



# The Three Rivers

Learning Trust

<b>Name of Policy</b>	<b>Leave of Absence</b>
<b>Policy Number</b>	<b>H7</b>
<b>The Three Rivers</b>	
<b>Named Person(s)</b>	<b>AVEC HR Partners / M Tait</b>
<b>Review Committee</b>	<b>Full Board</b>
<b>Last review date</b>	Summer 2021
<b>Next review date</b>	Summer 2024

**This Policy should be read in conjunction with the Shared Parental Leave and the Adoption and Pay policies together with the Guide to Maternity Provisions.**

## **LEAVE OF ABSENCE PROVISIONS**

### **Introduction**

The purpose of this policy is to outline the Learning Trust's provisions in respect of leave of absence for personal reasons. It should be read in conjunction with policies/guidelines covering maternity/paternity/adoption/family leave (Shared Parental Leave, Adoption Leave and Pay and Guide to Maternity Provisions).

### **Application**

The leave of absence provisions outlined in this policy are applicable to all employees of The Three Rivers Learning Trust, regardless of number of hours worked (although some provisions may be pro rata to the number of hours worked). All employees other than those on casual contracts will be eligible to be considered for the benefits of this scheme.

Some provisions are statutory, some are National Conditions of Service and some are at the discretion of the Board of Directors. In all cases an application must be made to the relevant Headteacher.

In cases where a school grants leave of absence with pay in accordance with the Policy, supply cover may be available.

### **Principles**

The Policy aims to promote a consistent and fair approach to requests for leave of absence whilst dealing with each application on its own merits. Approval to take leave of absence is subject to the needs of the Learning Trust, the reasons for the request and working arrangements.

As with all absences, the individual schools within the Learning Trust will maintain records of occasions when leave of absence is granted in order to monitor and evaluate the scheme.

### **Help and Advice**

If there are cases which are not covered by this guide, or if further clarification is required, please speak to the relevant Headteacher.

### **Unpaid Leave**

Unpaid Leave of Absence may be granted to support employees who are experiencing difficult situations, however operational and budget considerations of the service affected will be assessed when making a decision. If you wish to find out more about this type of leave please put your request in writing to the relevant Headteacher.

### **Compassionate Leave**

The Learning Trust recognises the distress that people can suffer from time to time in their personal lives. This scheme encompasses a mix of statutory and local provisions. It enables the Learning Trust to exercise compassion as a good

employer and allow employees to take time off to deal with domestic incidents, eg

### **1. Time off to Care for Dependants**

The Employment Relations Act 1999 allows all employees to take a short amount of **unpaid** time off during working hours when it is reasonable for them to do so in order to take action which is necessary:

- to provide assistance when a dependant falls ill, gives birth or is assaulted
- to arrange care for a dependant who is ill or injured
- where arrangements for care of a dependant are unexpectedly disrupted or terminated
- as a result of the death of a dependent; and
- to deal with an incident involving the employee's child which occurs unexpectedly when s/he is at school

A dependent for the purpose of this unpaid statutory scheme is defined as a spouse; a child; a parent; a person who lives in the same household as the employee except lodgers etc; and a person who reasonably relies on the employee.

In order to take time off the employee must tell their line manager the reason for the absence and how long it is expected to last as soon as reasonably practicable.

In addition to the statutory unpaid provisions outlined above, the Learning Trust may grant up to a maximum of five days' **paid** leave in any leave year for the care of a sick dependant in the following circumstances:

- to deal with an **initial emergency** in the event of a dependant becoming seriously ill. Such leave however, is not normally intended to cover cases where a dependant is in hospital, although it may be granted in exceptional cases e.g. when a young child is admitted to hospital and parental presence is required, and in cases involving critical or terminal illness. In normal circumstances leave would not be granted to cover illnesses such as colds, flu, chicken pox etc, or for routine out patient appointments or planned hospital admissions
- when childcare or other care arrangements break down, e.g. if a childminder or nurse does not turn up, leave would normally be granted where alternative arrangements cannot be made and when a signed letter is provided by the regular childminder or carer to confirm that this is the case. Leave will not normally be granted to cover planned absences of the carer, e.g. for holidays, medical appointments etc

As soon as reasonably practicable, employees must notify their line manager of the absence and its likely duration.

Employees required to accompany a dependant to a medical appointment during normal working hours should normally use annual or unpaid leave (where this is available). However, in exceptional circumstances where this would cause particular hardship, the relevant Headteacher may exercise their discretion and grant compassionate leave.

For the purposes of this paid scheme, a dependent is defined as a person who lives with the employee and is physically and/or emotionally dependent on the employee. A relative living in separate accommodation would not normally be considered as a dependent, nor would someone living in the employees' home merely to share housing costs.

## **2. Unforeseen Domestic or Personal Incidents**

The Learning Trust may grant up to one day's leave for unforeseen domestic or personal incidents which necessitate absence from work. The leave will be paid on condition the time can be made up, otherwise it will be unpaid.

Circumstances falling under this category may include burglary, house fire and family crises. This provision is not intended to cover instances where domestic appliances have broken down; appointments with insurance assessors or trades persons; or buses breaking down and cars failing to start.

## **3. Bereavement**

Up to a maximum of five days' paid leave to be granted by the Learning Trust on the death of a close relative. The closeness of the relationship will be taken into account in each case. For example, close relatives will normally include spouse, parents, children, brothers and sisters. However, it may also include a person with whom the employee lives and/or has a stable relationship, e.g., partner, step-parent, step-child and mother/father-in-law. Similarly it would not be appropriate to grant paid leave to someone who loses a relative with whom there has been no communication or close relationship for some considerable time.

The granting of five days' leave of absence for bereavement is not an automatic entitlement. Normally three days would be the maximum. The number of days leave granted will depend on the following:

- whether the employee is responsible for making the funeral arrangements
- whether the employee is dealing with matters relating to the estate of the deceased

- how much travel is involved, e.g. attendance at a local funeral may require only half a day's paid leave, a funeral in Ireland may require three days' paid leave; and
- whether the employee had lived in the same house as the deceased  
An employee responsible for making the funeral arrangements and dealing with the estate of the deceased close relative would normally be allowed three days' bereavement leave. If, however, this also involved a considerable amount of travel, up to five days' bereavement leave may be granted. Annual leave, flexi-time or unpaid leave should be used to attend and travel to/from any other funeral not covered above

Compassionate leave may be granted as and when required, there is no prescribed maximum number of instances per leave year.

## **Keep In Touch (Career Break) Scheme**

### **Introduction**

- The Learning Trust recognises that, for various reasons, a number of highly skilled and experienced employees leave their employment every year. For many of these employees, the reason for leaving will relate to family reasons such as:
  - child care responsibility
  - care for sick or elderly dependants; or
  - reasons which relate to further education such as taking time off to obtain a professional or employment related qualification
- This can have consequences for the Learning Trust such as the loss of highly skilled and knowledgeable employees in whom the Trust may have invested extensive training resources
- The 'Keep in Touch' Scheme aims to maintain our investment in people by 'keeping in touch' with valued ex-employees so that they may be encouraged to return to work for the Learning Trust at a later date. In this way recruitment, training and relocation costs can be decreased and additionally skills and talents that otherwise may have been lost may be retained

### **General Principles of the Keep in Touch Scheme**

- Any employee who is about to leave the employment of the Learning Trust may ask their Line Manager if they would support their request to join the scheme. Acceptable reasons for joining the scheme include family reasons e.g. child care responsibility or caring for a sick dependant or relative, or leaving to undertake a professional or employment related qualification course
- It is recommended that any employee who has satisfactorily completed at least **one year's** continuous service with the Learning Trust at the time of their application shall be eligible to join the scheme
- A right of appeal to the Board of Directors will exist for any employee who feels that they have been unfairly refused entry to the scheme

### **Work Experience Placements**

- The department in which the ex-employee has previously worked will provide at least five days' unpaid work experience per annum. The purpose of this is to ensure that the ex-employee maintains their level of skill and competency in the work situation
- It is recommended that work experience placements be arranged wherever possible during holiday or sickness periods to cover workloads where otherwise a casual employee may be needed

### **Training**

- The ex-employee will be expected to attend regular Learning Trust training sessions free of charge (for which payment for attendance is not made). The purpose of this is to update the ex-employee with regard to changes in corporate policies and procedures and to maintain a high level of confidence
- It is recommended that the ex-employee liaises with the relevant Headteacher on a regular basis with regard to their training needs. It is recommended that the Learning Trust arranges specific skills training for ex-employees
- Arrangements will also be made to ensure the ex-employee receives corporate information e.g. Vacancy Bulletins, the Bulletin Board (if email is accessible), new Policy Statements

### **Return To Employment**

There is no guarantee of a job at the end of the scheme. There will, however, be a guarantee of an interview where an ex-employee meets the essential requirements of the person specification for any externally advertised vacancy for a period not exceeding six months (from the time when employment is actively sought).

### **Conditions of the Scheme**

- The period on the scheme will not exceed five years
- The ex-employee will be required to undertake periods of work experience and training as detailed above
- The scheme is designed to allow ex-employees the opportunity to keep in touch with the Learning Trust, whilst out of the labour market. For this reason participants who secure new permanent employment are normally required to leave the scheme. However, in exceptional circumstances they may be able to remain in the scheme. This will be at the discretion of the relevant Headteacher
- For the period on the scheme, service entitlements are not accrued for annual leave or other purposes
- Should an ex-employee be successful in obtaining employment with the Learning Trust at a later date, the period whilst on the scheme will not be recognised for continuous service purposes
- The ex-employee will be required annually to confirm their intention to stay on the scheme

### **Implementation of the Scheme**

Implementation of the scheme will be the responsibility of the relevant Headteacher and will be kept under periodic review.

### **Review and Improvement**

This scheme will be kept under review and updated to suit any new legislative or good practice changes. If you have any suggestions for improvements then please write to the relevant Headteacher.

### **Other Absence Requests, Associate Staff**

Where Associate Staff would like time off that does not fit into the previous categories described then they can approach their line manager with a request for absence provided these hours are repaid before the time is taken or within four weeks of the absence. The manager will refer this request to a senior leader who will consider the impact upon the students, other staff and the smooth running of the school before the senior leader decides whether or not to agree the request.

Requests of this nature must be made in advance of any absence, have the agreement of the line manager and be accompanied by details of the arrangements to ensure there is no impact upon the smooth running of the school.

If a member of staff is unhappy with a decision an appeal would be received by either the Headteacher or the Business Director.

Where disputes cannot be resolved between the member of staff and the manager/member of SLT making the decision, the matter will be dealt with using the Learning Trust's procedures.

<b>SUMMARY OF LOA PROVISIONS</b>				
<b>Category of Leave</b>	<b>Maximum Provision (based on 12 month rolling period and pro rata to number of hours worked)</b>	<b>Paid or Unpaid</b>	<b>Service Required</b>	<b>Notice Required</b>
<b>Compassionate</b>	<b>Each case will be considered on an individual basis and a combination of paid/unpaid may be granted up to a maximum of five days</b>	<b>Paid or unpaid depending on circumstance</b>	<b>None</b>	<b>As much as possible</b>

<b>Bereavement of a close relative</b>	<b>Can be up to a maximum of five days although three days would be the normal entitlement. The closeness of the relationship will be taken into account in each case</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>
<b>Caring for dependants</b>	<b>Although up to a maximum of five days may be granted, it would be expected that alternative arrangements could be made after the first day</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>
<b>Unforeseen domestic or personal incidents</b>	<b>Up to one day</b>	<b>Paid on condition time can be made up, otherwise unpaid</b>	<b>None</b>	<b>As much as possible</b>
<b>Antenatal/ Screening / Hospital</b>	<b>As requested</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>
<b>Moving House</b>	<b>one day</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>
<b>Attending Job Interview</b>	<b>Up to four days may be granted depending on location etc</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>
<b>Attending Job Interview with Partner</b>	<b>Up to four days may be granted depending on location etc</b>	<b>Unpaid</b>	<b>None</b>	<b>As much as possible</b>
<b>Wedding</b>	<b>one day for bride or groom or sibling</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>
<b>Award Ceremony, including degree ceremonies and passing out parades involving the employee's child or partner</b>	<b>one day</b>	<b>Paid</b>	<b>None</b>	<b>As much as possible</b>



<p><b>External Representation (including sport)</b></p>	<p><b>Paid leave of absence will be granted if the school will gain recognition through the representation</b></p>			
<p><b>Examinations</b></p>	<p><b>Paid leave of absence will be granted for employees to sit examinations</b></p>			
<p><b>Religious Observance</b></p>	<p><b>Paid leave of absence will be granted when religious observance requires that an employee shall not work on that day</b></p>			
<p><b>Holidays</b></p>	<p><b>Teaching staff and term time staff will not be granted holidays outside of school holiday periods. However, all Associate Staff employed 52 weeks per year are not restricted to taking their annual leave during school holidays and may be granted holiday leave during term time. However, approval of such requests would have regard to the impact on the organisation of the school</b></p>			