



Leave of Absence Policy

Approved by Board of Directors:	14 September 2023
Revision date:	September 2026
Version:	5.0

Contents (optional):

1. Objective and scope	3
2. Principles	3
3. Annual leave entitlement for employees covered by local government terms and conditions	3
4. Teachers' working time	4
5. Special occasional leave of absence	4
Disability leave	4
Time off for a sick child or dependant	4
Compassionate, emergency or exceptional leave	4
Other personal reasons	5
Extended leave of absence/ Career break	5
Moving house	5
Service with auxiliary forces	5
Mobilisation	6
Carry-over of annual leave	6
Religious festivals	6
Sporting events	6
Public duties	7
Study/Examination leave	7
Time off for Trade Union duties	7
Bad weather conditions	7
Time off for medical appointments	7
Parental bereavement leave	8
6. Maternity, paternity, adoption carers leave and antenatal care	9
7. Interviews	9
8. Unauthorised absence	10
9. Applying for a leave of absence	10
Appendix 1: Summary of leave conditions	11
Appendix 2: Application for leave of absence	12

Leave of Absence Policy

1. Objective and Scope

This Leave of Absence Policy is designed to assist Headteachers (and equivalents) and Local Governing Bodies of academies in the Aspire Multi-Academy Trust in making decisions about requests for leave in accordance with legal, contractual and moral obligations. It will also assist staff when considering and applying for leave of absence.

This policy covers annual leave, family leave and miscellaneous leave. A principal purpose in setting out this policy is to ensure that requests are dealt with fairly and consistently.

The policy applies to all employees of the school. This policy does not form part of any employees' contract of employment.

2. Principles

- Annual leave and occupational sick leave will be in accordance with the relevant conditions of service for teachers and support staff.
- Other leave of absence will normally be on an unpaid basis, unless otherwise specified.
- All leave allowances should be applied pro rata to an employee's contracted hours, unless otherwise stated.
- The operational needs of the academy will be paramount and, except in emergency circumstances, adequate notice of a request for leave of absence must be given.
- The responsibility for exercising discretion on behalf of the Local Governing Body is the Headteacher's, in accordance with the professional duties defined in the School Teachers Pay and Conditions Document.
- Any dispute or grievance about a request for leave of absence or payment during leave of absence will be dealt with through the Academy's Grievance Procedure; there is no right of appeal to a leave request being declined.
- All requests for leave must be submitted to provide the academy with reasonable notice.
- It should not be assumed approval has been given until a response has been provided by the Headteacher or Local Governing Body.
- Where the request for leave concerns the Headteacher (or equivalent) requests should be made to the Chief Executive Officer (CEO) and Chair of Governors. Where the request for leave concerns Trust officers (other than the CEO) requests should be made to the CEO. Where the request for leave concerns the CEO requests should be made to the Chair of Board of Directors.

3. Annual Leave Entitlement for Employees covered by Local Government Terms and Conditions

For support staff contracted to work for 52 weeks' per year, the leave entitlement is dependent on grade and continuous service. This leave will normally be taken during the school holidays and must be agreed with the Headteacher or nominated person in reasonable time, prior to the leave being taken. Only in exceptional circumstances, and with the express consent of the Headteacher, can leave be taken at other times. Under exceptional circumstances, support staff may carry forward up to 5 days' to the next annual leave year, provided this is done with the Headteacher's consent and leave is taken prior to 31st May.

Staff will not be permitted to take leave during the term unless express consent from the Headteacher has been given. If leave is granted, this will be unpaid for term-time only staff.

All employees should make partners aware that as a rule time off in term time will not be granted to avoid costs incurred from the cancellation of surprise holidays for birthdays or anniversaries.

4. Teachers' Working Time

A Teacher employed full-time must be available for work for 195 days' in any school year. 190 of those days must be days of which he/she may be required to teach pupils and perform other duties and 5 days' must be days on which he/she may only be required to perform other duties. The same applies for a teacher employed part-time, except the number of hours he/she must be available for work must be a proportion of full-time hours.

In addition to the hours a teacher is required to be available for work, he/she must work such reasonable additional hours as may be necessary to enable him/her to discharge effectively his/her professional duties.

These provisions do not apply to employees on either the Leadership or Leading Practitioner pay ranges or those acting up in such a role.

5. Special Occasional Leave of Absence

The Aspire MAT's policy, as agreed by the Board of Directors, is:

5.1 Disability Leave

For support staff employees only who have declared to their employer a disability as defined by the Equalities Act 2010, up to 5 days' paid disability leave may be granted (pro rata for part time employees).

Reasons for using disability leave might include:

- Attending a doctor's or complementary medicine practitioner's appointments
- Assessment for conditions such as dyslexia
- Hearing aid tests
- Training with guide or hearing dog
- Counselling/ therapeutic treatment or recovery time after blood transfusion or dialysis
- Treatment for physiotherapy (sessional or residential)

Disability leave may not be used to cover an absence due to ill health.

5.2 Time off for a sick child or dependant

One day's paid leave of absence, up to a cumulative total of a maximum of five days in any one academic year (pro rata for part-time staff). It is expected that staff will make alternative arrangements for any subsequent days of a child's illness. Should this not be possible, further leave would be without pay and at the discretion of the headteacher.

5.3 Compassionate, Emergency or Exceptional Leave

Noting the provision set out in 5.2, emergency and discretionary leave enables employees to take time off work to deal with an unexpected or sudden emergency involving a dependent. The leave is to deal with the immediate issues and to sort out long term arrangements if necessary. The circumstances that enable employees to take emergency and discretionary leave are:

- Providing assistance where a dependent falls seriously ill, gives birth, is injured or assaulted

- Making arrangements for the care of the dependent who is seriously ill or injured.
- The death of a dependent.
- The care of the dependent has unexpectedly been disrupted or terminated.
- There is an unexpected incident involving the child of an employee whilst at school.

A dependent is a spouse, child, foster child, parent, relative or partner living in the same household as the employee (it excludes tenants, lodgers or boarders of the employee). A dependent also includes any person who reasonably relies on the employee to make arrangements for the provision of their care, e.g. partner who does not co-habit.

Leave to attend funerals is limited to the funeral of an immediate family member of the employee only (parents, a spouse, sibling, grandparent or child).

An employee must notify their line manager as soon as practically possible in the event of an emergency.

The Headteacher may approve up to five days' paid leave per leave year (pro rata for part timers) for emergency and discretionary leave.

For most cases, one or two days' are reasonable to deal with a problem. The time off is to enable an employee to cope with a crisis, to deal with the immediate care and where necessary to make longer term care arrangements for the dependent. Where paid leave is granted only the first day of absence will usually be paid in any one period of absence, unless discretion is applied by the Headteacher.

5.4 Other personal reasons

Exceptionally, there may be other personal reasons for requesting leave of absence. Usually these will be one off events affecting family. An example might be attendance at a child's graduation ceremony. Such leave, where granted, will normally be unpaid and subject to adequate notice so that replacement staff can be employed if necessary.

Holidays to celebrate anniversaries, birthdays and such like are not considered to be one off.

5.5 Extended leave of absence/ Career break

Requests for longer periods of leave will be considered on an unpaid basis, for example, in the case of a lengthy period of caring for a chronically sick, disabled, or terminally ill, dependent relative. Extended leave can be for up to a year in duration. Sufficient notice that allows the appointment of a replacement should be given wherever possible. Career Breaks are dealt with in separate guidance.

5.6 Moving house

Up to 2 days' unpaid leave will be granted.

5.7 Service with Auxiliary Forces

Reservists are required to inform their line manager that they are a member of the Reserve Forces. Reservist employees will also be required to grant permission for the Ministry of Defence (MoD) to write to the Headteacher to make sure the school are aware and provide details of mobilisation obligations and rights as an employee reservist.

Reservist training normally takes place during evenings and weekends. Line managers may however grant up to 5 days leave at their discretion where training falls within an employee's normal working hours.

Additionally up to 2 weeks' per year can be granted to attend 'annual camp'. Employees are required to give as much notice as possible for annual camp in order for line managers to arrange appropriate cover.

Leave may be refused if it would have a detrimental impact on service delivery. In any case teachers and other classroom based staff will only be granted paid leave if the force's unit cannot arrange exercises during holiday periods.

5.8 Mobilisation

Mobilisation is the process of calling Reservists into full-time service to serve alongside the Regular Armed Forces on operations. The Ministry of Defence aims to give as much notice as possible of mobilisation (but at least 28 days). In circumstances where a reservist employee is mobilised they will not be paid by the school and should be placed on a Career break for payroll purposes to ensure their continuous service is not broken.

If an employee who is mobilised wishes to remain in the LGPS the schools payroll provider should be informed who will calculate the amount of contributions that the employee and the Ministry of Defence (MoD) must pay. For Teachers the relevant form must be completed, available online at [teachers.pensions.com](https://www.gov.uk/employee-reservist).

For further information on mobilisation, please refer to <https://www.gov.uk/employee-reservist>

5.9 Carry-over of annual leave

The Aspire MAT expects employees who are covered by Local Government terms and conditions of employment to take their full entitlement of leave in each leave year, which runs from April to March. Where this is not possible, with the knowledge of and by arrangement with the Headteacher, non-teaching staff may, in exceptional circumstances, carry forward 5 days' to the next annual leave year, provided this is taken prior to 31 May.

5.10 Religious Festivals

Where staff can show that they are bona fide adherents of any organised religion and that they require leave for the purpose of an official holy day, the Aspire MAT Board will allow up to 2 days' leave. Staff taking such leave will be asked to make up this time at a later date or if this is not possible any leave granted should be unpaid.

5.11 Sporting Events

Where staff can show they are representing their country they should write to the Headteacher so that arrangements can be made for paid or unpaid leave.

5.12 Attendance at Court Proceedings

5.12.1 Jury Service

Employees will be notified of a requirement to carry out Jury Service by letter from the courts. A copy of this letter should be given to their line manager and a request made for the absence from work.

Unless the absence would have a serious impact on the business then the academy recognises that it must approve the time off.

Employees will receive normal pay during the period of Jury Service on the condition that any payments received from the court for loss of earnings are paid back to the academy. The court will normally provide individuals with a 'Loss of Earnings' form which should be sent to the academy and subsequently to the academy's payroll provider who will complete and return to the individual to submit to the court.

Once the court confirm how much they will pay for loss of earnings (normally on a Remittance Advice slip) a copy should be sent to the academy to be passed to the payroll provider who will deduct the relevant amount from the next monthly pay. Failure to return the Remittance Advice slip will be investigated and could be considered gross misconduct under the Disciplinary Policy and Procedure.

5.12.2 Witness summonses and subpoenas

Staff subject to a witness summons or subpoena will be allowed paid time off work to attend court, as much notice of such a requirement should be given.

5.13 Public Duties

Academy employees may be granted up to 18 days' per annum paid leave to carry out the duties of the office of Leader, Mayor, JP or Chairman of Local Authorities. For employees who are School or College Governors, up to 2 days' per annum will be paid. In addition to this, unpaid leave can be granted for employees carrying out public duties.

5.14 Study/Examination Leave

For employees who are sitting examinations relevant to their current post or career, providing the academy is paying the fees, half a day study per examination plus half a day per examination will be paid.

5.15 Time off for Trade Union duties

The Aspire MAT Board recognises the legal requirement for employers to allow reasonable time off work for the academy's elected representatives of recognised trade unions to carry out their duties in the academy in which they are elected. Duties that warrant time off with pay include:

- consultation on terms and conditions of employment or the physical conditions of work;
- consultation on recruitment and selection policies, redundancy and dismissal arrangements;
- meetings with academy management or Trust officers on matters of joint concern;
- representing a union member at a grievance or disciplinary hearing;
- attendance at relevant training courses organised by the trade union.

5.16 Bad weather conditions

There may be circumstances when the employee is unable to attend work due to bad weather, but the academy remains open as usual. All reasonable effort should be made to attend work. Alternative arrangements may be agreed with the Headteacher, e.g. working from home or at a different location. Where this is not possible, non-attendance will normally be treated as unpaid leave.

5.17 Time off for medical appointments

The academy will allow reasonable paid time-off for employees to attend medical appointments, which are unable to be arranged out of working hours. Before arranging non-urgent doctor's medical appointments, employees should seek the approval of their Headteacher if it is necessary to take time off work. Employees should make every attempt to make these appointments at the beginning or end of the day or during lunch breaks to minimise the time they have to be absent from work.

Routine doctors or dentists appointments e.g. check-ups should not be taken during term time or working time for those working in holiday periods.

Elective procedures should be arranged during holiday periods and will usually be unpaid.

5.18 Parental bereavement leave

Parental bereavement leave is a new statutory entitlement for bereaved parents to be absent from work, normally with pay at a statutory minimum rate, for up to two weeks.

5.18.1 Legislation

The Parental Bereavement (Leave & Pay) Act 2018 came into force on 6th April 2020.

5.18.2 Eligibility for leave

The core elements for eligibility for leave are as follows:

- Parental bereavement leave is available to parents who lose a child under the age of 18 or who suffer a stillbirth after 24 weeks of pregnancy.
- Parental bereavement leave is a day-one right, i.e. bereaved parents can take leave whatever their length of service.
- A “parent” is taken to mean:
 - biological parent
 - adoptive parent, if the child was living with them
 - person who lived with the child and had responsibility for them, for at least 4 weeks before they died
 - 'intended parent' – due to become the legal parent through surrogacy
 - partner of the child’s parent, if they live with the child and the child’s parent in an enduring family relationship
- A bereaved parent can take one or two weeks’ parental bereavement leave, which can be taken as a single block of two weeks or two separate blocks of one week at different times, within 56 weeks of the date of the death of the child.

5.18.3 Eligibility for pay

Employees are entitled to 2 weeks’ Statutory Parental Bereavement Pay if:

- their child dies under the age of 18 or is stillborn after 24 weeks’ of pregnancy;
- they were employed when their child died;
- they'd worked for their employer for at least 26 weeks, on the Saturday before the child’s death;
- they earn on average at least £123 per week, before tax.

Statutory Parental Bereavement Pay is the minimum amount employers must pay eligible staff. However, where the member of staff meets the qualifying period, as above, The Trust undertake to provide Enhanced Parental Bereavement Pay during the period of leave. This will amount to normal full pay.

Employees are entitled to 2 weeks’ Statutory Parental Bereavement Pay if:

- their child dies under the age of 18 or is stillborn after 24 weeks’ of pregnancy
- they were employed when their child died
- they'd worked for their employer for at least 26 weeks, on the Saturday before the child’s death
- they earn on average at least £123 per week, before tax

Statutory Parental Bereavement Pay is the minimum amount employers must pay eligible staff. However, where the member of staff meets the qualifying period, as above, The Trust undertake to provide Enhanced Parental Bereavement Pay during the period of leave. This will amount to normal full pay.

5.18.4 Notification

Members of staff wishing to utilise parental bereavement leave should notify their line manager or a member of the HR team – by phone or email if within the first 56 days (8 weeks).

Members of staff wishing to utilise parental bereavement leave later than this, for example on the first anniversary of the child’s death, should provide 2 weeks’ notice of

their intention to do so, this should be in writing to their line manager or HR team (an email would be appropriate).

5.18.5 Other considerations

Members of staff have the right to return to their usual position following a period of parental bereavement leave. All terms and conditions remain unchanged.

5.18.6 Ongoing support

The Aspire Multi-Academy Trust understand that bereavement, particularly the loss of a child is extremely difficult. Everyone will experience grief differently and in many cases, there will be a need for ongoing support.

Sources of support at The Aspire Multi-Academy Trust include

- Line management
- HR support
- Aspire Multi-Academy Trust Bereavement policy
- Employee Assistance Programmes – Counselling Service
- Occupational Health – advice on health matters and reasonable adjustments

Outside Organisations who can offer support:

- Cruse Bereavement Care (advice/support on bereavement)
Cruse.org.uk Helpline 0808 808 1677
<https://www.cruse.org.uk/>
- Dying Matters (advice on how to talk about dying, death and bereavement)
Dyingmatters.org
<https://www.dyingmatters.org/page/TalkingAboutDeathDying>
- Miscarriage Association (advice/support on handling miscarriage and stillbirth)
Miscarriageassociation.org.uk Helpline: 01924 200799
<https://www.miscarriageassociation.org.uk/information/miscarriage-and-the-workplace/>

6. Maternity, Paternity, Adoption Carers Leave and Antenatal care

There are specific entitlements for maternity, paternity, adoption, carer's leave and antenatal care which are outside the scope of this policy.

7. Interviews

The Aspire MAT Board recognises the increasing tendency for prospective employers to require interviewees to attend for more than one day, especially for school management posts. There is also a growing tendency to expect prospective candidates to undertake a preliminary visit before the formal interviews.

In order to maintain a fair balance between the operational needs of the academy and to minimise the burden on other staff, and to be fair to employees who will be seeking to further their career in the education sector, the Aspire MAT Board will grant leave of absence for interviews as follows:

- a) The Headteacher is empowered to approve up to a maximum of 5 days paid leave of absence for interviews, to cover both formal and informal stages of the process, during any one academic year.
- b) Further leave of absence for this purpose will normally be agreed and will be on an unpaid basis.

- c) For support staff any days beyond the initial 5 days could be made up during holiday periods, instead of being on an unpaid basis, provided that their work can be carried out during holiday time.

8. Unauthorised Absence

If an employee takes leave of absence without the prior consent of the Headteacher this will be investigated and could be considered Gross Misconduct under the Disciplinary Policy and Procedure.

9. Applying for a leave of absence

Applications for special leave of absence (section 5) and interviews (section 7) must be made with as much notice as possible and in writing using the Absence of Leave Application Form in Appendix 2. The form details to whom the form should be submitted.

APPENDIX 1: Summary of Leave Conditions

Type of Leave	Legal Requirement	No Legal Requirement	Paid	Unpaid	Section
Annual leave entitlement for Aspire MAT staff	✓		✓		3
Disability leave	✓		✓		5.1
Time off for sick child	✓		✓	*	5.2
Compassionate, emergency or exceptional leave	✓		✓		5.3
Other personal reasons		✓		✓	5.4
Extended leave of absence/ Career breaks		✓		✓	5.5
Moving house		✓		✓	5.6
Service with auxiliary forces	✓		✓		5.7
Mobilisation	✓		✓		5.8
Carry over of annual leave (<i>non-teaching staff</i>)		✓	✓		5.9
Religious festivals		✓		✓	5.10
Sporting events		✓	✓		5.11
Attendance at court proceedings		✓	✓		5.12
Public duties	✓		✓		5.13
Study/ examination leave		✓	✓		5.14
Trade Union duties	✓		✓		5.15
Bad weather conditions		✓		✓	5.16
Time off for appointments (Doctor, Dentist etc.)		✓	✓		5.17
Parental bereavement	✓		✓		5.18
Maternity, paternity, adoption, carers leave & ante-natal care	✓		✓		6
Interviews		✓	✓		7

Section 1 – To be completed by employee

Name:

Post:

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

For the following reason:

.....

.....

.....

.....

.....

.....

(continue on reverse if necessary)

Signed Date:

When this section has been completed the form should be given to the Headteacher/Head of School.

Section 2 – To be completed by Headteacher/Head of School/ CEO/ Chair of MAT Board*

1. This application for leave of absence has been granted with pay.
2. This application for leave of absence has been granted without pay.
3. This application for leave of absence has been declined for the following reason(s):

.....

.....

Signed Date:

A copy of the completed form should be returned to applicant