

Leave Policy

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1. Purpose of this Policy

- 1.1 Ebor Academy Trust is committed to providing favourable terms and conditions of employment for all its staff, which support a healthy work-life balance. This includes offering all staff a generous holiday entitlement, plus other time off in approved circumstances.
- 1.2 This document outlines the following:
- The holiday entitlement for staff
 - The arrangements for booking holiday
 - Any rules around the taking of holiday
 - Other leave which may be taken, such as time off in lieu of additional hours worked, compassionate leave and leave for public duties and reservists.
- 1.3 By setting this out in writing the Trust aims to provide consistency and fairness for all its staff in taking time out of work.
- 1.4 The provisions of this Policy are not exhaustive and if requests for leave fall outside of it, the line manager should refer the matter to their Executive leader who will consider requests after seeking advice from HR. This policy has been consulted with Trade Unions and changes made where possible

2. Scope

- 2.1 For clarity, each heading throughout this policy states which contract type is affected. Separate policies cover Maternity, Maternity Support, Pre-Adoption, Adoption, Foster Carer's, Paternity and Additional Paternity Leave and Shared Parental Leave.

3. Roles and Responsibilities

The Trust will:

- Ensure policies are in place to provide staff with reasonable amounts of leave for enable a good work-life balance to be achieved

School or CST Senior Management Team will:

- Consider and approve leave requests as appropriate and in accordance with this Policy
- Give feedback and explanations to staff where requests for leave are declined
- Ensure that approved leave is recorded accurately on the Trust's HR system.

HR will:

- Ensure systems are in place for recording leave of all kinds
- Review leave taken and report on outstanding leave as required

- Report to Trustees and senior management on the application and use of this Policy and make any recommendations for change.

The individual will:

- Comply with the terms of this Policy and not seek to abuse it.

4. Annual Leave - General Principles – applicable to support staff only

- 4.1 The annual leave year for all Ebor Academy Trust employees runs from 1st September to 31st August each year.
- 4.2 In addition to each individual's holiday entitlement, the Trust recognises and pays for all English Public Holidays.
- 4.3 The annual leave entitlement for all support staff employed on Ebor Academy Trust contracts is 29 days per year.
- 4.4 Staff who transferred to the employment of the Trust under TUPE may have a different holiday entitlement, reflecting his/ her conditions of employment prior to the transfer.
- 4.5 The full year's annual leave entitlement is reduced proportionately for part time employees; the actual entitlement is shown in the individual's contract of employment.
- 4.6 Staff who are employed to work on a term time only basis will not normally be entitled to take any paid leave during term time. These staff will receive payment for their pro rata holiday entitlement, and their annual salary split into twelve, equal, monthly instalments.
- 4.7 In order to protect the work-life balance of staff, employees are encouraged to use their annual leave allocation within the current leave year, so they do not have any untaken allocation at the end of the leave period. Any request to carry forward any leave, to a maximum of 5 days, must be made in writing to the CEO. Such a request should be made one month before the end of the academic year. Leave may be carried over for any employee on long term sick leave, maternity, paternity, or adoption leave.
- 4.8 When an employee leaves the Ebor Academy Trust, they will normally be expected to use any remaining annual leave prior to their last day of employment. If this is not possible, employees will receive a payment for any outstanding leave in their final salary. Where an employee has taken a higher proportion of their annual leave than they are entitled to at the date of leaving, this will be recovered from their final salary payment.
- 4.9 Holiday entitlement will continue to accrue during maternity leave, adoption leave, paternity leave, parental leave and long term sickness absence.

- 4.10 Should a member of staff fall sick during a period of annual leave, they may be recorded as being sick and the leave may be re-credited, on production of a valid medical certificate.

5. Applying for Annual Leave

- 5.1 Staff employed on term time only contracts only need to make a request for time off if it is during term time, i.e. in exceptional circumstances, as annual leave can only be taken in term time. In such cases, if granted, the leave will be given without pay. For other support staff, requests for annual leave should be made with as much notice as possible and a minimum of 2 weeks' notice, so that adequate staffing cover can be planned.
- 5.2 For Central Services staff or for non-teaching staff working in schools employed on a full year contract, all annual leave should be taken during the school holidays, with the exception of five days which may be taken during term time, subject to the prior permission of the line manager.
- 5.3 Requests for annual leave should be made using the online request form on the Trust's HR/ payroll system.

6. Compassionate Leave – applicable to all staff

- 6.1 Compassionate leave is usually granted for the loss of a close relative, such as the death of a spouse, partner, child, parent, sister, brother, grandparent, parent in law, son or daughter in law, brother or sister in law, close step family members. It may be applicable in other circumstances, for example after a traumatic event, such as a serious accident or incident at home, such as a flood or burglary.
- 6.2 Compassionate leave may be granted to a maximum of 5 days paid leave per year and is awarded at the discretion of the CEO, Executive Headteacher, Headteacher, or a Director. This may be increased in exceptional circumstances, usually on an unpaid basis.
- 6.3 Requests for compassionate leave should be made to the line manager and will be recorded on the Trust's HR system.

7. Dependant Care Leave – applicable to all staff

- 7.1 All employees have the right to a reasonable amount of time off during working hours as required to deal with unforeseen issues or emergencies involving dependants. A dependant is defined as a spouse, civil partner, partner, child, parent or a member of the employee's household who is not their employee, tenant, lodger or boarder.
- 7.2 Paid leave will not normally exceed 5 days per academic year except in exceptional circumstances. However, paid dependant care leave is a

request not an entitlement. Further unpaid leave may be granted, at the discretion of the HR Manager/ HR Director.

- 7.3 The line manager must ensure all dependant care leave awarded is recorded on the Trust's HR/ Payroll system.

8. Time off for public duties – applicable to all staff

- 8.1 Those who undertake specific public duties as listed below are eligible for a reasonable amount of paid leave. The actual amount of leave granted is at the discretion of the CEO, Executive Headteacher, Headteacher, or a Director. All leave must be authorised in advance and employees must give the Academy Trust as much notice as possible. Failure to give adequate notice for voluntary public duties will result in the request being refused. The public duties included are:

- A magistrate / Justice of the Peace (JP)
- Councillor in local government
- Member of a police authority
- Member of a Health Authority or Primary Care Trust
- A school governor
- Member of the prison independent monitoring board
- Member of a statutory tribunal panel
- A water customer consultation panel
- Member of the Environment Agency
- A trade union member (for trade union duties).

- 8.2 The amount of time off permitted will depend upon the public duties being undertaken and also the individual's role within the Trust and how easy it is to cover his/her work. A report of all such leave granted will be retained by the HR department, who will advise the authorising manager about the appropriate amount of time off in each circumstance. The line manager must ensure all time off for public duties is recorded on the Trust's HR/ Payroll system.

9. Jury Service – applicable to all staff

- 9.1 An employee receiving a summons to serve on a jury must report this as soon as possible to their line manager.
- 9.2 An employee serving as a juror shall claim the allowance for loss of earnings to which they are entitled under the Jurors' Allowances Regulations. Employees will be given a Certificate of Loss of Earnings from the court services which must be forwarded to the line manager.
- 9.3 On completion of jury service, employees must send their remittance form to the manager to ensure that the administrative procedures for adjustment to salary are completed. An amount equal to the allowance received will then be deducted from the employee's pay.

9.4 The line manager must ensure all time off for jury service is recorded on the Trust's HR/ Payroll system.

10. Court Appearance – applicable to all staff

10.1 Reasonable time off will be granted for any court appearances as a witness.

10.2 The line manager must ensure all time off for jury service is recorded on the Trust's HR/ Payroll system.

11. Recognised Trade Union Workplace Representatives and Members – applicable to all staff

11.1 Reasonable time off will be granted for appointed trade union workplace representatives for training and to carry out their duties during working time in compliance of Section 1 of the document "ACAS Code of Practice – Time off for trade union duties and activities – January 2010" and time off will also be given to members of recognised trade unions to participate in reasonable activities under Section 3 of the same document.

11.2 The line manager must ensure all time off for trade union activities or duties is recorded on the Trust's HR/ Payroll system.

12. Other leave with Pay – applicable to all staff

12.1 In all of these instances, leave needs to be requested from the individual's line manager:

- Religious Observance: 1 day's paid leave per academic year. An additional 2 days may be requested using annual leave, unpaid leave or lieu time.
- Examination/study leave: Paid time off will be granted for course attendance and exams for approved courses.
- Graduation Ceremony: 1 day's paid leave
- Job interviews: Up to 3 instances per academic year, except if the individual is at risk of redundancy, in which case more will be allowed as is reasonable in the circumstances. Where the recruitment process involves the individual taking more than one day's absence at a time, the number of instances permitted each year is likely to be limited to one or two a year.
- Where an individual has to go home due to a colleague's illness, such as a pregnant member of staff, or individual who has a seriously impaired immune system, works with someone who has developed an infection such as chicken pox, the individual will continue to receive full pay until suitable

alternative working arrangements can be made. The individual may be required to work from home, if it is practical to do so.

- 12.2 The line manager must ensure all such time off is recorded on the Trust's HR/ Payroll system.

13. Unpaid Leave

- 13.1 In circumstances where paid leave cannot be granted, unpaid leave may be awarded at the discretion of the CEO, Executive Headteacher, Headteacher, or a Director. This may include:

- Special Leave - provided to allow employees to deal with a personal or domestic issue
- Emergency Leave – for home or domestic emergencies which require immediate attention
- External reasons – severe weather, national fuel shortages, epidemics preventing attendance at work (alternative options should be explored e.g. working from home, annual leave)

- 13.2 The line manager must ensure all time off for unpaid leave is recorded on the Trust's HR/ Payroll system.

14. Time Off in Lieu Policy and Procedure – NOT usually applicable to Teaching staff or staff on Management contracts*

- 14.1 On occasions, work demands may mean that staff are required to work outside of their usual, contractual hours of work. The Trust recognises its duty to protect the health and safety of its staff by ensuring that they do not work too many hours and that if they do work additional hours, they are recompensed by taking time off in lieu (TOIL).
- 14.2 "Lieu time" is an approved amount of time, worked in addition to the individual's contracted hours, which may be taken off work at a future date which is mutually agreeable to the individual and line manager. No overtime or additional hours payment will be made for the additional hours worked.
- 14.3 TOIL is an exceptional rather than a routine occurrence. It is to ensure that when staff attend meetings, conferences or visits that extend beyond normal working hours, this time can be taken back.
- 14.4 Staff must agree with managers any time to be worked outside of normal working hours in advance. If this is not practical for any reason, staff must contact their manager as soon as possible afterwards. Periods of less than 30 minutes cannot be claimed as TOIL.
- 14.5 Employees will be responsible for completing their own TOIL recording sheet. This will be kept by the employee, signed and passed to the line

manager/supervisor for agreement at each credit/debit. The recording sheet should be readily available for managers to see at any time. All TOIL taken must be agreed in advance, as with annual leave.

14.6 Staff will not accrue more than 5 TOIL days in one annual cycle, except in exceptional circumstances and with prior consent of their line manager and executive leader. This will enable staffing resources to be reviewed.

14.7 No payment will be made for any untaken TOIL at the end of the leave year or on termination of employment.

*although TOIL is generally not applicable to teaching staff or those on management contracts, hours of work may be flexed, with the prior agreement of the line manager, where evening meetings have been worked i.e. a later start may be agreed for the following day, as long as the needs of the Trust are not adversely affected