



# Leave of Absence

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Adopted by (body): Chair of Staffing & Remuneration Committee

WELLBEING POLICY  
DEVELOPMENT  
STRATEGY HUMAN PEOPLE  
RESOURCES  
CHANGE MANAGEMENT  
SUCCESSION PLANNING  
CONFIDENTIALITY

**Collaborate** Ability to work effectively as a team

**Empower** Ability to take initiative and problem solve in order to improve performance

**Lead** To lead by example and achieve shared goals

**Transformation** Ability to recognise a need for change and adapt accordingly



## CELT Vision

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**Our vision is for our trust to be a learning organisation in the truest sense.**

At the heart of our vision for education is a self-improving school-led system which has the best evidence-led practice and in which every child fulfils their potential. This is a learning community in which:

- Our leaders are driven by moral purpose. They are outwards focused and not afraid to take risks to achieve system transformation. The focus of policy is on continually improving the quality of teaching.
- Our teachers strive to be outstanding. They work across organisational boundaries to promote a collective sharing of knowledge, skills, expertise and experience in order to deepen pupil learning.
- The individual talents and strengths of our pupils are recognised and nurtured. A passion and curiosity for learning is sustained in every child from the moment they join us. A CELT pupil leaves our family of academies with a purpose, and the confidence to fulfil that purpose.
- Our parents are engaged in our learning community and actively work in partnership with us to raise the level of attainment and aspiration of every child.

## CELT Mission

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**“Learning together to help every child achieve more.”**

We believe there is no limit to what every child can achieve, and that every child deserves the chance to fulfil their potential.

As a learning community we are on an ambitious journey. We want to deliver a model for education in the 21st century which instils curiosity and a love for learning in every child so that they develop into young adults who contribute to humanity, follow their passions, and think for themselves.

By learning and improving together – as part of a global learning community – we create much richer and more sustainable opportunities for rigorous transformation than can be provided by any one of our academies alone.

**COLLABORATE  
EMPOWER  
LEAD  
TRANSFORM**

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# 1

## Introduction

- 1.1 Leave of absence is not an entitlement to a number of days off per year. The purpose of leave of absence is to ensure that employees are able to manage particular circumstances that may occur in their lives where it is not possible to arrange these during non-working time and time off may be required. It is expected that requests will only be made for leave of absence in working time once all other possible alternatives have been considered.
- 1.2 The amount of leave of absence granted and reasons for doing so can differ between teaching and support staff and from one employee to another. It is also important to bear in mind that such entitlements must be considered against the overall working arrangements of the different categories of staff and, in particular, the need for arrangements to be made to cover such absences. An employee's attendance record may also be taken into consideration where appropriate.
- 1.3 All periods of leave of absence (excepting dependant leave) will be recorded and considered on a rolling 12 month basis.
- 1.4 Any employee who is suspected to have abused the provision for time off may be subject to disciplinary proceedings in line with the CELT's Disciplinary Procedure.
- 1.5 This procedure does not form part of any employee's contract of employment and it may be amended at any time following consultation with recognised trade unions. We may also vary this procedure, including any time limits, as appropriate in any case with the agreement of the employee.

# 2

## Scope and purpose of this policy

- 2.1 The purpose of this policy is to ensure that employees within CELT understand how requests for leave will be considered by the Head Teacher/Head of school. It will also ensure that staff across CELT are treated in a fair and consistent way when requesting time away from work.
- 2.2 The procedure applies to all employees regardless of length of service, except where otherwise stated.. It does not apply to agency workers.
- 2.3 This procedure is used to deal with requests for absence from work for the reasons contained within this policy. It does not cover requests for flexible working, maternity, paternity, parental or adoption leave. Information on these can be found in the relevant policy within CELT.

# 3

## Process for making requests

- 3.1 CELT recognises that it may not always be possible to request certain types of leave in advance, for example, bereavement leave, compassionate leave and leave in emergency situations. Where it is not possible to request leave in advance employees should contact the Head Teacher/Head of school/line manager as soon as possible to tell them the reason for the absence and the number of days leave that they anticipate being absent. The Headteacher/Head of school will then discuss the situation with you and agree next steps.
- 3.2 Employees should ensure that, other than in emergency situations, they make their request for leave in advance to enable the school to consider the request carefully and to ensure that cover can be implemented where required.
- 3.3 Where it is possible to do so in advance or when you return to work after taking time off under this policy, we might ask you to provide evidence for your reasons for taking the time off.

# 4

## Parental Bereavement Leave, other bereavement leave and compassionate leave

### Parental Bereavement Leave

Up to 2 weeks parental bereavement leave (PBL) for parents, with parental responsibility, to help them cope with the death of a child under the age of 18 years will be granted. This includes birth parents, adoptive parents, individuals who are fostering to adopt, legal guardians, most foster parents, (excluding short term and emergency foster care), intended parents under a surrogacy arrangement, looks after the child in your home other than a paid carer and have done so for at least 4 weeks and parents who suffer a still birth after 24 weeks or more into pregnancy. There is no minimum service requirement for eligibility to take and be paid for this leave.

- 4.1 Parental bereavement leave will be granted as a single block of 2 weeks or 2 separate blocks of 1 week at different times. This leave must be taken within 56 weeks of the loss of the child
- 4.2 If parental bereavement leave is taken straight away and during the first 8 weeks after the child has died, there is no requirement to give advance notice of PBL. However, employees should contact the School to inform of the reason for their absence.
- 4.3 Any parental bereavement leave taken after the initial period will be subject to at least 1 weeks' notice to the employer.
- 4.4 Employees taking parental bereavement will be asked to produce a written declaration to confirm they are entitled to the leave.
- 4.5 Entitlement to maternity leave and pay is not affected if a child has died or been stillborn. Maternity leave can be taken in addition to parental bereavement leave.

### Other Bereavement leave and compassionate leave

Staff affected by bereavement who remain unwell and unable to return to work should speak with their GP and associated absence should then be dealt with under the Sickness Policy.

### Death of a Partner

2 weeks' paid leave

Additional leave at the discretion of Headteacher/Board of Trustees (

### Death of a Relative or Close Friend

Up to 3 school days' paid leave and a further 2 school days' paid leave for travelling if out of the County

An additional 5 school days' unpaid leave if appropriate decided by your line manager.

### Terminal Illness of Partner, Child, Near Relative or Close Friend

The employee must be the main carer

# 4

2 weeks' paid leave to be taken when needed as appropriate

Up to 12 weeks unpaid leave also to be taken when needed by the employee

The Trust may also consider applications for a career break/sabbatical in the above circumstances. Please refer to the appropriate policy for further information.

## **Compassionate Leave**

In circumstances either not covered by any of the above, or in addition to the above at the discretion of your line manager

Up to 2 weeks' paid leave

Up to 6 weeks' unpaid leave

The above does not apply in the case of domestic emergencies, or where normal caring arrangements have been disrupted.

Bereavement leave and compassionate leave may be granted in relation to a spouse, civil partner or partner, child, stepchild, grandchild, parent, step-parent, parent-in-law, grandparent, brother or sister, stepbrother or stepsister, or brother or sister-in-law. The Head of School or Executive Principal may exercise their discretion in relation to any other relative or close friend, depending on the circumstances. When agreeing the amount of leave CELT will take into account the circumstances and relationship of the employee to the deceased.

CELT recognises that it may not always be possible to request bereavement leave or compassionate leave in advance. However, where it is possible, employees should make a request to the Head of School or Headteacher giving them the reasons for the request and the number of days leave that are required.

Where it is not possible to request leave in advance employees should contact the Head of School or Headteacher as soon as possible to tell them the reason for the absence and the number of days leave that are required.

4.6 Bereavement leave and compassionate leave may be granted in relation to a spouse, civil partner or partner, stepchild, grandchild, parent, step-parent, parent-in-law, grandparent, brother or sister, stepbrother or stepsister, or brother or sister-in-law. Children are covered separately in the parental bereavement section above. The Headteacher/Head of school may exercise their discretion in relation to any other relative or close friend, depending on the circumstances. When agreeing the amount of leave the school will take into account the circumstances and relationship of the employee to the deceased/seriously or critically ill.



# 5

## Dependants (Time off for)

- 5.1 The law recognises and we respect that there will be occasions when you will need to take time off work to deal with unexpected events involving one of your dependants. All employees have the right to take a reasonable amount of unpaid time off work when it is necessary to:
- 5.2 Employees are entitled to up to 5 working days (equivalent) paid leave within an academic year.
- 5.2.1 provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
  - 5.2.2 make longer-term care arrangements for a dependant who is ill or injured;
  - 5.2.3 take action required in consequence of the death of a dependant;
  - 5.2.4 deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant; and/or
  - 5.2.5 deal with an unexpected incident involving their child during school hours (or those of another educational establishment).
- 5.3 A dependant for the purposes of this policy is:
- 5.3.1 an employee's spouse, civil partner, parent or child;
  - 5.3.2 a person who lives in the same household as the employee, but who is not their tenant, lodger, boarder or employee; or
  - 5.3.3 anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to in paragraph 5.1.
- 5.4 Employees are only entitled to take reasonable time off under this policy where there is an immediate crisis and it is necessary to take action in relation to a dependent. This will depend on the nature of the problem, the closeness of the relationship between you, and whether someone else is available to assist. Reasonable time off will not normally be more than 1 or possibly 2 days and in most cases will be less than a day. However, we will always consider each set of circumstances on their facts.
- 5.5 If you know well in advance that a problem might arise or you wish to take time off to care for a dependant yourself, rather than make alternative arrangements, this policy will not apply. You should make other arrangements to deal with such situations.
- 5.6 You will only be entitled to time off under this policy if, as soon as is reasonably practicable, you tell the Head Teacher/Head of school:
- 5.6.1 the reason for your absence; and
  - 5.6.2 how long you expect to be away from work.
- 5.7 If you fail to notify us as required by paragraph 5.5, you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.



# 6

## Domestic, Personal and Family Reasons

- 6.1 Up to an additional 5 days paid leave of absence may be granted for domestic reasons (urgent or otherwise). It is expected that those employees who have the option to choose when to take their leave, will use their annual leave entitlement before making a request for domestic reasons.
- 6.2 Leave to be granted under this provision may include the following, but the Headteacher/Head of school will consider each set of circumstances on the facts, including the nature of the request, the relationship of the employee to the person the request relates to where applicable and whether the event or incident is an exceptional circumstance that could not be arranged outside of normal working hours:
- 6.2.1 Moving house: Employees should normally make arrangements for moving house outside normal working days. Where this is not possible, up to a day's paid leave may be granted by the Trust.
- 6.2.2 Wedding or civil partnership ceremony: Employees should make their own wedding/civil partnership arrangements outside normal working days. Leave may be granted by the School to enable employees to attend a close relatives or close friend's wedding or civil partnership ceremony where this is held during normal working hours.
- 6.2.3 Other special events: The School recognises that in exceptional circumstances there will be special events in an employee's family life that cannot be arranged outside normal working days e.g. graduation ceremonies, school productions, sports day. The Trust will consider requests for paid time off for these purposes. Where appropriate the employee may be asked to make up missed time at another time.
- 6.2.4 Urgent domestic business: This would enable school staff to deal with emergencies of a domestic nature e.g. flooding, structural damage, burglary etc.
- 6.2.5 Parental Leave: Refer to statutory guidance which provides information on eligibility and taking of leave and includes an entitlement to 18 weeks' unpaid parental leave for each child and adopted child up to their 18th birthday. This is limited to 4 weeks per year for each child and must be taken as whole weeks. You must have been employed by CELT for at least 1 year.

You can take parental leave more flexibly if you receive Disability Living Allowance (DLA) or Personal Independence Payment (PIP) for your child. For example, you could take 1 or 2 days' leave rather than blocks of a week at a time.

- 6.3 Special absence for other personal or family reasons, e.g. to visit relatives who live abroad or to nurse a sick person may also be considered in exceptional circumstances where the employee has a minimum of one year's service at the date of commencement of the leave. A holiday will not be considered as an exceptional circumstance.
- 6.4 Plans or arrangements for the time off should not be made by the employee until they have received a decision in relation to their request and their request is granted, if appropriate.

# 7

## Health and Welfare

- 7.1 Employees are expected to make routine medical appointments on their non-working days/outside working hours. Where it can be demonstrated that it is not possible to obtain appointments outside of working hours the School may grant paid time off for reasons of the personal health and welfare of an employee. For example, visits to a doctor, dentist, optician, clinic and hospital. The school will expect employees to provide evidence of their requirement to attend any medical appointments. If appointments are virtual or by telephone the Trust will endeavour to provide a private space for such appointments to take place.
- 7.2 All employees are encouraged to attend medical appointments for preventative screening, such as smear tests, mammograms, prostate examinations. These appointments are covered by this policy.
- 7.3 Where an employee chooses to undergo elective cosmetic surgery or dentistry the appointment should be made outside of working hours. If this is not possible, at the discretion of the Trust lead, unpaid leave may be taken. Any post-operative recovery should also be taken as unpaid leave or holiday. Elective cosmetic procedures are not to be treated the same as elective surgery, cosmetic surgery or dentistry recommended by a medical practitioner in order to assist an employee to overcome emotional issues that are having an impact upon their wellbeing.
- 7.4 Employees who donate blood or other medical tissue are encouraged to do this outside of working hours. Where this is not possible requests for time off to attend these appointments will be considered under this policy.
- 7.5 Requests for time off for medical appointments in relation to adoption, pregnancy or a disability will be considered under Maternity and Paternity and Adoption Policy and the Equalities Policy.
- 7.6 Employees who are planning to undergo a course of fertility treatment or are planning to become a surrogate should discuss with the Head Teacher/Head of school their treatment plan and requirements for time off. The School will consider these cases based on the individual circumstances however the intention would be to support such requests.

# 8

## Interviews

- 8.1 CELT accepts that employees will have little or no control over when an interview will take place and therefore may grant paid leave for the duration of the selection process (usually one day) and up to 2 days additional paid leave if out of County travel is involved.
- 8.2 Employees must inform their Head Teacher/Head of school of the time, date and duration of the interview as soon as they have this information so that the request can be considered promptly to avoid disappointment. CELT can ask employees to provide evidence of interview. Alternative provision will apply in redundancy situations. Please refer to the Redundancy Policy for further guidance.

# 9

## Time off for public duties

- 9.1 CELT supports employees to perform certain public duties that they may be committed to undertake and will give them time off to do so where it does not conflict with the operational needs of the School. CELT is not obliged to grant employees paid leave for these purposes. The circumstances in which we are prepared to do so are set out below.

### **Jury service and Court Action**

- 9.2 Employees should tell the Head Teacher/Head of school as soon as they are summoned for jury service and provide a copy of the summons if requested.
- 9.3 Depending on demands CELT may request that the employee applies to be excused from or have the jury service deferred.
- 9.4 CELT is not required to pay employees while they are absent on jury service. You will be advised at court of the expenses and loss of earnings that you can claim. We pay employees who are doing jury service less any amounts you can claim from the court for lost earnings for up to 10 working days. Payment for time off beyond 10 working days may be paid at our discretion.
- 9.5 If an employee is required to attend court this will fall under special circumstance dependant on the nature or the requirement.

### **Voluntary public service**

- 9.6 Employees are entitled to a reasonable amount of unpaid time off work to carry out certain public duties. All employees may be granted up to 5 days' paid leave to perform voluntary public service duties. Any additional leave will be granted on an unpaid basis subject to the exercise of our discretion to grant further paid leave.

- 9.7 Public service duties include service as a:
- 9.7.1 Tribunal member
  - 9.7.2 Magistrate
  - 9.7.3 Local councillor
  - 9.7.4 Member of an NHS Trust
  - 9.7.5 Prison visitor
  - 9.7.6 Lay visitor to police stations
  - 9.7.7 School/Academy/Trust governor
- 9.8 If you are unsure whether a public service that you perform is covered by this policy you should speak to the Head Teacher/Head of school.
- 9.9 As soon as you are aware that you will require time off for performance of a public service you should notify the Headteacher/Head of school writing, providing full details of the time off that is being requested and the reasons for your request.
- 9.10 CELT will agree to requests for time off to undertake public duties wherever reasonably possible [having regard to the criteria set out in this policy]. If it is not possible to accept a request you will be given written reasons for our decision.
- 9.11 Each request for time off will be considered on its merits, in the circumstances in which it is made including:
- 9.11.1 Whether the activity is reasonable in relation to your employment.
  - 9.11.2 How much time off is reasonably required for the duty in question.
  - 9.11.3 How much time off you have already taken for the public duty in question.
  - 9.11.4 How your absence will affect the School.

#### **Reserve forces duties**

- 9.12 We are aware that employees who are members of the Reserve Forces (the Territorial Army, Royal Navy Reserve, Royal Marines Reserve or Royal Auxiliary Air Force) may be called-up at any time to be used on full-time operations and will be expected to attend regular training.
- 9.13 Employees who need time off for reservist commitments are expected to use existing holiday entitlement. In exceptional circumstances we may grant additional leave (either paid or unpaid) in order for these commitments to be met.

# 9

- 9.14 Whilst we will do everything possible to meet your request for leave it may not always be possible for operational reasons. If we receive notice that you have been called-up there may be occasions when we need to apply to an adjudication officer for the notice to be deferred or revoked if your absence would cause serious harm to the CELT (which could not be prevented by the grant of financial assistance).
- 9.15 Once your military service has ended you may submit a written application for reinstatement to your employment. This should be made by the third Monday following the end of your military service and you should notify us of the date on which you will be available to restart work.
- 9.16 If it is not reasonable and practicable to reinstate you into your former employment we will offer you the most favourable occupation on the most favourable terms and conditions which are reasonable and practicable.

# 10

## Professional Examination Duties

- 10.1 CELT will authorise leave for teachers to undertake professional duties in connection with GCSE, GCE A Level and other public examination in line with the provisions of the Burgundy Book (Section 6). This also gives details of how the school may be reimbursed when a teacher has to be released.

# 11

## Redundancy – support for job seeking

- 11.1 Employees who have been identified by CELT as redundant will be allowed reasonable time off during working hours to support them with securing alternative employment or to arrange training for future employment. The amount of time-off is at the discretion of the Head Teacher/Head of school. Each case will be considered on its merits.

# 12

## Religious Festivals

- 12.1 Employees whose religious beliefs require the observance of festivals which fall on days upon which they would normally work, may be granted up to 4 days leave without pay.
- 12.2 Employees must inform the Head Teacher/Head of school at the start of each academic year of any dates that they may need to request time off for. Where this is not possible employees should provide this information as soon as they are able to and no later than 10 working days before the date of the requested leave.

# 13

## Time off for trade union duties and activities

- 13.1 CELT wishes to support employees with time off for trade union activities.
- 13.2 Trade union representatives are entitled to reasonable paid time off to carry out trade union duties and activities, to undergo training and to accompany a worker to a grievance or disciplinary hearing. As detailed in CELT's facilities agreement.
- 13.3 Union members have a right to reasonable unpaid time off when taking part in trade union activities.
- 13.4 Employees should be aware that there will be occasions where, for operational reasons, or where CELT believe the time off to not be reasonable, requests can be declined. Each application for time off will be assessed on its merits and the determination will ultimately depend on the needs of the School at the time of the request and consideration will be given to:
  - 13.4.1 the nature and timing of the request;
  - 13.4.2 the amount of time off previously granted or planned for the future;
  - 13.4.3 the number of representatives or members seeking time off within a given period; and
  - 13.4.4 the legitimate need of the union representative or union learning representative to discharge their functions.
- 13.5 If a union representative, union learning representative or union member is aggrieved by a decision to refuse time off to undertake their duties, training or activities, they should raise the matter in accordance with CELT's procedure.

**Time off for union representatives - duties**

13.6 Employees who are representatives of an independent trade union recognised by CELT for collective bargaining are permitted paid time off, as detailed in our facilities agreement to:

13.6.1 carry out their duties in connection with:

- (a) negotiations in relation to collective bargaining
- (b) the performance of other permitted functions related to collective bargaining;
- (c) information and consultation over collective redundancies or TUPE transfers; and
- (d) agreeing new terms for the workforce following a TUPE transfer in an insolvency situation;

13.6.2 undergo training in aspects of industrial relations relevant to those duties which has been approved by the Trades Union Congress or by the trade union;

13.6.3 accompany a fellow worker to a disciplinary or grievance hearing.

**Time off for union members - activities and learning**

13.7 An employee who is a member of an independent trade union is recognised by CELT in relation to their position is permitted reasonable unpaid time off to take part in a trade union activity or to consult a union learning representative. Examples of trade union activities include voting in union elections and attending relevant workplace union meetings, but not participating in industrial action.

**Time off for union learning representatives**

13.8 Employees who are members of an independent trade union recognised by CELT can take reasonable time off to perform duties as a union learning representative, providing that the union has given CELT notice in writing that the employee is a learning representative of the trade union and that the representative is, or will be, sufficiently trained to carry out the learning representative duties. The purpose of a learning representative includes arranging training, promoting the value of training and analysing training needs.

**Requesting time off - trade union representatives and learning representatives**

13.9 Employees that are trade union representatives or trade union learning representatives should ensure that their trade union has provided written confirmation of this to CELT.

13.10 The Head Teacher/Head of school will meet with the employee to discuss their union role and the amount of time and facilities that the CELT believes to be reasonable to enable the employee to carry out their union duties.



# 13

- 13.11 When making a request for time off the employee should provide as much notice as possible and give further details, such as the location, timing, duration and purpose of the time off. The Head Teacher/Head of school will look at each request and the circumstances before deciding what is reasonable.
- 13.12 Both parties accept the need to be flexible within this process and recognise their duties and obligations to CELT. The parties will seek to agree a mutually convenient time for the duties or activities, with minimum disruption to the teaching and learning at the School. Where possible, the recognised trade union(s) will arrange workplace meetings towards the end of the working day or near break times.

#### **Requesting time off - trade union members**

- 13.13 Employees who want to request time off for trade union activities, where this is not covered by our facilities agreement, during working hours should make a request to the Head Teacher/Head of school giving as much notice as possible and provide further details, such as the location, timing, duration and purpose of the time off. The Head Teacher/Head of school will look at each request and the circumstances before deciding what is reasonable.

# 14

## Unpaid special leave and sabbaticals

Extended Leave of Absence (for example of at least half a term in duration)  
Requests for an extended period of leave, including leave for sabbaticals, exchanges and voluntary work, should be by written application to the Headteacher giving at least a full term's notice. The Governing Body should consider the request. Such periods of absence may affect the leave entitlement of relevant employees

# 15

## Retention and data protection

15.1 Through the application of this policy, CELT may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018). Records will be kept in accordance with our [Workforce Privacy Notice], our [Retention and Destruction Policy] and in line with the requirements of the Data Protection Legislation.

# 16

## Review of policy

This policy is reviewed and amended annually by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively. Consideration of the equality impact of this policy will be given to ensure that no groups or individuals with protected characteristics are unintentionally disadvantaged by the policy or practice.

# REQUEST FOR LEAVE OF ABSENCE

## SECTION 1 – TO BE COMPLETED BY THE EMPLOYEE

Name:

Post:

I request leave of absence on the following date(s):

From:

To:

For the following reason:

Signed:

Date:

**When this section has been completed the form should be given to the Head Teacher/ Head of school. In the case of a Headteacher/Head of school should go to the Trust Lead**

## SECTION 2 – TO BE COMPLETED BY THE RELEVANT PERSON

- This request for leave of absence is granted with pay
- This request for leave of absence is granted without pay
- This request for leave of absence has not been granted for the following reasons:

Number of days leave of absence already granted in the 12-month period:

Signed:

Date:

**A copy of the completed form should be returned to the applicant and copied to HR and the school office for payroll purposes.**

# History of Changes

| Version | Date       | Page | Change         | Origin of Change |
|---------|------------|------|----------------|------------------|
| 1.0     | 30.11.2022 |      | Original Draft |                  |