



UTC PLYMOUTH

Leave of Absence Policy

INTRODUCTION

This policy provides information regarding the entitlements of staff to annual leave and to leave of absence, both paid and unpaid.

- This procedure applies to all College employees.
- All specific time off provisions (in days) detailed in this document will be provided on a pro-rata basis for part-time/job-share employees.
- 'Close relatives' or 'immediate family' are normally defined as husband/wife, permanent partner, children, parents, grandparents, sister/brother, parents-in-law or nominated next of kin. This also includes step children, foster and adopted children/parents.
- Definition of dependant: a dependant is the partner, child or parent of the employee, or someone who lives as part of their family. For example this could be a grandparent. It does not include tenants or boarders living in the family home or someone who lives in the household as an employee.
- This policy does not cover maternity/adoption leave or time off for IVF and fertility treatment.
- All staff will be required to follow the College's procedures for requesting leave of absence and for reporting absence.
- Authorised paid and unpaid leave of absence from work for the reasons in this policy requires prior approval.
- The Governing Body has given delegated authority to the Principal to approve leave absence requests up to 5 days. For longer periods of leave of absence the Principal must discuss each case with the Chair of the Governing Body, or their representative, and act on the recommendation made.
- Requests for paid or unpaid leave must be made in writing, giving full reasons for the request on the appropriate form. The request should be made as soon as it is known that it will be required and in any case not less than 4 full weeks in advance of the proposed absence, except in exceptional circumstances such as the illness or death of a family member.
- Leave of absence for other reasons not outlined in this policy should be made in writing to the Principal and they will be considered on their merits.
- Appeals regarding refusal of requests for leave of absence will be heard by the Governing Body.

Requests for leave of absence will be considered taking into account

- The principles of this policy.
- The best interests of the students and the College.
- Treating staff in a fair, reasonable and consistent way.

2 ANNUAL LEAVE

2.1 Teaching staff

Teaching staff are not entitled to annual leave.

Teachers will not be granted leave of absence for holidays in term time.

2.2 Support staff employed on a term time only basis

Support staff employed on a term time only basis are not entitled to annual leave.

College support staff employed on a term time only basis will normally work for the 190 or 195 days of the agreed College calendar for the academic year.

Requests for leave of absence on the defined working days will not normally be approved, except in accordance with the provisions of this document and under exceptional circumstances.

Support staff employed term time only will not be granted leave of absence for holidays in term time.

2.3 Support Staff employed to work throughout the year

Support staff employed to work throughout the year are entitled to annual leave.

The annual leave year for support staff runs from 1 September to 31 August and the annual leave entitlement is as follows:

Less than 2 years service:	23 days plus bank holidays
2 – 3 years service:	25 days plus bank holidays
4 - 5 years service:	27 days plus bank holidays
Over 6 years service:	29 days plus bank holidays

Local leave days: these 3 days are to be used when non-essential services closedown at a time of the school's choosing, this is usually between Christmas and New Year.

All annual leave entitlement including public holidays are pro-rata for part-time employees.

Holiday arrangements should not be finalised until authorisation to take leave has been granted.

For some employees, depending on job role, leave must be taken during the student holiday period. If this is the case the employee will be notified on appointment.

For all other staff working throughout the year, leave must be taken according to the exigencies of the students/department/college and no more than 2 weeks can be taken at any one time, bar in exceptional circumstances and with the permission of the Principal.

Employees will not normally be able to carry over unused annual leave from one year to the next. In exceptional work related circumstances, the Principal has the discretion to allow employees to carry over up to five days leave. Should this be the case, leave must be taken before the 31st December and on dates subject to the needs of the service.

In addition to the annual leave entitlement Support Staff employed to work throughout the year are entitled to general, public and extra statutory holidays. This is pro-rata for part-time employees.

3 PARENTAL LEAVE

See the Parental Leave Policy

4 MATERNITY/PATERNITY SUPPORT LEAVE

See the Maternity Policy.

5 FAMILY SUPPORT LEAVE

- a) Upon the death of a member of the employee's immediate family up to 5 days leave **with pay**.
- b) Time off to deal with emergencies.

In the case of emergencies where there is no other person to look after the employee's sick child (or dependant) time off **with pay** will be granted for emergencies and sickness of a child/dependent. Employees will be granted 5 days **paid leave of absence** in any one academic year to deal with emergencies, regardless of the number of children or dependants the employee has.

6 WEDDINGS

Staff will be granted one day **with pay** to attend the wedding of close relatives as defined above.

7 RELIGIOUS OBSERVANCE DAYS

In respect of the observance of religious festivals for which there is no public holiday, up to 3 academic days per year will be granted **without pay**. Leave will be granted only for those days when the requirements of the festival make it impossible for the employee to work. Absence for religious festivals should be planned ahead at the beginning of each academic year.

8 GRADUATION CEREMONY

Staff will be granted time off to attend the graduation ceremony of the employee or member of the employee's immediate family - one day **without pay**.

9 OPTICIAN, DOCTOR AND DENTAL APPOINTMENTS

These should be arranged outside of College hours except in an emergency.

Urgent dental treatment should be treated as sickness and there will be no need for leave of absence to be requested. If, however, the treatment could reasonably have been dealt with outside working hours, formal application for leave of absence should be made.

If such an emergency requires the employee to continue to be absent from work for a period longer than that necessary to gain treatment, the absence will be treated as being due to ill health and the normal sickness procedures will be followed.

10 HOSPITAL APPOINTMENTS

Employees should make every effort to arrange hospital appointments outside of College hours, but if unavoidably in College hours, time off **with pay** will be granted. However, staff are requested to book appointments that will minimise the disruption to the academic day.

11 ABSENCE FOR MEDICAL SCREENING

Paid time off will be granted for employees for the purpose of all medical screening including all cancer screening. However, staff are requested to book appointments which will minimise the disruption to the school day.

12 MOVING HOUSE

Staff will be granted one day **with pay** in one academic year if the day of the move is unavoidably on a weekday in term time.

13 JURY SERVICE

Time off **with pay** will be granted for jury service. Where loss of earnings can be claimed this must be reclaimed and paid to the College.

14 ATTENDANCE AT COURT

Employees who are required to attend court as a witness either in a criminal case or a civil case where a witness summons or subpoena is issued will be granted time off **with pay**. Where loss of earnings are paid the employee must claim and pay the allowance to the College.

For court proceedings other than those above, for example custody of children, maintenance payments and other Court appearance where the employee is defendant or involved in non-criminal proceedings, one day will be granted without pay, except where the employee is entitled to annual leave.

15 PAID ABSENCE FOR OTHER PUBLIC DUTIES

The Governing Body has discretion to recognise public duties other than those listed below. Requests for paid absence to fulfil other public duties should be referred to the Principal. Paid absence for public duties/bodies should be taken only where necessary to undertake the role(s)

Where an allowance is paid, the College will reclaim costs incurred by their absence from work, from the employee, up to the full allowance received e.g. jury service and armed forces, This will not apply to election duties.

- TA and Auxiliary Forces

- Absence of up to 10 days a year.

- a) An employee absent from work due to service with the Reserve Forces should claim payment for the period away from work from the Reserve Forces in the usual manner.

- b) The employee should repay to the College a sum of money equivalent to their normal earnings for the period of their absence.

- c) Any Reserve Forces earnings over and above the employee's normal earnings, are unaffected and are kept by the employee.

- Governors duties: for members of another school's governing body up to a maximum of 20 hours per annum depending on the reasonableness of the request.
- Magisterial duties: leave of absence will be granted to employees appointed as magistrates to make the minimum attendance required by the appointment, including training.
- Candidates for parliamentary elections: maximum of 5 working days

- Voluntary Lifeboat Persons and Retained Fire Fighters: leave of absence for emergency call out.

16 INTERVIEWS

Paid absence will be granted to employees who are invited for a recruitment interview within another school or with a body that has a formal partnership arrangement with the College, for up to 3 days in any one academic year.

Paid absence will also be granted to any employee who has been identified as being at risk of redundancy, for interviews with any organisation.

17 SEVERE WEATHER CONDITIONS

These arrangements will be applied when there are severe weather conditions. If there is any doubt as to whether they will apply advice should be sought from the Principal. The criterion which will be used is the extent to which most means of transportation cease or are seriously disrupted.

If a decision has been made that the College is closed to students due to severe weather conditions, the Principal and Governing Body need to decide if staff are required to attend. Where staff have been informed that they are not required to attend they should be paid normal salary. This decision should only be taken in exceptional circumstances.

If the College is open the Principal should determine whether a member of staff has made reasonable attempts to get to work.

If a reasonable attempt to attend has been made then the absence should be **with pay**. The extent to which most means of transportation cease or are seriously disrupted will need to be taken into account.

If weather conditions are not severe and staff do not turn up the Principal may ask those staff to make up the time, or alternatively the period will be **without pay**.

In the case of support staff employed throughout the year they will be expected to take annual leave.

If staff do not turn up the Principal may ask those staff to make up the time or alternatively salary will be deducted. Staff who arrive late and who remain on site until the end of the day should not suffer loss of pay.

If the College releases staff early they should not suffer loss of pay. If the member of staff will be absent or late they must make every effort to telephone to report the circumstances.

Note: in applying the above procedures, the Principal will look flexibly at the alternatives to unpaid leave which are available to them. For example:

- Working from home
- Flexi time

- Time in lieu
- Temporary adjustment to hours
- Annual leave

This list is obviously not exhaustive and further guidance will be obtained if necessary.

If the member of staff is ill on the day or days when there are severe weather conditions, the College's normal sickness reporting and recording procedures will apply. Employees who are on training courses and are unable to attend the training venue should if possible report to College. If they are unable to attend college then the above will apply.

Absences caused by the urgent need to care for children, elderly, other close relatives whose schools, Day Centres or other establishments may have been closed because of severe weather conditions will be considered under Emergency leave. If the Principal is satisfied that the member of staff had no alternative but to stay at home with the child/person then pay should be granted. However, there is an expectation that all reasonable attempts to make alternative arrangements and/or share the responsibility of care with their partner if appropriate.

18 UNEXPLAINED/UNCERTIFIED ABSENCE

As soon as it becomes apparent that an employee is absent without an acceptable explanation or medical certificate, the Principal should write to the employee. The letter should note the date from which the employee was absent and that no medical certificate or satisfactory explanation has been received. It should remind the employee of his/her obligations and say he/she will not be paid beyond the last date at which he/she was either present at work or absent with an explanation. The letter should also invite the employee to a meeting and give the date and time.

If, within a calendar week, there is no response or no acceptable mitigating circumstances, a further letter should be sent by recorded delivery (and also by ordinary post in case the person does not accept delivery of the recorded item). It should refer to the earlier letter, state the lack of response and explain that unless the employee returns by a specified date (a week later) or unless a medical certificate or acceptable explanation covering the whole period of absence is received by that date, a hearing will be convened to consider the employee's dismissal. The letter should state that if the employee fails to attend the hearing on the date and time provided, a decision will be considered in his/her absence which is likely to result in dismissal for breach of contract of employment.

If there has been no acceptable response by the specified date, the Principal should convene a Governing Body panel where the employee's dismissal is considered. The employee should be notified in writing of the hearing and include in the letter the fact that if the employee does not attend the hearing a decision may be taken in his/her absence.

If the employee is dismissed at the hearing (irrespective of whether s/he attended the hearing), s/he has the right of appeal to the Governing Body. The employee will be informed of this in writing.

Employees returning to work within the above time periods, who are unable to provide satisfactory reasons for their absence, will be subject to disciplinary action in accordance with the disciplinary procedure and will not be paid for the period of unauthorised absence. Employees who return to work and provide medical confirmation of their absence may also be subject to disciplinary procedure for failing to follow the College's procedure for the reporting of sickness.

VERSION CONTROL SHEET

POLICY NAME: Leave of Absence Policy

Policy Prepared by: Julie Rae

Document date	Filename	Mtg submitted	Summary of changes required
Sept 2013		Staffing	New Policy
Jan 2014		Staffing	Changes made to holiday entitlement for support staff
Mar 2017		FGB	Reviewed
June 2019			Reviewed