



# An Daras Multi-Academy Trust

## Staff Leave and Absence Policy

The An Daras Multi Academy Trust (ADMAT) Company

An Exempt Charity Limited by Guarantee

Company Number/08156955

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## **Introduction**

An Daras Multi Academy Trust recognises and values the contribution of each member of staff to the education of the children in the school. It recognises that during the course of employment, colleagues will occasionally be absent from work through ill health, maternity and other authorised circumstances. Absence of any staff member employed in schools during term time means an impact on the children's education. Therefore, requests from any member of staff for absence to be taken during term time must be regarded by all as an exception. Requests for leave of absence for the purpose of taking holidays and/or contributing to holidays will not be granted.

This policy sets out details and entitlements for ADMAT staff members in relation to absence. Part-time staff will have entitlement for leave from work reduced in proportion to the percentage of time they work (pro rata). Unauthorised absences and absence due to sickness or injury will be dealt with under our Managing Sickness Absence Policy.

## **Approval for Leave from Work**

All staff will be required to follow the ADMAT procedures for requesting leave of absence and for reporting absence. Prior approval is needed for authorised paid and unpaid absence from work.

Requests for paid or unpaid leave must be made in writing to the Executive Head Teacher with full reasons for the request. Requests by the Executive Head Teacher should go to the CEO. The request should be made as soon as it is known that it will be required, no less than one full week in advance of the proposed absence, except in exceptional or unforeseen circumstances.

The Local Governing Body and Board of Directors have given delegated authority to the Executive Head Teacher to approve leave of absence requests for up to 3 days. For anything greater the Executive Head Teacher must discuss each case with the CEO or Deputy CEO (If CEO Unavailable).

Requests for leave of absence will be considered when taken into account:

- The principles of this policy
- The best interests of the children and the school,
- Treating staff in a fair, reasonable and consistent way,
- The terms and conditions of your employment.

### **Dental and Medical Appointments**

It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstance, such as a hospital appointment, that this may not always be possible. However, work time appointments should be kept to a minimum and cause as little disruption as possible.

### **Emergencies involving Dependants**

We recognise and 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.

A dependant for the purposes of this policy is; your partner, parent or child; a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee; or any other individual who reasonably relies on you as referred to below.

You have a right to take a reasonable amount of time off work when it is necessary to:

- provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
- make longer-term care arrangements for a dependant who is ill or injured;
- take action required in consequence of the death of a dependant;
- deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant; and/or
- deal with an unexpected incident involving your child during school hours (or those of another educational establishment).

You are only entitled to take time off under this policy to provide personal care for a dependant where there is an immediate crisis. If you know well in advance that you wish to take time off to care for a dependant yourself, rather than arrange for someone else to do so, this policy will not apply. You should take advice from your Line Manager or the Executive Head Teacher if you need to take time off work in these circumstances.

Reasonable time off will not normally be more than one or two days. However, we will always consider each set of circumstances.

You will only be entitled to time off under this policy if, as soon as is reasonably practicable, you tell the Executive Head Teacher the reason for your absence and how long you expect to be away from work. If you fail to notify us as required you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.

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 for example a medical certificate. Suspected abuse of this policy will be dealt with as a disciplinary issue under our Disciplinary Procedure.

### **Maternity Leave**

The earliest date a woman can start maternity leave is the beginning of the eleventh week before the baby is expected. You must notify the Executive Head Teacher, Headteacher, CEO or the HR department with details of the week the baby is expected and the date in which you choose to start maternity leave.

All women are entitled to take 52 weeks' leave unless they choose not to. For example mothers may wish to curtail part of the leave to enable their partner to take shared parental leave. Alternatively, you may return to work earlier than planned, in which case you should give at least eight weeks' notice, unless otherwise agreed with the Executive Headteacher, Headteacher or CEO.

Types of maternity Leave:

- Compulsory leave: the two weeks immediately after giving birth during which woman are not permitted to work.
- Ordinary Maternity Leave (OML): the 26 weeks of leave that all pregnant woman who are employees are entitled to take.
- Additional Maternity Leave (AML): This leave is optional and begins straight after OML, Additional 26 weeks that all pregnant women who are employees are entitled to.
- Shared Parental Leave (SPL): This is Leave that is shared between both parents, which in total is 52 weeks, However the mother must have the compulsory 2 weeks off after giving birth, leaving 50 weeks to share between the parents.

### **Ante natal care**

Pregnant employees are entitled to paid time off to attend ante-natal medical appointments recommended by the doctor, nurse or midwife. This can include recommended parenting or relaxation classes.

Fathers and partners who are employees can take unpaid time off to accompany their partner to up to two appointments. The companion can take 6.5 hours per appointment, including travelling and waiting time. Any additional time can be taken with the employer's consent.

### **Paternity Leave**

The main eligibility factors for basic paternity leave are:

- Continuous employment for 26 weeks ending with the 15th week before the baby is due.

- The employee must be the baby's father or the partner of the mother.
- The employee has (or expects to have) responsibility for the baby's upbringing.

The maximum duration of the basic statutory leave is two weeks. Unless agreed otherwise, paternity leave must be taken between:

- The date of the baby's birth or any day of the week following the birth, and
- Within 56 days of the baby's birth date.

The employee must inform the employer of their intention to take paternity leave by the end of the fifteenth week before the baby is expected. The employee must provide the following details:

- The start date of the leave to be taken.
- The week the baby is expected.
- The duration of leave to be taken.

### **Parental Leave**

We recognise and respect that there will be occasions when you may wish to take time off work to care for your children. Providing you qualify, you are entitled to take up to 18 weeks' unpaid parental leave in relation to each child you are responsible for. The rules on how and when you can take parental leave are set out below. Any parental leave that you take in relation to a child while working for another employer counts towards your 18 week entitlement. If you have taken parental leave in relation to a child during previous or concurrent employment, you should provide details to the Executive Head Teacher.

To take a period of parental leave in relation to a child, you must:

- have at least one year's continuous employment;
- have or expect to have responsibility for the child; and
- be taking the leave to spend time with or otherwise care for the child.

You have responsibility for a child for the purposes of point 2 above, if you:

- are the child's biological mother or father (whether or not you are living with the child);
- are the child's adoptive parent; or

- otherwise have legal parental responsibility for the child (for example, if you are the child's guardian).

You can only take parental leave before the child's fifth birthday or in the case of a child entitled to a disability living allowance, before the child's 18th birthday. If the child is adopted, you can only take your parental leave before the fifth anniversary of the date of placement or the child's 18th birthday, if this is sooner.

Unless the leave is to be taken in respect of a child entitled to a disability living allowance, you can only take parental leave in blocks or multiples of one week and are only entitled to take four weeks' parental leave each year in relation to each child. A year for this purpose begins on the date when you became entitled to take parental leave in relation to the child in question.

Before you take a period of parental leave under this policy, you must provide us with evidence of:

- your responsibility or expected responsibility for the child;
- the child's date of birth or date of adoption placement; and
- if applicable, the child's entitlement to a disability living allowance.

For details of what evidence is required in your particular circumstances, or if you have difficulties obtaining the evidence, please contact the Executive Head Teacher. Where you give notice of your intention to take parental leave on the birth or adoption of a child, we will not postpone your leave.

We will also not postpone your leave if, in the case of an adopted or disabled child, the postponement would result in your leave being taken after the child's 18th birthday. However, we reserve the right to postpone your leave in any other circumstances for up to six months where the leave as planned would unduly disrupt the Academy.

If we decide to postpone your parental leave, we will consult with you about the date to which the leave might be postponed and no more than seven days after you gave notice of your intention to take the leave, give you written notice stating the reason for the postponement and the new beginning and end dates of the leave which we will allow you to take.

You will not lose your parental leave entitlement if, because our postponement, you are not able to take your parental leave before your child's fifth birthday (or on the fifth anniversary of the child's adoption placement, if applicable). Your contractual provisions relating to pay and benefits are suspended during parental leave.

However, you are entitled to benefit from any contractual terms you have in relation to being given notice, redundancy compensation and disciplinary and grievance procedures. During parental leave you will remain bound by your obligation of good faith towards the Academy, as well as any contractual terms

relating to the giving of notice, the disclosure of confidential information, the acceptance of gifts and benefits, and your freedom to participate in another business (for example, by working for a third party).

If you are a member of the Teachers' Pension Scheme or the Local Government Pension Scheme a period of unpaid parental leave under this policy will not count towards your pensionable service. If you are a member of a defined contribution (money purchase) pension scheme, we shall not make contributions during a period of unpaid parental leave.

ADMAT Staff Leave and Absence Policy 6 You are normally entitled to return to work following parental leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

However, it might not be possible for us to allow you to return to the same job where your period of parental leave has been longer than four weeks, or has been combined with a period of additional maternity, paternity or adoption leave. In such circumstances, we will offer you a suitable and appropriate alternative position.

### **Adoption leave**

Qualifying employees may take up to 52 weeks' adoption leave. Some surrogate parents are also entitled to adoption leave.

If a couple jointly adopt a child, one adoptive parent may take adoption leave and the other may be able to take paternity leave and shared parental leave in broadly the same way as they do following the birth of a child.

### **Family Friendly Days**

At An Daras Trust we realise that there are some things that maybe out of your control. For example, your child has a fall and ends up in hospital or your child falls sick and needs immediate care, that's why we offer Five Paid Family Friendly Days.

The Five Paid Family Friendly days allow you to be off work to care for a dependant who is unable to care for themselves, It is for Emergencies only.

It is available to all employees of the Trust however only one day can be taken at any given time, you cannot take all 5 family days off at one time. Once these family friendly days are used the table below will apply for any other incidents.



<b>Reasons for Leave with Pay</b>	<b>Teachers</b>	<b>Non-Teaching staff in schools</b>
Times of severe weather where you are at risk of being unable to travel home, for example Flooding & Snowing	Permission to leave early should not be unreasonably refused, if able to work from home must do so.	Permission to leave early should not be unreasonably refused. If able to work from home must do so. Lost hours should be made up if unable to work from home.
5 Family Friendly Days (only)	Only 1 working day can be taken at each given time to cover illnesses of dependants.	Only 1 working day can be taken at each given time to cover illnesses of dependants.
Illness of a close relative i.e. Partner/Spouse, Sibling or Parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law who lives within the members of staff or lives alone	In cases of critical/serious illness of close relatives, up to one week's paid leave. Applications for unpaid leave should be addressed in writing to the Headteacher or Executive Headteacher.	For serious/critical illness up to 5 working days for all year round staff, half of which will be taken from annual leave or will be unpaid. Up to two and half days for term time only staff can include taking children to hospital.
Death or critical illness of a close relative i.e. partner/spouse, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law	Up to 5 working days.	Up to 5 working days.
(The Mother) ante-natal care	The right to paid leave to attend ante-natal care on production of evidence of appointments.	The right to paid leave to attend ante-natal care on production of evidence of appointments.
Weddings of close relatives i.e sibling, parent, family member (Carer who brought them up) or children or corresponding in-laws.	Reasonable period subject to prior approval from the Executive Heads.	Reasonable period subject to prior approval from the Executive Heads.
Sitting examinations relating to professional development	Employees are entitled to be paid leave of absence for the purpose of sitting for examinations concerned with the teacher's professional development to the benefit of the Academy.	Employees are entitled to paid leave of absence for sitting for approved examinations. Additional leave may be granted for final revision for approved examinations
Jury Service or attendance as a witness in Court proceedings	For the required period subject to the employee claiming for loss of earnings	For the required period subject to the employee claiming for loss of earnings
House removal/ Moving House	1 working day with as much advance notice as possible.	1 working day with as much advance notice as possible.

Screening for breast and cervical cancer	For reasonable periods where attendance in school time cannot be avoided.	Necessary paid time off will be granted for the purpose of cancer screening.
Attendance at approved conferences	At the discretion of the Board of Directors or the CEO subject to conference being of benefit to the Academy and the teacher's professional development.	Up to 12 working days in any one year Grey Pages 4.6(b)
Potential redundancy	Reasonable time to seek alternative employment	Reasonable time to seek alternative employment
Magisterial Duties	Minimum attendance requirement including training and membership of a statutory tribunal not exceeding 20 working days a year.	Minimum attendance requirement including training.
Candidates for Parliamentary Elections	Normally not more than 5 working days	Up to 3 weeks' paid leave of absence during period up to and including polling day.
For members of another school's Governing Body	Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request.	Up to a maximum of 4 half-days per annum depending upon the reasonableness of the request.
Attendance as elected members at local authority meetings and properly established committees	Up to 20 days per year or equivalent.	Up to 144 working hours
For Safety Representatives to perform duties and undertake associated training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA	Clarify the local agreement
For officials of Trade Unions to perform I.R. duties/undertake approved training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LEA	Authorities shall provide the necessary facilities to Trades Unions including paid leave of absence to carry out their duties. Clarify the local agreement.
Sports representation as competitor at national/ international level	At the discretion of the Board of Directors or the CEO.	At the discretion of the Board of Directors or the CEO

Election Duties	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.
Lecturing in professional capacity on condition that all fees to be paid to the Academy	At the discretion of the Board of Directors or the CEO.	At the discretion of the Board of Directors or the CEO up to a maximum of 12 working days
Duties in connection with external examinations	At the discretion of the Board of Directors or the CEO.	At the discretion of the Board of Directors or the CEO.
Members of non-regular forces – annual training.	Up to two weeks – the second of which is to be unpaid.	Up to two weeks

<b>Reasons for leave without pay</b>	<b>Teachers</b>	<b>Non-Teaching Staff in Schools</b>
Funerals – other than close relatives as in “With Pay” section	1 day at discretion of the Executive Head Teacher	1 day at discretion of the Executive Head Teacher
Graduation ceremony – employee’s own partner, son, daughter or close relative	1 day at discretion of the Executive Head Teacher	1 day at discretion of the Executive Head Teacher
Weddings – Employees own wedding and for those other than relatives first degree	1 day at discretion of the Executive Head Teacher	1 day at discretion of the Executive Head Teacher
Hospital appointments for children where both parents wish to attend.	1 day at discretion of the Executive Head Teacher	At the discretion of the Executive Head Teacher
(The partner) Ante-natal care	Fathers and partners who are employees can take unpaid time off to accompany their partner to up to two appointments. The companion can take 6.5 hours per appointment, including travelling and waiting time. Any additional time can be taken with the employer’s consent or as holiday	Fathers and partners who are employees can take unpaid time off to accompany their partner to up to two appointments. The companion can take 6.5 hours per appointment, including travelling and waiting time. Any additional time can be taken with the employer’s consent or as holiday
Religious devotion days	1 day at discretion of the Executive Head Teacher.	1 day at discretion of the Executive Head Teacher
Attendance on courses for personal development not considered beneficial to the Academy.	1 day at discretion of the Executive Head Teacher and additional time at the discretion of the CEO.	At discretion of the Executive Head Teacher
Court hearings – other than those covered	1 day at discretion of the Executive Head	At discretion of the Executive Head Teacher

under "With Pay" sections – including divorce proceedings, custody of children, maintenance payments and other Court appearance where teacher is defendant or involved in non-criminal proceedings	Teacher and additional time at the discretion of the CEO.	
Visits overseas other than for professional development	1 day at discretion of the Executive Head Teacher and additional time at the discretion of the CEO.	At discretion of the Executive Head Teacher
Special family flights where spouse is in the armed forces	1 day at discretion of the Executive Head Teacher and additional time at the discretion of the CEO.	At discretion of the Executive Head Teacher
Delays on return to school caused by industrial disputes – see note 1.	1 day at discretion of the Executive Head Teacher and additional time at the discretion of the CEO.	At discretion of the Executive Head Teacher
Sporting representations below national level	1 day at discretion of the Executive Head Teacher and additional time at the discretion of the CEO. Normally not more than 10 school days in a year.	At discretion of the Executive Head Teacher