

LEAVE OF ABSENCE POLICY

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1. ABSENCE FROM DUTY: PRINCIPLES

- 1.1 Within this policy 'we' and 'us' means the Federation.
- 1.2 We are a caring employer, committed to supporting the health, safety and welfare of all employees.
- 1.3 We wish to be fair and consistent to all staff when considering absence requests, whilst also avoiding disruption to students' education as far as is reasonably practicable.
- 1.4 We recognise that the entitlement to time off work in certain circumstances is an important element in establishing a positive working environment and therefore contributes to the success of the Federation.
- 1.5 Where the policy states 'working week' this refers to the hours and days an employee is required to work in line with their contract of employment. For a full-time contract this will be 5 days. For part-time contracts this will be based on a percentage of the full-time equivalent.
- 1.6 Where days are specified these are the full-time equivalent and will be prorated and rounded for employees in line with their contract of employment.
- 1.7 This policy should be read alongside the Federation policies on maternity, paternity and shared parental leave.

2. APPLYING FOR A LEAVE OF ABSENCE

- 2.1 In an emergency, please inform your line manager and the cover team of your absence as soon as possible by either phoning the cover line on 01572 772566 or emailing cover@catmosecollege.com/ Please complete a backdated absence request form on your return, in order for your absence to be coded correctly.
- 2.2 All foreseen applications for leave should be made to the Executive Principal in writing as soon as the need to be absent is known. A completed Federation absence/training request form must accompany the application, plus any evidence of need, e.g. letter detailing an examination date.
- 2.3 If you fail to notify us as set out above or take absence without authorisation, you may be subject to disciplinary proceedings under the Federation Staff Disciplinary Policy for taking unauthorised time off.
- 2.4 We may in some cases ask you to provide evidence for your reasons for taking the time off, either in advance or on your return to work.
- 2.5 Suspected abuse of this policy will be dealt with as a disciplinary issue under the Federation Staff Disciplinary Policy.

3. PAID LEAVE OF ABSENCE FOR SPECIAL CIRCUMSTANCES

- 3.1 Employees may be granted leave of absence for special circumstances with pay in one academic year up to the limits described below:
- interviews for posts in education – up to 2 days;
 - the death, including the funeral, of a close family member – up to 1 working week (close family members significantly noted as parents and partners);
 - the death, including the funeral, of a family member of 1 day (family members noted as siblings, grandparents and parents-in law);
 - moving house (where it is not possible to schedule this for a non-working day) – up to 1 day;
 - training – up to 5 days for training approved by the Federation;
 - attendance as a witness in court or at an inquest - for the period of attendance necessary.
- 3.2 Requests for a leave of absence for special circumstances in addition to the time limits set out above may be granted at the discretion of the Executive Principal without pay.
- 3.3 When determining whether an additional leave of absence in special circumstances is granted, the Executive Principal will discuss the matter with the member of staff and consider it in relation to:
- how much time off is being requested,
 - the cost to the Federation of the leave in terms of salary, cover arrangements and organisational disruption,
 - the circumstances of the individual, including previous paid and unpaid leave granted.
- 3.4 Time off for special circumstances may affect employees' overall performance review grade for attendance.

4. MEDICAL APPOINTMENTS

In order to reduce the impact on colleagues, students and the wider Federation, non-emergency medical/dental appointments should be arranged during non-working hours.

- 4.1 If there is no other option and a non-emergency medical/dental appointment must take place during working hours, every effort should be made to arrange appointments at a time that minimises disruption and the need for colleagues to cover your work.
- 4.2 If employees require ongoing medical appointments they are encouraged to inform their line manager and the HR Manager to aid planning and discuss whether any reasonable adjustments should be considered.
- 4.3 Reasonable time off for medical appointments will be paid, and will affect an employee's performance review grade for attendance, unless the appointments relate to a disability.

4.4 Evidence of the medical appointment, such as an appointment letter, should be submitted alongside the LOA request. It is acceptable for the reason for the appointment to be redacted if the employee wishes. However, if no evidence to support the LOA request is received, the request may be refused or granted without pay.

5. TIME OFF FOR PUBLIC DUTIES AND ACTIVITIES

5.1 Subject to the needs of the Federation, members of staff are entitled to reasonable time off, which includes up to 2 days paid leave per academic year, in order to carry out certain unpaid public duties and activities listed below. Requests for leave in excess of 2 days, or for those that involve a payment, may be granted by the Executive Principal without pay if employees are a:

- magistrate (also known as a justice of the peace);
- serving on other such local or regional public bodies as the Executive Principal may authorise;
- local councillor;
- school governor;
- member of any statutory tribunal (for example employment tribunal);
- member of the managing or governing body of an educational establishment;
- member of a health authority;
- member of a school council or board in Scotland;
- member of the Environment Agency or the Scottish Environment Protection agency;
- member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
- member of Scottish Water or a water customer consultation panel
- trade union member (for trade union duties)

5.2 When determining what is considered a reasonable amount of time off without pay, the Executive Principal will discuss the matter with the member of staff and consider it in relation to:

- how much time off is required to perform the relevant duty and the duties of the office in general;
- how much time off for public duties the employee has already been permitted (together with any time off for trade union duties and activities; see trade union duties and activities);
- the circumstances of the Federation and the effect of the employee's absence on the running of the Federation.

5.3 It is expected that the member of staff concerned will draw up a schedule of days on which the absence will occur as far in advance as possible, and in consultation with the Executive Principal. In the case of the Executive Principal seeking time off, consultation will be with the Chair of Directors.

5.4 If, in the opinion of the Executive Principal (or the Chair of Directors in the case of the Executive Principal), the amount of time off means that the operational effectiveness of the Federation suffers, the Executive Principal will discuss the need to reduce the amount of time requested.

- 5.5 An employee absent from work to carry out public duties and activities will claim an allowance where possible and inform the Chief Finance Officer of the amount claimed. The amount of the allowance paid will be deducted from remuneration paid by us.
- 5.6 Time off for public duties and activities will not affect employees' overall performance review grade for attendance.

6. JURY SERVICE

- 6.1 Employees should inform us as soon as they are summoned for jury service, and provide a copy of the summons if requested.
- 6.2 Depending on the demands of the Federation, we may request that employees be excused from, or defer, their jury service.
- 6.3 We are not required by law to pay employees while they are absent on jury service. Employees will be advised at court of the expenses and loss of earnings that they can claim. However, we will pay basic pay to employees on jury service less any amounts they can claim from the court for lost earnings for up to 2 working weeks.

7. STUDY AND EXAMINATION LEAVE

- 7.1 In the case of a request from a member of staff for a leave of absence for the purpose of revision immediately prior to an examination for a recognised qualification, or leave of absence for the days on which the examinations take place, the request will be considered according to the following principles:
- the cost in terms of salary, cover arrangements and organisational disruption;
 - the relevance of the qualification to the better performance of the post the individual holds;
 - the individual's career development and personal circumstances.
- 7.2 The maximum amount of leave under this heading will normally be the equivalent of 1 working week of paid leave in 5 academic years. As an example, leave is typically granted for time off for the examination and travel to the exam centre, plus the same period for the purposes of revision.
- 7.3 Time off will not affect employees' overall Performance Review grade for attendance.

8. SERVICE IN NON-REGULAR FORCES

- 8.1 For employees who are employed to work all year round, the Executive Principal will grant the two weeks (10 paid days) required for Summer Camp / Annual Military Exercise, with one week usually taken outside of term time. Exceptions are to be agreed by the Executive Principal.
- 8.2 Leave will also be granted to members of the Armed Forces Reserve who are required to undertake training additional to attendance at summer camp and who are unable to arrange for such training to be on days when they would normally not be working.
- 8.3 Time off for service in non-regular forces will not affect employees' overall Performance Review grade for attendance.

9. LEAVE OF ABSENCE FOR DEPENDANTS

- 9.1 Employees have a statutory entitlement to take reasonable unpaid time off in order to take action which is necessary:
- to provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted,
 - to make arrangements for the provision of care of a dependant who is ill or injured,
 - to deal with the death of a dependant, for example registering the death and making funeral arrangements,
 - because of the unexpected disruption/termination of arrangements for the care of a dependant, or
 - to deal with an emergency involving their child during school hours.
- 9.2 A dependant for the purposes of this policy is:
- your spouse, partner, civil 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
 - anyone else who reasonably relies on you to help in the event of an accident, illness or injury, such as an elderly neighbour;
 - a person who relies upon you to make care arrangements.
- 9.3 For clarification, if your dependant is ill or injured, the right to take reasonable time off work is in order to 'make arrangements for the provision of care of the dependant'.
- 9.4 Dependants' leave applies to time off to take action which is necessary because of an immediate or unexpected crisis. It does not apply where you need to take planned time off or provide longer-term care for a dependant. If this is the case, you should take advice from the Vice Principal with responsibility for staff attendance management, the Federation Chief Finance Officer or the Executive Principal.
- 9.5 Whether a leave of absence is granted by the Executive Principal will depend on the circumstances, including nature of the problem, the closeness of the relationship between you and the dependant, and whether anyone else is available to assist.
- 9.6 A leave of absence is unlikely to be considered necessary if you knew of a problem in advance but did not try to make alternative arrangements. It is expected employees will make arrangements in advance for any foreseen problems to avoid the need for emergency leave.
- 9.7 Statutory unpaid time off will not affect employees' overall performance review grade for attendance.

10. FEDERATION PAID DEPENDANTS' LEAVE

- 10.1 In addition to the statutory unpaid entitlement detailed above, which would usually not be more than 1 working week of unpaid leave per academic year, employees can request up to two days of paid dependants' leave which is granted at the discretion of the Executive Principal.
- 10.2 This can also be requested by employees who wish to support their dependants with foreseeable events, such as accompanying them to medical appointments.
- 10.3 Federation paid dependants' leave does affect employees' overall performance review grade for attendance.

11. UNPAID PARENTAL LEAVE

- 11.1 Eligible employees are entitled to take unpaid leave to look after their child's welfare, for example to settle children into new childcare arrangements.
- 11.2 The statutory entitlement is for 18 weeks' leave in total for each child and adopted child, up to their 18th birthday.
- 11.3 The limit on how much unpaid parental leave each parent can take in a year is 4 weeks for each child.
- 11.4 Unpaid parental leave must be taken as whole weeks rather than individual days, unless the employee's child is disabled. The leave doesn't have to be taken all at once.
- 11.5 A 'week' equals the length of time an employee normally attends work from Monday to Friday, e.g. if an employee works 3 days per week, one 'week' of unpaid parental leave would be 3 days.
- 11.6 Employees qualify for unpaid parental leave if all of these apply:
 - They've been at the Federation for more than a year.
 - They've been named on the child's birth or adoption certificate or they have or expect to have parental responsibility.
 - They're not self-employed or a 'worker', e.g. an agency worker or contractor.
 - They're not a foster parent (unless they've secured parental responsibility through the courts).
 - The child is under 18.
- 11.7 Unpaid parental leave can be carried over from a previous job.
- 11.8 Employees should give as much notice as possible when requesting unpaid parental leave.
- 11.9 Requests must be submitted on a Federation leave of absence form at least 21 days before the intended start date, and include a copy of the child's birth certificate or adoption papers.
- 11.10 We may postpone the parental leave for up to 6 months if it is going to be disruptive to the effective running of the Federation.

12. UNPAID CARERS' LEAVE

- 12.1 Employees are entitled to unpaid leave to give or arrange care for a 'dependant' who has:
- a physical or mental illness or injury that means they're expected to need care for more than 3 months.
 - a disability (as defined in the Equality Act 2010).
 - care needs because of their old age.
- 12.2 The dependant does not have to be a family member. It can be anyone who relies on them for care.
- 12.3 Employees are entitled to carer's leave from their first day of work at the Federation.
- 12.4 Employees can take up to one week of leave every 12 months. A 'week' means the length of time they usually work over 7 days. For example, if someone usually works 3 days a week, they can take 3 days of carer's leave.
- 12.5 They can either take a whole week off or take individual days or half days throughout the year.
- 12.6 If an employee needs to care for more than one person, they cannot take a week of carer's leave for each dependant. They can only take one week every 12 months. They can use the week of leave on more than one dependant.
- 12.7 If an employee is a parent, they can take up to 18 weeks' unpaid parental leave. See section 11 for more information. This is separate to carers' leave.
- 12.8 Employees need to give the Federation as much notice as possible before they want their leave to start.
- 12.9 If the request is for half a day or a day, the notice period must be at least 3 days.
- 12.10 If the request is for more than one day, the notice period must be at least twice as long as the requested leave. For example, if the request is for 2 days, the notice period must be at least 4 days.
- 12.11 The notice period needs to be in full days, even if the request includes half day amounts.
- 12.12 The request does not have to be in writing.
- 12.13 Employees do not need to give evidence of their dependant's care needs.
- 12.14 If you need to look after someone in an emergency, it is classed as Dependants' leave, and time off for this without giving a notice period. See sections 9 and 10 for further information.
- 12.15 The Federation can ask the employee to take carer's leave at a different time. This would only be the case if the employee's absence would cause serious disruption to the organisation.
- 12.16 If the Federation delays it, we must:
- agree another date within one month of the requested date for the leave.
 - put the reason for the delay and new date in writing to the employee within 7 days of the original request, and before the requested start date of the leave.

13. PARENTAL BEREAVEMENT LEAVE

- 13.1 Employees who suffer the death of a child under the age of 18 are entitled to 2 fully paid weeks of Parental Bereavement Leave. They can either take the leave as either a single block of two weeks, or as two separate blocks of one week, each taken at different times across the first year after their child's death.

14. SECONDMENTS AND EXTENDED UNPAID LEAVE OF ABSENCE

- 14.1 Requests for an extended period of unpaid leave of absence need to be sent to the Executive Principal in writing. The Executive Principal will discuss the matter with the member of staff and consider it in relation to:

- how much time is being requested
- the cost of the leave in terms of cover arrangements and organisational disruption;
- the circumstances of the individual.

- 14.2 Secondments and extended unpaid leaves of absence which have been approved by the Executive Principal will not affect employees' overall Performance Review grade for attendance.

15. LEAVE OF ABSENCE: RELIGIOUS OBSERVANCE

- 15.1 Requests for leave of absence from individual members of staff for religious observance will be treated with reference to the Equality Act 2010.

16. UNPAID ABSENCES

- 16.1 Any personal reason other than those outlined above which could not reasonably have been scheduled for a non-working day or within annual leave e.g. family occasions or special events, can be considered by the Executive Principal as an unpaid absence.
- 16.2 It is unlikely that any request for a leave of absence without pay in excess of the equivalent of 1 working week per academic year (not necessarily continuous) will be considered.
- 16.3 Any leave of absence which is treated as unpaid will be calculated in line with the Federation Staff Academy Pay Policy by dividing the pro-rata remuneration by the number of days worked across the year to arrive at a daily rate. 'Remuneration' means, except where otherwise stated, salary plus any and all allowances.