments outside their working hours wherever possible.</p> <p>There is no statutory right to further pre-adoption leave, but requests may be considered on a discretionary basis.</p>	<p>Statutory – time off should not exceed 6.5 hours per appointment.</p>	<p>Statutory paid (primary adopter)/unpaid (secondary adopter)</p> <p>Pay is discretionary if any further leave is approved.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Ante-natal Care (for pregnant employees)	All pregnant employees have a statutory right to reasonable paid time off work for ante-natal care but are encouraged to arrange appointments outside of their working hours wherever possible. Antenatal care may include relaxation and parent-craft classes if they have been recommended by a doctor or midwife.	Statutory – reasonable time off	Statutory – paid
Ante-natal Care (requests for time off made by fathers to be/ partners and nominated carers)	<p>All employees in a qualifying relationship with a pregnant employee or their expected child (including spouse, civil partner and person in a long-term relationship with the pregnant employee) are entitled to take time off during their working hours in order to accompany the pregnant employee to two ante-natal appointments. The appointments must be made on the advice of a registered medical practitioner, midwife or registered nurse.</p> <p>Employees who intend to apply for a parental order and expect to become the child's legal parents in a surrogacy situation have the right to unpaid time off work to accompany the pregnant person to up to two antenatal appointments.</p> <p>Any time off requested to attend further ante-natal appointments will be at the discretion of the employer.</p>	Statutory – two appointments not exceeding 6.5 hours per appointment	<p>Statutory – unpaid</p> <p>Pay is discretionary</p>
Parent craft and routine antenatal classes	Requests to attend parent craft classes or routine antenatal classes which have not been specifically recommended by a doctor or midwife (see ante-natal care above) and which cannot be arranged for outside normal working hours may be considered at the discretion of the employer.	Time off is discretionary	Pay is discretionary
Bereavement leave/Time off to attend funerals	<p>Parental Bereavement Leave is available for eligible parents with 26 weeks' service.</p> <p>Requests for time off due to bereavement / to attend a funeral in other circumstances will be considered on a discretionary basis.</p> <p>NB: "time off in consequence of death of dependant" to make necessary arrangements is covered by time off for dependants leave.</p>	<p>1-2 weeks within 56 weeks of child's death</p> <p>Time off is discretionary</p> <p>Statutory – reasonable time off</p>	<p>Statutory pay subject to qualifying service and earnings</p> <p>Pay is discretionary</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Carers' Leave	<p>Employees who have caring responsibilities for a dependant with long term care needs are entitled to up to one week per year Carers' Leave.</p> <p>A dependent is a spouse, civil partner, child, parent, a person who lives in the same household as the employee (other than by reason of them being their employee, tenant, lodger or boarder), or another person who reasonably relies on the employee for care.</p> <p>Long-term care needs are defined as illnesses, injuries, disabilities, or age-related issues requiring over three months of care.</p> <p>Caring responsibilities include help with personal hygiene, eating and drinking, dressing, mobility, managing medication, practical household tasks and emotional support and tasks of a similar nature.</p> <p>Notice to take leave must be given at least 3 days before or twice as long as the period of leave requested, whichever is longer. Employees should apply in writing using the Leave of Absence request form.</p>	Statutory – one week per year to be taken in blocks of not less than half a day	Unpaid
Childcare (time off to make alternative childcare arrangements)	<p>Time off to set up alternative care arrangements when a child's normal carer is suddenly unable to provide care or when normal childcare arrangements are not available is covered under time off for dependants.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – reasonable time off to deal with the emergency</p> <p>Any time off beyond immediate crisis -discretionary</p>	<p>Pay is discretionary</p> <p>Pay is discretionary</p>
Time off for Dependants	<p>Employees have a statutory right to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies and to make any necessary longer-term arrangements. The emergency must involve a dependant of the employee.</p> <p>A dependant is defined as the employee's parent, wife, husband or partner, child, or someone who lives as part of the family, but not the employee's tenant, lodger or boarder.</p>	Statutory – there is no set period and the length of leave authorised will depend on individual circumstances and leave for this reason may be offered in addition to other discretionary leave.	Pay is discretionary

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
	<p>It also includes someone for whom the employee is the main carer. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>		
Domestic crisis / damage to property	In exceptional circumstances it may be necessary and unavoidable for an employee to request leave to deal with a domestic crisis (which may include serious damage or disruption to property).	Time off is discretionary	Pay is discretionary
Elder Care	<p>Requests for time off to deal with unexpected emergencies to care for an elderly person who is an immediate family member or other elder dependant cared for by the employee is covered under time off for dependants.</p> <p>NB the statutory right does not include a right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.</p>	<p>Statutory – reasonable time off</p> <p>Any time off beyond immediate crisis -discretionary</p>	<p>Pay is discretionary</p> <p>Pay is discretionary</p>
Fertility Treatment	Each request will be considered individually in the context of the particular circumstances.	Time off is discretionary	Pay is discretionary
Foster Care	<p>Requests for leave by foster carers to attend meetings and/or attend training commitments may be considered on a discretionary basis.</p> <p>Foster carers who are also approved as prospective adopters may be entitled to adoption leave (and to attend pre-adoption meetings), if they have a child placed with them in a “foster to adopt” situation and they will be the primary adopter.</p>	<p>Time off is discretionary</p> <p>Statutory – subject to meeting the qualifying conditions.</p>	<p>Pay is discretionary</p> <p>Statutory - paid/unpaid subject to qualifying conditions.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Graduation of child/partner	Requests for leave to attend the graduation ceremony of a child/partner will be considered on a discretionary basis.	Time off is discretionary	Eligible employees may also be entitled to contractual adoption pay. Pay is discretionary
Maternity Leave	Subject to meeting the relevant qualifying conditions and notice requirements pregnant employees are entitled to 26 weeks ordinary maternity leave followed by up to 26 weeks additional maternity leave. The employer and employee can also agree to up to a maximum of 10 days paid 'keeping in touch' days during the period of absence.	Statutory. Mandatory notice requirements apply.	Statutory - paid/unpaid subject to qualifying conditions. Eligible employees may also be entitled to contractual maternity pay.
Maternity Support Leave (support staff on LG conditions) See also Paternity Leave	Maternity support leave of 5 days shall be granted to the child's father or the partner or nominated carer of an expectant person at or around the time of birth.	5 days – mandatory for staff on Local Government conditions of service	Pay is mandatory due to Local Government conditions of service
Maternity Support Leave (teaching staff and other staff not on LG conditions) See also Paternity Leave	There is no entitlement to maternity support leave for teaching staff although requests for leave from the child's father or the partner or nominated carer of an expectant person at or around the time of birth may be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary

<p>Parental Leave</p>	<p>The right to parental leave entitles all eligible employees who have completed one year's qualifying service to take a period of unpaid leave to care for each child under 18 years of age. Parental leave is for parents, adoptive parents and guardians to care for their children. Parental leave must normally be taken in blocks of one week and a maximum of 4 weeks is permitted per year unless the employer agrees to more.</p>	<p>Statutory - 18 weeks in total for each eligible child. Mandatory notice requirements apply.</p>	<p>Statutory – unpaid</p>
<p>Paternity Leave (Included in Maternity Support leave where eligible)</p>	<p>Paternity leave is available to a person whose partner is having a baby, adopting a child or having a baby through a surrogacy arrangement. This includes the biological father of the child, the partner, spouse or civil partner of the birth mother/primary adopter, who shares, or expects to share, the main responsibility for bringing up the child.</p> <p>Eligibility is subject to having 26 week's service at the 15th week before the baby is due/date of adoption placement.</p> <p>Employees must state their intention to take Paternity Leave in writing, confirming their service and status eligibility, 15 weeks before the expected week of birth or placement (or as soon as practical in the case of adoption). They must then give 28 days' notice of the actual date they intend to take the leave.</p> <p>If taking Shared Parental Leave (SPL) Paternity Leave must be taken before any period of SPL</p>	<p>Statutory – one or two weeks leave for each pregnancy or adoption to be taken within the first year after birth/placement. Full weeks only may be taken.</p>	<p>Paid at Statutory Paternity Pay (SPP) rate or 90% of average weekly earnings (whichever is lower).</p> <p>(subject to any eligibility to Maternity Support Leave)</p>
<p>Shared Parental Leave (SPL)</p>	<p>Subject to meeting relevant qualification criteria and notice requirements, those with shared responsibility for a child at birth or date of placement in the case of adoption may be eligible to take SPL. SPL is available where one partner is entitled to maternity/adoption leave and brings this to an end early. The remaining period can then be shared between the partners. SPL may only be taken during the year following birth/adoption placement.</p>	<p>Statutory – maximum of 50 weeks leave (less any period of maternity/adoption leave already taken) may be used as shared parental leave, subject to meeting eligibility criteria</p>	<p>Statutory – paid/unpaid subject to qualifying conditions</p>

Surrogacy	<p>An employee acting as surrogate is entitled to maternity leave subject to meeting the eligibility criteria.</p> <p>An employee taking parental responsibility for a child born by a surrogate is not entitled to maternity leave but may be entitled to adoption leave and/or shared parental leave subject to meeting the eligibility criteria.</p> <p>Employees who are intended parents by virtue of a surrogacy arrangement are entitled to unpaid time off to attend up to 2 ante-natal appointments of the surrogate not exceeding 6.5 hours per appointment (see ante-natal care above).</p>	<p>Statutory subject to meeting eligibility criteria</p> <p>Statutory subject to meeting eligibility criteria</p> <p>Statutory</p>	<p>Statutory - paid/unpaid subject to qualifying conditions</p> <p>Statutory - paid/unpaid subject to qualifying conditions</p> <p>Statutory - unpaid</p>
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Appendix 2 Table of health-related absence

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Blood Donors	Subject to operational requirements employees may request reasonable time off on a discretionary basis.	Time off is discretionary	Pay is discretionary
Cancer Screening	For routine cancer screening (for example cervical cancer screening and breast examinations) employees should make all reasonable efforts to arrange appointments outside working time. Where this is not possible, or where the screening is non-routine, leave of absence will be granted for the purpose of attending such appointments.	Time off is mandatory due to conditions of service for support staff and discretionary for teachers, but will be granted for all employees as indicated	Paid is mandatory due to conditions of service for support staff and discretionary for teachers, but reasonable time off with pay will be granted for all employee
Dental Treatment	For all routine dental appointments, employees should make all reasonable efforts to arrange appointments outside working time. If emergency or urgent treatment is required employees may request leave during the normal working day and such requests will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary

<p>Elective surgery that is not medically necessary / recommended</p>	<p>Employees who wish to undergo elective surgery that is not medically necessary / recommended should arrange such surgery (and any pre/post operation appointments) during school closure periods/periods of annual leave.</p> <p>They should ensure that they have enough time to recover before the start of term/end of period of annual leave.</p> <p>Leave of absence will not normally be granted although requests will be considered on a case-by-case basis. If, following elective surgery that is not medically necessary / recommended, the employee becomes medically unfit as a result of the surgery sickness absence provisions will apply.</p>	<p>Time off is discretionary</p> <p>Sickness absence in line with normal entitlements</p>	<p>Pay is discretionary</p> <p>Statutory and contractual sick pay entitlement will be payable where eligible.</p>
<p>Type of Absence</p>	<p>Details of leave provisions</p>	<p>Statutory or Discretionary Leave</p>	<p>Paid / Unpaid</p>
<p>Elective surgery that is medically necessary / recommended</p>	<p>Where the elective surgery is medically necessary / recommended normal sickness provisions will apply. Employees may be asked to provide evidence that the surgery is necessary / recommended.</p>	<p>Sickness absence in line with normal entitlements</p>	<p>Statutory and contractual sick pay entitlement will be payable</p>
<p>Medical appointments and treatment</p>	<p>All routine medical appointments and treatment should be arranged for outside the employee's normal working hours. If an emergency appointment or urgent treatment is required employees may request leave during the normal working day and such requests will be considered on a discretionary basis.</p>	<p>Time off is discretionary</p>	<p>Pay is discretionary</p>

Appendix 3 Table of Public service and duties leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Court / Employment Tribunal Appearances	Employees who are required to attend court as a witness, juror or because they are pursuing a claim or are the subject of criminal proceedings must notify the school as soon as they receive the hearing date or a witness summons.	Time off is discretionary (except where a witness summons is produced by the employee when they must be released)	Pay is discretionary
Jury Service	All employees must be allowed to take time off for jury service. Under national conditions of service employees are entitled to receive paid leave of absence for jury service.	Statutory right to leave for the duration of jury service	Contractual - paid.
Public bodies (service on) and public duties	<p>Justices of the Peace/Magistrates</p> <p>Members of a local authority/local councillors</p> <p>Members of a statutory tribunal e.g. an Employment Tribunal</p> <p>Members of a relevant health body/authority for example health trusts</p> <p>Members of a relevant education authority for example Maintained school or college Governing Body (i.e. School Governors) (n.b School Governors at Academies are not currently included in this right)</p> <p>Members of the prison independent monitoring boards</p> <p>Members of a panel of lay observers who monitor conditions for prisoners under escort and in court custody</p> <p>Members of Teaching Regulation Agency</p> <p>Members of the Environment Agency</p> <p>Members of Visiting Committees for the immigration detention estate</p> <p>Members of Visiting Committees appointed to monitor short-term immigration holding facilities</p>	<p>Statutory right to a “reasonable” amount of time off, to be agreed between the employee and employer beforehand.</p> <p>The amount of time that may be considered reasonable should be based on:</p> <ul style="list-style-type: none"> • How long the duties might take • The amount of time the employee has already had off for public duties • How the time off will affect the school/organisation <p>Employers may refuse time off if they consider it is unreasonable</p>	<p>Contractual Paid leave.</p> <p>Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the employing school.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Reservists – time off for training	<p>Volunteer reservists (e.g. members of the Territorial Army) may request time off to carry out training. There is no statutory entitlement to time off for training. Employers may consider such requests on a discretionary basis.</p> <p>N.b Reservists who are mobilised must be given time off, unless their employer believes their absence would cause serious harm to their organisation.</p> <p>In these circumstances, employers have the right to seek exemption from it, or to defer or revoke the mobilisation.</p> <p>Employers may be eligible to claim expenses in respect of additional costs incurred whilst replacing a reservist (to a maximum of £110 per day). Employers may also be able to receive a payment of up to £500 per month for each full month a reservist is absent from work (pro-rated for parts of month and part time workers).</p>	Time off is discretionary	Pay is discretionary
Trade Union Representatives – requests for time off to act as a companion to another employee attending a disciplinary or grievance	Trade Union representatives have a statutory right to take a reasonable amount of paid time off to accompany a worker at a disciplinary or grievance hearing so long as they have been certified by their union as being capable of acting as a worker’s companion. The right to time off only applies where the person being accompanied is employed by the same employer as the certified companion.	Statutory – “reasonable” time off	Statutory – paid
Trade Union Activities	<p>Employees who are members of an independent trade union recognised by the employer in respect of that description of employee are to be permitted reasonable time off during working hours to take part in any trade union activities.</p> <p>Activities include (but are not limited to) actions taken by members in relation to their union, for example voting in elections, meeting with union representatives and attending workplace meetings.</p>	Statutory – “reasonable” time off to carry out their activities according to the agreements reached between the employer and the appropriate trade union.	<p>There is no statutory right to payment for time off to carry out trade union activities.</p> <p>Any payment for time off to carry out Trade Union activities is at the discretion of the employer.</p>

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Trade Union Duties	<p>Employees who are elected union representatives of an independent trade union recognised by their employer for collective bargaining purposes are entitled to reasonable time off during working hours to carry out certain trade union duties.</p> <p>Duties are tasks undertaken by union representatives on behalf of the members, for example negotiating with the employer or organising elections.</p> <p>These duties must be on behalf of employees of the employer to be covered by the statutory right to paid time off.</p>	<p>Statutory entitlement to “reasonable” time off to carry out trade union duties.</p> <p>When considering what is reasonable, employers need to balance the right that the union representatives have to conduct their duties with the need for the efficient running of the school.</p>	Statutory – paid
Trade Union Learning Representatives	<p>Employees who are members of an independent trade union recognised by the employer can take reasonable time off to undertake the duties of a Union Learning representative, provided that the union has given the employer notice in writing that the employee is a learning representative of the trade union and the training condition is met.</p> <p>Union members are also entitled to reasonable time off for accessing the services of union learning representatives.</p>	Statutory – “reasonable” time off to carry out their duties/undergo training relevant to their functions as a Union Learning Representative.	Statutory – paid

Appendix 4 Table of training related leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Time off to Train	<p>All employees who have worked for their employer for at least 26 weeks and whose employer has 250 employees or more (this right therefore applies to employees at Community and Voluntary Controlled schools where the employer is the Local Authority) have the right to request time off to undertake training which they believe will improve their effectiveness in their role and overall performance of the school/academy.</p> <p>Only one request may be made in any 12-month period.</p>	Discretionary - depends on the course requirements and operational needs of the school	Pay is discretionary – depends on the course and its benefits to the individual and the school
Study Leave and Examinations	<p>Leave may be requested for periods of study to prepare for examinations. The employee must notify the Headteacher /Principal as soon as possible of dates and reasons for leave.</p>	Time off to study for exams is discretionary	Pay is discretionary

Appendix 5 Table of other leave

Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Examination Board duties (release of teachers)	Request from teachers for leave of absence to carry out duties/activities connected with Examining Groups/Boards will be considered on a discretionary basis	Discretionary	Pay is discretionary
Holiday	<p>All employees are entitled a minimum of 5.6 weeks statutory leave pro-rated for part-time. Employees may have a contractual leave entitlement which exceeds the statutory entitlement and this will be set out in the contract to employment.</p> <p>For those employees working less than 52.14 weeks, annual leave is deemed to be taken during the closure periods. Requests for time off to go on holiday in term time will not normally be granted.</p> <p>For employees who work 52.14 weeks it is normally expected that annual leave will be taken during school closure periods. All requests for annual leave should be made in line with school procedure and appropriate notice must be given.</p>	Statutory/Contractual	Statutory/Contractual paid leave
Job-seeking and retraining in a redundancy situation	<p>An employee who is under notice of redundancy (and who has been continuously employed for 2 years by the date their notice period ends) can request reasonable time off with pay to look for another job or to arrange training.</p> <p>N.B The Redundancy Policy gives the right to reasonable time off for interviews to staff at risk of redundancy</p>	<p>Statutory – reasonable time</p> <p>Contractual (if adopted model redundancy policy)</p>	<p>Statutory – paid (n.b regardless of how much time off an employee takes for job hunting in any week, employers are only required to pay up to 40% of that week's pay.)</p> <p>Discretionary</p>
Interviews	If an employee not at risk of redundancy requests time off to attend an interview, this will be considered on a discretionary basis.	Time off is discretionary	Pay is discretionary

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Type of Absence	Details of leave provisions	Statutory or Discretionary Leave	Paid / Unpaid
Moving house	Employees should make all efforts to move house outside of their normal working hours. Where this is not possible or where an employee is moving to take up their post at the school/academy, sympathetic consideration will be given to considering a leave of absence request.	Time off is discretionary	Pay is discretionary
Religious observance	<p>The employer recognises the importance of religious observance and will attempt to accommodate the needs of the employee, including for example, time away from work during the day for prayer or to accommodate periods of fasting.</p> <p>Employees whose religious duties are not covered by weekends or the current statutory bank holidays may request time off for religious festivals.</p>	Time off is discretionary	Pay is discretionary
Weather – severe conditions	<p>Where severe weather conditions prevail, employees are expected to make every effort to attend work, using alternative modes of transport where necessary.</p> <p>Where an employee, arrives at work late and/or has to leave work early as a result of the conditions, this will normally be treated as a normal full working day (unless otherwise notified).</p> <p>Employees who are genuinely unable to attend work should wherever possible, and with the agreement of the school, work from home or request leave of absence which will be considered on a discretionary basis.</p>	Time off is discretionary	Pay is discretionary

Appendix 6 - Pension contributions during authorised unpaid leave

Important information for employees

When a Pension Scheme member has unpaid leave of absence (e.g. child related absence, leave of absence and sabbaticals), the period of any such leave will affect their Pension.

Local Government

Employees in the scheme can choose to top up their pension through an Additional Pension Contribution (APC) contract to cover the period of unpaid authorised leave.

The LGPS has produced [further information](#) including a [calculator](#) so that employees can calculate the cost of the APC.

If they elect to buy back pension within 30 days of returning from each period of authorised* unpaid leave of absence the cost of the APC will be shared with the employer who will pay two-thirds of the total amount. If an employee elects for an APC after 30 days, they will need to pay the full cost of contributions, instead of sharing the cost with the employer. The employee can either pay their share as a lump sum, or in instalments as agreed with the scheme administrator. Employees who wish to top up their pension should complete the form below.

*this is not available for unauthorised unpaid absences such as strike action.

50/50 option

If an employee has opted into the 50/50 section of the scheme, they will automatically be moved back into the main (full cost) scheme when the period of unpaid authorised leave ends. The employee may elect to go back to the 50/50 arrangement at any time.

Teachers

If an employee is in the Teachers' Pension Scheme, whilst they cannot actually make up their pension to cover their unpaid authorised leave period, they can decide upon their return to work to Purchase Additional Pension that can be paid by monthly instalment directly through their pay or make a one-off payment.

Those members who come under "**Career Average Arrangement**" also have further flexibilities of purchasing a **Faster Accrual Rate** or **Buy-out** the standard reduction applied to members taking benefits early. There are strict time limits for buying Faster Accrual Rate and buy out of the standard reduction. The latter is within 6 months of joining the Career Average Arrangement and Faster Accrual Rate is every April. Employees who wish to consider one of these options should therefore ensure they abide by these time limits. Members' have to make a formal application for any of the above provisions via the [Teachers' Pensions website](#).

Local Government Pension Scheme (LGPS) members only

For the employee to complete upon return to work.

If you have taken any unpaid authorised leave, you can choose whether or not you wish to pay for lost pension to cover this unpaid period away from work. If you would like to buy pension to cover this time, complete this section of the form and return it to your line manager. If you have more than one job, you will need to return one form for each job. If you send in the forms within 30 days of your return, your employer will pay two thirds of the cost of lost pension.

If you elect below to make up lost pension contributions, Payroll will calculate the lost pay figure (Assumed Pensionable Pay) and will write to you confirming the value. You will be instructed to use the online tool to calculate the amount to be paid and to complete the Additional Pension Contribution form. You will have the choice whether to pay monthly or as a lump sum. Please note that if you leave your employer before all the contributions have been deducted from your salary, your final pension could be reduced.

Yes I would like to make up the pension contributions lost during my period of unpaid authorised absence.

Signed.....Date.....

For Payroll team to action once the employee has returned to work

Assumed pensionable pay (APP) for unpaid authorised absence = £_____

Employee notified of value to enter into Pensions online calculator.

Signed (for payroll):

Date: