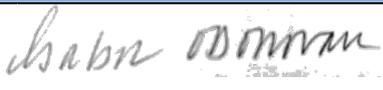




# Ulverston Victoria

## High School

# Staff Absence and Attendance Policy

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## Statement of intent

Ulverston Victoria High School is committed to maintaining the health, safety and welfare of its staff. We seek to provide a positive and healthy working environment, and recognise the value of our employees' work-life balance. Regular attendance at work is an integral part of each employee's contract of employment; however, we recognise that employees will, on occasion, have genuine and acceptable reasons to be absent from work. On those occasions, we will aim to support an employee during the period of absence, with the aim of assisting their return to work at the earliest opportunity.

We also understand that holidays are precious time away from the regular stress of work, and strongly encourage staff to take annual leave, where leave is not covered by the school holidays. We also recognise that, on occasion, leave may need to be taken due to unforeseen circumstances, and we will try our utmost to accommodate the needs of our staff.

This policy outlines provisions to minimise staff absence levels across the school, the school's duties regarding staff leave of absence, and the provisions for staff to follow when requesting leave, as well as information on how we support employees who are unable to attend work due to ill health. This policy also aims to provide a fair and consistent framework for managing attendance and informs all employees of their responsibilities regarding attendance at work.

In accordance with our obligations under the Equality Act 2010, we will make all reasonable efforts to allow employees with a disability that affects their attendance at work to continue their employment.

This policy is not contractual, and we may depart from its terms where reasonable and circumstances dictate.

## 1. Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Trade Union and Labour Relations (Consolidation) Act 1992
- Employment Rights Act 1996
- The Working Time Regulations 1998
- Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999
- The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)
- Equality Act 2010
- The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018
- The Statutory Parental Bereavement Leave (General) Regulations 2020 (Jack's Law)
- ACAS (2010) 'Code of practice on time off for trade union duties and activities including guidance on time off for union learning representatives'
- Cabinet Office (2023) 'Report trade union facility time data'
- DfE (2014) 'Advice on trade union facility time'
- DfE (2021) 'Teachers' Standards'
- DfE (2023) 'School teachers' pay and conditions document 2023 and guidance on school teachers' pay and conditions' (STPCD)
- Department for Work and Pensions (2022) 'The fit note: guidance for patients and employees'

This policy operates in conjunction with the following school policies:

- Maternity, Paternity, Adoption, Parental and Parental Bereavement Leave Policy
- Disciplinary Policy and Procedure
- Records Management Policy
- Grievance Policy

## 2. Roles and responsibilities

The governing board will be responsible for:

- Reviewing this policy and ensuring it is adhered to across the school.
- Ensuring that this policy is implemented fairly, consistently and in line with the board's equality duties.
- Signing off any special leave requested by the headteacher, e.g. bereavement leave.

The headteacher will be responsible for:

- Implementing this policy in line with their statutory duties.
- Informing all employees of attendance management procedures, including the conditions of the sick pay scheme.
- Recording all sickness absence upon notification.
- Monitoring and reviewing sickness absence across the school.

- Deciding if a stage one absence hearing with an employee is appropriate when their sickness absence level has reached a trigger point.
- Maintaining reasonable contact with employees during a period of absence.
- Meeting with employees on their return to work, regardless if more than one week or due to a serious illness or particularly difficult personal circumstances.
- Ensuring employees are supported throughout their period of leave and being a point of contact for any queries or problems they may have.
- Managing and signing off annual leave requests.

Line managers will be responsible for:

- Implementing this policy in line with their statutory duties.
- Briefing employees on the school's sickness absence procedures.

Staff will be responsible for:

- Attending work when fit to do so.
- Complying with the school's notification of sickness absence procedures.
- Maintaining reasonable contact with the school and meeting with the school when required during periods of absence of four weeks or longer ("long-term sickness absence").
- If requested to do so by the school, attending occupational health (and potentially other medical) appointments.
- Arranging annual leave during school holiday periods.
- Requesting special leave as soon as possible.
- Submitting annual leave requests to their line manager.
- Arranging leave for a convenient time, i.e. not in conflict with other relevant staff leave.
- Adhering to this policy at all times.

### **3. Annual leave**

Specific annual leave arrangements are outlined in each staff member's contract of employment. This section of this policy outlines the guidelines the school will follow in relation to annual leave; however, the school will refer to staff members' individual contracts of employment when looking at their annual leave entitlement.

#### **Teacher annual leave**

Teachers will be required to be available for work for 195 days each, of which 190 shall be days they may be required to teach pupils and 5 will be for other duties.

Teachers will not be permitted to request annual leave to take a holiday within term-time. Term-time leave will only be permissible in exceptional circumstances, e.g. to take care of a dependant.

## **Support staff annual leave**

Entitlement to annual leave for support staff will be specified in their individual contracts of employment.

The provision for support staff employed on a term-time only basis is the same as for teaching staff above. The annual leave year for support staff runs from 1 April to 31 March. For all-year-round staff, the school expects annual leave to be taken during the school holidays unless specified differently in individual contracts. Support staff may not take annual leave when they are required to be in school for a specific purpose.

Line managers are responsible for approving annual leave for their respective support staff which will be ratified by the headteacher. Where support staff request leave during term-time, their request will be granted having given due regard to the exigencies of the service.

Staff may carry forward a maximum of 5 days of annual leave where a minimum of 20 days annual leave has been taken in the current leave year. Any leave carried forward must be taken before 30 June that year and with the prior written consent of their line manager.

## **Term-time only workers**

Holiday entitlement and pay for term-time only workers will be calculated by reference to the hours worked over a 52-week average, known as the calendar week method.

## **Sabbatical leave**

Staff may request sabbatical leave from their line manager – leave will be granted based on the following considerations:

- Job role.
- Number of years continuous service.
- Performance standards to date.
- Length of time requested.

Staff requesting sabbatical leave must give at least three months' advance notice. Staff who request sabbatical leave of absence will receive a response within two weeks of their request. Any rejected requests can be appealed to the governing board.

## **Accruing annual leave during sick leave**

Employees will have the right to accrue annual leave during sickness and to take this upon return or carry forward the annual leave into the next leave year. The time an employee takes leave will be agreed by the staff member's line manager in line with the needs of the school.

Employees are entitled to 28 days (5.6 weeks) of statutory annual leave under the Working Time Regulations 1998; therefore, the entitlement to statutory annual leave can be offset by any periods of school closure, whether they occur before or after the period of sickness. Where there is insufficient school closure time to allow the statutory annual leave to be taken, the school will allow the employee to carry forward the leave to be taken in a school closure.

When an employee commences sick leave, the amount of leave an employee has had in the current leave year will be established by the amount of school closure periods that have already occurred during the leave year. If this exceeds the entitlement to statutory annual leave, there will be no further entitlement to leave.

#### **4. Leave of absence**

The school will comply with any statutory regulations regarding allowance of time off for employees. The school recognises that there may be times when employees will need to take additional time away from work and will comply with this in line with their statutory duties.

Staff seeking to take leave of absence will be required to gain approval from the headteacher in advance, where possible. It is at the discretion of the headteacher to grant leave – any refusal will be reasonable and justified. Staff are able to appeal to the governing board if their request for leave has been rejected.

The procedures outlined in this policy will be reviewed annually by the governing board to ensure they remain unbiased and fair for all staff.

The following are examples of leave of absence which may be requested (this is not an exhaustive list):

- Bereavement leave.
- Time off to care for dependants.
- Urgent domestic reasons.
- Jury service and/or witness summons.
- Justice of the Peace (Magistrate) duties.
- Other public duties.
- Personal health and welfare.
- Examination and revision leave.
- Religious observance.
- Service in non-regular armed forces or volunteer reserve services.

Retrospective leave may be requested in exceptional circumstances, e.g. a family emergency.

Maternity leave, paternity leave, adoption leave, parental leave and parental bereavement leave will be arranged in line with the Employment Rights Act 1996 and the school's Maternity, Paternity, Adoption, Parental and Parental Bereavement Leave Policy.

A minimum of two weeks' Statutory Parental Bereavement Leave will be granted to staff who have lost a child under the age of 18, or who have suffered a still birth from 24 weeks of pregnancy, which took place on or after 6 April 2020. The leave will commence on or after the date of the death or stillbirth and will finish within 56 weeks of that date of the death or stillbirth. If the staff member is already taking another form of leave, e.g. maternity leave, at the time of the death or stillbirth, the Statutory Parental Bereavement Leave will start after the other leave period has ended.

Statutory Parental Bereavement Leave will be implemented alongside Statutory Parental Bereavement Pay, using the [Statutory Parental Bereavement Pay tables](#) to calculate this. Statutory

Parental Bereavement Leave and Pay will be implemented in line with the school's Maternity, Paternity, Adoption and Parental and Parental Bereavement Leave Policy at all times.

There may be situations where paid leave is not appropriate, and in this case unpaid leave or time off in lieu arrangements will be considered.

[See Appendix A](#)

If an employee takes leave without permission from the school, the leave will be considered unauthorised unpaid leave and may result in disciplinary action, including dismissal.

## **5. Entitlement to take time off to perform trade union representative duties**

The school will follow the ACAS 'Code of Practice on time off for trade union duties and activities including guidance on time off for union learning representatives'.

A **"trade union representative"** is an employee who has been elected or appointed in accordance with the rules of the independent union to be a representative of all or some of the union's members in the school(s) where the union is recognised for collective bargaining purposes.

A **"union learning representative"** is an employee who is a member of an independent trade union recognised by the employer who has been elected or appointed in accordance with the rules of the union to be a learning representative of the union at the school.

The entitlements below only apply to employees of the school.

Members of staff who are trade union representatives will be entitled to reasonable paid time off to perform their union duties and to undertake relevant training. Trade union representatives are also able to ask for unpaid time off work to undertake activities. Together, these arrangements constitute facility time.

### **Paid time off**

For a union representative to be entitled to paid time off, the union must be:

- Independent.
- Officially recognised by the school's employer.

Union representatives have the right to have paid time off to conduct a variety of activities, including the following:

- Negotiating pay, terms and conditions.
- Helping union members with disciplinary or grievance procedures, including meetings to hear their cases.
- Going with union members to meetings with their line manager to discuss flexible working requests.
- Discussing issues that affect union members, such as redundancies.

Union learning representatives have the right to paid time off to:

- Analyse the learning or training needs of union members.
- Give information and advice about learning or training.
- Arrange or encourage learning or training.
- Discuss their activities as a learning representative with their employer.
- Train as a learning representative.

Where paid time off is granted, the staff member will be paid the amount they would have earned had they worked during the time off taken or, where the staff member's earnings vary with the work done, an amount calculated by reference to the average hourly earnings for the work they are employed to do.

### **Unpaid time off**

Union members and union representatives may also request reasonable unpaid time off during working hours to take part in union activities, such as:

- Meetings with union officials.
- Meetings of official policy-making bodies.
- Workplace meetings to discuss and vote on the outcome of negotiations with the employer.
- Voting in union elections.

Staff members will not be permitted to request time off for activities relating to lobbying for, planning or carrying out industrial action.

### **Requests for time off**

Union members will give their line managers as much notice as possible when asking for time off. When requesting time off, union representatives will provide their line managers with the following information:

- The purpose of the time off.
- Details of the date and time being requested.
- The location of the activity taking place.

Wherever possible, union representatives will be asked to ensure any time off they are requesting does not interfere with the normal functioning of the school.

When a staff member requests time off to conduct union representative activities, their line manager will discuss how much time can be taken off. The following questions will be considered by the staff member's line manager:

- Can the school accommodate the amount of time requested, and ensure adequate cover for safety and the provision of educational services?
- Does the request contain the right information, and has enough advanced notice been given to provide cover arrangements where necessary?
- Does the request attract paid or unpaid time off?

- If the request cannot be accommodated, is there a reasonable alternative?

The staff member's line manager will determine whether a request for time off is appropriate. Staff members will be able to raise any disputes regarding the outcome of requests will be dealt with in line with the school's Grievance Policy. Staff members will also be informed of their right to take a case to an employment tribunal.

### **Facilities for union representatives**

The school will make the following office facilities available on the premises for union representatives when they are taking time off to conduct union activities:

- Meeting room.
- Access to communication devices.

These office facilities will not be permitted to be used for union activities which are only union-facing and/or which encourage or promote industrial action.

### **Reporting arrangements**

Arrangements will be in place to ensure union representatives can account for the duties and activities they have carried out during facility time.

The school will support the LA to report the required information to the government on facility time, in line with the government guidance '[Report trade union facility time data](#)'.

The school will report the required information to the government on facility time, in line with the government guidance '[Report trade union facility time data](#)'.

## **6. Sickness absence**

The school will make appropriate arrangements to minimise the impact of sickness absence, including arranging supply cover or longer-term arrangements in the event that an employee is absent for a longer period of time. Any leave granted, whether paid or unpaid, will be subject to the availability of staff to cover the employee's period of absence.

The school expects staff to report absence using the following procedure:

- On the first day of sickness absence, staff will call their line manager and the Cover Manager by no later than 8:00am.
- Staff will notify their line manager of the reason for their absence and the likely duration of their absence.
- Staff will maintain contact with the school for the duration of their absence.
- Unless and until staff are certified by a fit note from a healthcare professional, staff will call their line manager and the Cover Manager by no later than 8:00am for each day of absence unless instructed otherwise.
- If a staff member is absent for longer than seven consecutive days (including weekends), then they will submit a fit note from a healthcare professional to the school.

Failure to follow this process could result in sick pay being withheld or the absence being treated as unauthorised.

The school will accept fit notes that are handwritten or computer generated as a printed out or digital copy. The school will only accept fit notes that include the issuer's name or signature, profession, and the address of the medical practice.

The school will accept fit notes from the following healthcare professionals that deliver NHS services:

- Doctors.
- Nurses.
- Occupational therapists.
- Pharmacists.
- Physiotherapists.

### **Headteacher sickness absence**

In the case of headteacher sickness absence, the absence management procedure will be managed by the governing board.

### **Long-term sickness absence**

Where a staff member is or is reasonably expected to be absent from work for four weeks or more, including any period of holiday, or where the staff member has been unable to sustain regular and efficient attendance due to a long-term condition, they will fall within the scope of the long-term sickness absence management procedure.

The school will maintain regular and supportive contact with the staff member, which may include:

- Regular review meetings to discuss their continuing absence.
- When they may be able to return to work.
- Any reasonable adjustments that the school may be able to make to assist them in returning to work.

It is a contractual requirement that the employee cooperate with the school during such period of absence.

### **Occupational health**

The school will refer staff to an occupational health advisor where necessary. The advisor will outline:

- When the staff member will be able to return to their role.
- The staff member's ability to carry out their role.
- Whether any adjustments or modifications will be made to assist the staff member in carrying out their role.
- Whether the staff member is, or will soon be, unable to carry out their role or alternative duties within the school.
- Whether any adjustments or modifications could be made to assist the employee in carrying out such alternative duties.

The school will consider appropriate support options, including reasonable adjustments or phased returns to work.

For employees experiencing a psychological illness, e.g. stress, anxiety or depression, or a musculoskeletal complaint, e.g. a neck, shoulder or back condition, an immediate referral to occupational health will be made.

### **Ill-health retirement**

Staff who are contributing to the Local Pensions or Teachers' Pensions (TP) will be considered for ill-health retirement where applicable.

## **7. Sick pay**

Sick pay is based on length of service. For teachers, this is aggregated teaching service within any LA and any academy. For all other staff, it is continuous service within any public authority to which the Redundancy Payments Modification Order 1985 applies.

If the school is concerned that the reason given for staff absence is not genuine, it may commence action under the school's Disciplinary Policy and Procedure. The school reserves the right to withhold sick pay in circumstances which are described in the relevant paragraphs of the conditions of service for teachers and support staff.

Staff who are absent from work on sickness absence must not participate in any other form of work, paid or unpaid, during or outside of their normal working hours without the prior written authorisation of school. Staff will notify the school if they are undertaking therapeutic work whilst off sick and will consult with the school's occupational health service as to the advisability of such activity. If staff are found to be carrying out other work within their contracted hours at the school, sick pay may be withheld.

Time off for surgery that is not for medical reasons will ordinarily not be paid by the school.

### **Statutory sick pay (SSP)**

In order to qualify for statutory sick pay (SSP), staff must:

- Be sick for at least four or more days in a row, including weekends and bank holidays, as SSP is not payable for the first three days of any period of absence; and
- Earn an average of no less than the Lower Earnings Limit for National Insurance Contributions (NIC).

SSP is paid by the school for up to a maximum of 28 weeks.

## **8. Returning to work**

Where a healthcare professional advises a staff member that they are not fit for work, the healthcare professional will state the period for which this will be the case and whether they will need to assess the staff member again. If the healthcare professional has not stated that they need to assess the staff

member again, the school will ordinarily assume that the employee will return to work on expiry of the fit note.

The school may ask the staff member to seek further advice from their healthcare professional regarding a return to work or to seek advice from an occupational health advisor before the employee is allowed to return to work. Staff will attend any additional appointments as reasonably instructed by the school.

During any additional period of assessment, the staff member will remain entitled to sick pay in accordance with the SSP or the employee's terms and conditions of service.

Staff will take on board any advice given by their doctor on how to return to work. Advice may include:

- A phased return to work.
- Flexible working.
- Amended duties.
- Workplace adaptations.

The school will consider any recommendations made by the staff member's doctor and implement additional measures to support the staff member's return to work where possible.

On their return to work, staff will contact their line manager and complete a sickness notification form as directed.

Following a period of sickness absence, staff will be required to attend a return to work interview with the headteacher within three days of their return. The interview will:

- Welcome the staff member back to work.
- Inform the staff member of any changes during their absence.
- Seek assurance that the staff member is well enough to be at work.
- Establish if the staff member requires any additional support.
- Assess whether the staff member needs to be referred to occupational health.

During the interview, staff will be made aware of the following:

- Whether their absence may lead to a stage one absence meeting.
- Any support the school will offer to avoid a stage one absence meeting.
- Whether they have surpassed the trigger points for a stage one absence meeting and the implications of this, e.g. being invited to an absence meeting.

If a staff member has already received an official warning over their attendance, they may be invited to a stage two or three absence meeting.

A record of a return to work interview will be signed by both the staff member and their line manager, and a copy will be kept and stored securely in line with the Records Management Policy.

## **Redeployment of staff**

Staff who are fit to return to work, but not in their original role, will be transferred into an alternative role which they are able to undertake with or without reasonable adjustments or training.

If there is no suitable alternative post in school, staff may be reassigned within the LA. It will be the decision of the LA redeployment unit as to whether a school employee will be accepted onto the redeployment register.

## **9. Persistent absence**

If a staff member is persistently absent and their attendance levels have not improved to a satisfactory level following informal action through the return to work interviews, and having taken into consideration the trigger points, their line manager may choose to obtain medical advice from occupational health if appropriate, or may proceed to a stage one absence meeting.

Where there is a history of formal absence warnings that result in a successful monitoring period which is then immediately followed by further absences, the school may not recommence the informal attendance monitoring process but move instead to the next stage in the formal procedure.

All sickness absence hearings relating to the headteacher's sickness absence will be conducted by a nominated governor and any subsequent appeal will be held by the chair of governors.

### **Stage one absence meeting**

If a staff member's sickness absence levels have not improved despite being addressed in their return to work meetings, and the employee has reached the trigger points, the line manager will invite the staff member to a stage one absence meeting. The staff member's line manager will provide at least three working days' notice, in writing, of the stage one absence meeting. They will communicate the following to the staff member:

- The time, date and place of the meeting.
- The reason for the meeting.
- Any evidence to be discussed at the meeting.
- The staff member's right to be accompanied by a trade union representative or work colleague not involved in the case.

The line manager will prepare for the meeting by ensuring that they have identified the employee's sickness absence levels and the support that has been provided via the return to work meetings. Any medical evidence or documentation that the staff member wishes the line manager to consider will be submitted prior to the meeting.

In the stage one absence meeting the line manager will:

- Explain the concern about the absence level and reasons for that concern, such as operational difficulties caused.
- Listen to reasons and respond appropriately.
- Consider whether to refer the case to occupational health if they have not already done so.

- State that sustained improvement in attendance is expected and set an appropriate monitoring period and targets for improvement.
- Identify any support required.

The potential outcomes of this meeting include:

- Giving the staff member a stage one warning, to remain on file for 6 to 12 months, and explaining that continued failure to improve attendance to the specified level may lead to a stage two absence meeting, which could lead to the staff member's employment being put at risk.
- An extension of informal monitoring.
- No further action.

### **Stage two absence meeting**

If the staff member's attendance drops below the required level within the set monitoring period, their line manager will ask the employee to attend a stage two absence meeting. The line manager will provide at least three working days' notice of the stage two absence meeting in writing. They will communicate the following to the staff member:

- The time, date and place of the meeting.
- The reason for the meeting.
- Any evidence to be discussed at the meeting.
- The staff member's right to be accompanied by a trade union representative or work colleague not involved in the case.

In the stage two absence meeting, the line manager will:

- Explain the concern about the absence level and reasons for that concern, such as operational difficulties caused.
- Listen to reasons and respond appropriately.
- Consider whether to refer the case to occupational health if they have not already done so.
- State that sustained improvement in attendance is expected and set an appropriate monitoring period and targets for improvement.
- Identify any support required.

The potential outcomes of this meeting include:

- Give the employee a stage two warning, to remain on file for 9 to 12 months, and explaining that continued failure to improve attendance to the specified level will lead to a stage three absence hearing which could result in dismissal.
- An extension of monitoring and support within stage one of the formal process.
- No further action.

The staff member's line manager will fully record the details of the meeting and send a letter to the staff member confirming the details of this meeting.

If at any stage a staff member has reached a level of improvement acceptable to the school, monitoring will revert back to informal arrangements.

### **Stage three absence hearing**

If the employee's attendance drops below the required level within the set monitoring period, their line manager will ask the staff member to attend a stage three absence meeting. The line manager will provide at least five working days' notice of the stage three absence meeting in writing. The notice will include:

- The purpose of the hearing.
- Details of the employee's attendance.
- The stage reached in the procedure.
- When and where the hearing will be conducted.
- The right to be accompanied by a trade union representative or work colleague not involved in the case.
- The requirement for the employee to provide, in at least two working days before the hearing, all documents that they intend to present at the hearing.

The stage three absence meeting will be conducted by the headteacher. Any medical evidence or documentation that the staff member wishes the headteacher to consider will be submitted at least two working days prior to the hearing.

The purpose of the stage three absence meeting will be to consider whether the staff member is capable of continuing employment with the school in the light of their health, their attendance and their ability to perform the role with reasonable effectiveness. The meeting will also consider whether the school can reasonably sustain the staff member's level of attendance.

The potential outcomes of this meeting include the following:

- An extension of monitoring and support within stage two of the formal process.
- If the headteacher decides that the staff member's attendance is not acceptable and is unlikely to improve to an acceptable level, the employee may be dismissed with notice on the grounds of failure to sustain required levels of attendance.

Prior to a decision to dismiss, consideration will be given to any alternative working arrangements or roles with the school. If the school decides to terminate the staff member's employment on the grounds of the above, the employee will be informed of the school's decision to dismiss in writing and the employee will be advised of their right of appeal.

A copy of the letter dismissing the staff member will be sent to the Director of Children's Services. The Director of Children's Services will then formally confirm dismissal by letter to the employee.

### **Appeals**

Any appeal arising as a result of a warning or dismissal will be made in writing to the clerk to governors within five working days of receiving the outcome of the hearing.

If the staff member submits an appeal, they will be invited to an appeal hearing where their case will be heard by a more senior manager. In the event that a decision was taken by the headteacher, any appeal will be heard by the chair of governors. The outcome of the appeal hearing will be confirmed in writing to the employee. There is no further level of appeal.

An appeal following a stage three dismissal will be heard by a panel of up to three governors.

## **10. Medical suspension and capability**

There are a number of circumstances where the school may medically suspend an employee. Reasons for such a decision include consideration for the protection of the person's own health, as well as the health and welfare of other staff and pupils who may be put at risk by the medical condition of an employee. Occupational health may recommend medical suspension to management.

Subject to LA arrangements, a referral to LADO may be recommended in cases where a staff member is suffering from or has suffered from suicidal thoughts. The school will undertake a full risk assessment on the risks posed to the employee or others before deciding on whether the employee is fit to be in work.

If, following advice from occupational health, it appears that the employee is likely to be unable to return to their role or to provide regular and efficient attendance within a reasonable period of time, the employee will be invited to attend a medical capability hearing.

Prior to a medical capability hearing, a preliminary meeting will be arranged in order to discuss the following:

- The history of the employee's absence, including the number of absences or duration of absences.
- Any reasonable adjustments that have been made or considered.
- If and when the employee may be able to return to work or to provide regular and efficient service.
- Any redeployment options that have been considered within the school.
- Up-to-date medical advice.

The employee has the right to be accompanied at this meeting by a trade union representative or work colleague.

If, following the preliminary meeting, the staff member's line manager remains of the opinion that the employee is not able to return to work within a reasonable period of time and that their absence cannot be sustained or that the employee will not be able to provide regular and efficient service in accordance with their contract of employment, the employee will be invited to attend a medical capability hearing.

### **Medical capability hearing**

The purpose of the medical capability hearing is to consider the viability of the employee's continuing employment. The employee will be given written notification of the meeting giving five working days' notice.

The medical capability hearing will be conducted by the headteacher. The headteacher will consider dismissal on the grounds of medical capability where having considered any medical advice and any representations by the employee the headteacher reasonably believes that:

- The employee is permanently unfit to work.
- They are unable to reasonably determine when the employee will be able to return to work or to provide regular and efficient service.
- The employee is unlikely to be able to provide regular and efficient service.

In the event that an employee has failed to attend appointments with occupational health and, therefore, there is no medical evidence to consider, the headteacher may make a decision based on the information at the hearing. Where an employee fails to attend the hearing, it may go ahead in their absence.

The employee has the right to be accompanied at the medical capability hearing by a colleague or a trade union representative.

Any documentation that the employee wishes the headteacher to consider should be submitted at least two working days prior to the hearing. In certain situations where medical evidence from an employee is in conflict with the medical evidence from occupational health, the school will decide to obtain a further medical report or may prefer either report.

If the headteacher decides to terminate the employee's employment on the grounds of medical capability, the employee will be informed, in writing, of the decision to dismiss and their right of appeal.

### **Appeals against medical capability decisions**

Any appeal arising as a result of a medical capability dismissal will be made in writing to the school within 10 working days of receipt of the outcome of the hearing.

If the member of staff submits an appeal, they will be invited to an appeal hearing where their case will be heard by the governing board. The employee and the school will provide additional medical information for consideration at the appeal hearing.

The outcome of the appeal hearing will be confirmed in writing to the employee. There is no further level of appeal.

## **11. Monitoring and review**

This policy will be reviewed on an annual basis by the governing board and headteacher. Any changes to this policy will be communicated to all staff and relevant stakeholders.

## **11. Annual leave**

Provisions for annual leave are outlined in the Annual Leave and Public Holiday guidance as per the relevant terms and conditions of employment for different categories of staff.

## **12. Flexi time**

The aim of the flexi time scheme is to encourage a greater work life balance. Flexi time is not applicable in all settings. Refer to the flexi time scheme for further details.

## **13. Family Leave**

Further guidance on the following procedures can be found in the relevant document on InTouch or the School Portal

- Maternity Leave and Pay.
- Adoption Leave.
- Paternity Leave/Maternity Support Leave.
- Additional Parental Leave.

## **14. Foster Care**

Up to 5 days (pro rata for part time staff) additional paid leave of absence per year can be granted to any member of staff undertaking training relating to their role as a foster carer (or applicant foster carer). For any member of staff who is following the Fostering to Adopt process the adoption procedure would apply.

## **15. Career break**

A career break is designed to provide employees with the opportunity to take an extended unpaid break of between 3 and 12 months. Details can be found in the Work Life Balance procedure.

## **16. Religious Holidays**

All requests for time off will be considered carefully and sympathetically. There is no automatic right to time off to observe religious holidays and the Equality Act 2010 protects both individuals with a religion or belief and those without a religion or belief.

All employees, whatever their religion or belief, will be treated equally in this respect and time off and annual leave requests should be submitted for approval in the usual way.

## **17. Personal Medical/Dental Appointments**

There is no entitlement to time off with pay for routine doctors or dental appointments. There is an expectation that such appointments will be made in the employees own time. Where time off is required to attend an emergency medical or dental appointment paid time off will be granted.

## **18. Disability Leave**

Provisions for Disability Leave to enhance the support and assistance available to disabled employees are outlined in a separate Disability Leave Procedure.

## **19. Hospital appointments and Medical Screening**

The expectation would be that employees will try to arrange all hospital appointment outside of working hours in order to cause minimal disruption to the service. Where appointment times are determined by the hospital/doctor and it is not possible for the employee to specify the date and time of the appointment paid time off will be granted.

The employee should give their line manager as much notice as possible to allow for any changes to rota/working patterns to be put in place.

### **Elective/Cosmetic surgery**

Elective surgery is surgery that is not considered to be medically necessary. This includes cosmetic surgery, which is concerned with the enhancement of appearance through surgical and medical techniques. This type of elective surgery should not be classed as sick leave and paid time off will not be applicable, unless the employee is undergoing elective surgery at a doctor's recommendation in which case the normal provisions for hospital appointments will apply. Any subsequent sickness absence due to the effects of treatment e.g. a complication following surgery, will be classed as sick leave and normal sick pay provisions will apply.

### **Gender reassignment**

The Equality Act 2010 protects anyone who proposes to start, has started or has completed a process to change their gender from discrimination.

Any time off an individual needs because of gender reassignment issues, such as counselling, advice or surgery is protected under the Equality Act and will be treated in the same way as absence because of sickness.

It is recognised that the transition process and the time it takes will be unique to each individual and once an employee confirms that they are starting, or have started, the process of transitioning a confidential action plan will be agreed to manage their transition at work and any time off which is required.

Additional guidance and support will be made available to both employees and line managers and where employees reveal information about their gender identity this will be kept confidential and will not be revealed to anyone without the employee's consent.

Line managers will support employees through the transition process and fully respect their individual circumstances and always seek the employee's consent in all relevant matters.

### **Fertility Treatment**

There is no statutory right for employees to take time off work to undergo investigations or treatment. However up to 5 days (pro rata for part time staff) additional paid leave of absence per year can be granted to any member of staff undergoing fertility treatment. Flexible working arrangements should also be considered.

The expectation would be that employees will try to arrange all hospital appointments outside of working hours in order to cause minimal disruption to the service. Where it is not possible for the employee to specify the date and time of the appointment paid time off will be granted as outlined in point 7.

Any sickness absence due to the effects of the treatment will be recorded in the normal way.

Following implantation, a pregnancy may or may not occur, but the woman is regarded as being pregnant from the point of the implantation, and is protected under the Equality Act 2010 pregnancy legislation. Employees should notify their employer once they have reached this stage.

If the treatment is successful and the woman remains pregnant the normal maternity provisions will apply. If the treatment is unsuccessful, the Equality Act provisions will end two weeks after confirmation of a negative pregnancy test.

## **20. Statutory Parental Bereavement Leave and Pay**

Statutory Parental Bereavement Leave and Pay was introduced in April 2020. This is a new entitlement for bereaved parents to be absent from work with pay at a statutory minimum rate for up to two weeks.

### **Key points of the legislation are:**

- The legislation applies to employees who are the parents of a deceased child under the age of 18, or those who suffer a stillbirth 24 weeks or more into pregnancy.
- Parental bereavement leave is a 'day one' employment right, meaning that staff do not require a minimum period of service. There is however a qualifying period for statutory parental bereavement pay.
- Leave is taken in blocks of one week and can be either one block covering two weeks; or two separate blocks of one week at different times.
- Leave is to be taken within 56 weeks of the date of the death of the child. This is to allow flexibility for parents e.g. if they wish to take leave on the anniversary of the death.

To provide additional support to employees in these circumstances it has been agreed that the qualifying period for receiving parental bereavement pay will be removed and this will be a day one right for employees. It has also been agreed that the statutory payment will be uplifted to full pay.

Time off which is classed as Statutory Parental Bereavement should be recorded in the usual way, and you must give your employer notice before taking the time off.

## **21. Paid Time Off for Urgent Domestic Leave**

Senior Managers/headteachers may grant discretionary paid leave in respect of urgent domestic reasons. Examples of which may be the death of a close relative or dependent, sometimes referred to as bereavement leave, or an unexpected change in your own or your dependents' health. A maximum of 7 working days' time off with pay may be granted to any full time employee in any 12 month rolling period, pro rata for part time employees. This will not be unreasonably withheld.

Employees should where possible confirm the request with their line manager at the earliest opportunity.

Paid leave in excess of 7 days shall require the prior approval of a senior manager/headteacher.

The number of days paid leave granted will take into account the closeness of the employee to the individual/event in crisis, and the impact of the crisis on the employee.

Where a request for time off for Urgent Domestic Leave is declined then the manager/headteacher will provide the employee with written reasons of the grounds for the refusal.

Any time off for urgent domestic leave should be recorded as paid absence in the normal way.

Domestic Abuse is recognised as being a reason why an employee may require Urgent Domestic Leave. Domestic Abuse victims are likely to make multiple attempts to leave a perpetrator and in these circumstances the entitlement is uplifted to 12 days annually to allow staff to seek and receive the support they need. Any time off should be recorded in the normal way and any reporting anonymized to protect the employee.

## **22. Statutory Provision for unpaid time off to care for dependants**

Employees have a statutory right 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 dependant; and
- to deal with an incident involving the employee's child which occurs unexpectedly when s/he is at school.

A dependant could be a spouse, partner, child, grandchild, parent, or someone who depends on the employee for care.

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.

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

Leave taken under this provision should be recorded as unpaid Time Off.

## **23. Stuck Not Sick Procedure**

The Stuck Not Sick procedure is available to all employees, though is more likely to be used by employees without a flexi time scheme in operation. Hours taken using Stuck Not Sick are repaid within an agreed time frame.

We all encounter problems from time to time, often with little or no notice, for example:

- the car doesn't start.
- a child minder doesn't arrive.
- the washing machine breaks down and the kitchen is flooded.

For these and many other problems, employees need time off from work. The Stuck Not Sick procedure enables an employee to take the time off they need to deal with a crisis, however there is a contractual requirement to repay these hours at a later date. Stuck not sick is in addition to the statutory right for unpaid time off to deal with dependants.

A limit of 15 hours stuck not sick time applies for employees on whole time contractual arrangements. Part-time employees enjoy the same benefits of the scheme on a pro rata basis. Longer periods of time off can be dealt with using other leave procedures. Stuck time is for a short term crisis only.

## **Process**

The Stuck Not Sick arrangements are available to all employees, though they are more likely to be used by employees without a flexi time scheme in operation. Hours will be taken and repaid within an agreed time frame.

### **23.1 Notification and agreement of arrangements**

Employees will telephone their line manager to discuss their need for Stuck Not Sick hours and where possible (subject to service need) they will be granted. Employees will only be paid their normal contractual hours for that day i.e. not any additional hours scheduled. If the hours would normally attract a sessional payment i.e. nights, Sunday or Bank Holiday they will not be paid as they have not actually attended work. When they repay the hours they have already been paid however, if they work at a time that would attract a sessional payment then this will be paid.

A limit of 15 hours Stuck Not Sick time will be applied for employees on whole time contractual arrangements. This means that the maximum stuck time an employee can owe at any one time is 15 hours. In normal circumstances, no further Stuck Not Sick hours will be agreed until any outstanding hours have been re-paid.

### **23.2 Repayment of hours**

When an employee returns to work, they must meet with their line manager and agree ways in which the Stuck Not Sick hours taken will be repaid. Managers will agree with employees a payback period (this would not normally be longer than 12 months). If the hours cannot be paid back within the period, the overpayments procedure will be considered.

The method of repaying stuck hours should be agreed in consultation with the employee and will be subject to operational requirements. Options on how to repay stuck hours include:

- Working extra hours to repay stuck hours.
- Working additional shifts to repay stuck hours.
- Use of annual leave.
- Flexi credit hours.
- Unpaid leave.

Those employees who work fixed hours or shifts, or where the opening times of establishments restricts the ability to work additional hours, alternative arrangements for repayment of stuck hours may be considered by agreement between the manager and the employee, this may include the opportunity for cross-service working to repay stuck hours. All Stuck not Sick agreements should be recorded as absence.

## **24. Weather**

In cases of extreme weather conditions or other exceptional circumstances outside anyone's control, employees may have difficulties in getting to work.

In such circumstances the key principle is that employees and line managers should agree what arrangements are reasonable in the circumstances. Employees should make every effort to attend for work and they should ensure that their line manager is kept fully informed of the situation,

however it may be necessary for them to take time off. In exceptional circumstances, if a workplace is closed and no other alternatives are available/appropriate, paid time off will be given. However, this should be reviewed on a daily basis.

Guidelines for dealing with this are available at: Bad Weather Guidance and the schools portal.

Where extreme weather results in the closure of a school, arrangements will be made by the headteacher and in line with Department of Education guidance.

## **25. Special Events**

It is recognised that there may be occasions such as major national sporting events or other events of national significance when employees may wish to take time off work. Guidance in relation to this can be found at: Special Events Guidance and the schools portal.

## **26. Volunteer Reserve Forces**

Subject to the needs of the service, volunteer reservists who attend summer camp will be granted 10 days additional paid leave.

Exceptionally, additional paid leave may also be granted to volunteer reservists 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. Requests for time off must be supported by documentation from the Commanding Officer confirming that the training cannot be otherwise arranged and giving alternative dates so that mutually acceptable dates can be identified.

Volunteer reservists may be called up to supplement the regular forces when required, if they are mobilised they will carry out the same roles as a member of the regular force.

If a reservist receives the call-out notice, they should inform their employer immediately.

There is no right to accrue annual leave while away on military service, reservists when they demobilise will get a period of post-operational leave. Reservists will be continued to be paid by the MOD during this time.

## **27. Volunteer Emergency Services**

Subject to the needs of the service, employees who volunteer with emergency services will be granted 5 days additional leave in respect of any mandatory training which is relevant to the role.

Employees should meet with their line manager to discuss the impact of emergency volunteering role on their work role with a view to reaching an agreement on how this will be managed. Further advice can be obtained from the council's HR team/your School HR provider/Diocesan Officer.

## **28. Special Constables**

Employees who are Special Constables shall be granted one week's paid leave to undergo necessary training.

Special Constables attending as witnesses at trial would be required to make use of their annual leave and flexitime entitlements. Alternatively, at the discretion of their Senior Manager unpaid leave may be granted.

## **29. Court Appearance**

An employee attending court as a witness, as a direct consequence of their employment with the Council, will receive normal pay (and normal expenses where these are necessarily incurred). In all other circumstances time off to attend as a witness or litigating on your own behalf will be without pay. Appearance as the accused or as the plaintiff will be without pay. Annual leave or flexi leave will normally be granted as an alternative if requested.

## **30. Jury Service**

When an employee receives a letter calling them up for Jury Service they should contact their line manager, as soon as possible, to request the required time off and should also provide their manager with a copy of the court summons. The manager should retain a copy of the form for their own records and forward the original to the HR, Payroll and Recruitment Admin/HR and Payroll Provider.

Employees are entitled by law to have time off for Jury Service and, therefore, requests for such time off will not normally be refused. Employees will not be required to make up the time taken off.

In very exceptional circumstances if the individual's absence from work at that time would be likely to cause substantial problems to the Council's business, an application may be made to the court to excuse the individual from Jury Service. In these circumstances advice should be sought from the HR team.

Employees will continue to be paid whilst on jury service at their normal rate of pay. Where an allowance is claimable for loss of earnings the employee should claim this allowance and any monies received from the court in respect of loss of earnings will be deducted from salary.

The HR, Payroll and Recruitment Admin/HR and Payroll provider will issue a form to the employee for them to hand in to the Court. Part I of the form will certify the employee's daily rate of pay; Part II of the form is completed by the Court and will show any payment made for loss of earnings. This will be returned to the employee.

The employee should then send Part II of the form to the HR, Payroll and Recruitment Admin/HR and Payroll Provider so that the equivalent amount can be deducted from their next salary. Any additional payments which the employee has received for expenses or travel will not be deducted

If on any day during the Jury Service period the employee's services are not required at the court they will be expected to return to work for that day.

If on any half day the employee's services are not required at the court they may be required to return to work for the remaining part of the day. Whether this is reasonably practical is dependent on the nature of the employee's work.

Under pension regulations, payment of contributions must be paid by an employee for all periods of absence arising from Jury Service and will be made through salary in the normal way.

## **31. Acting as a Court Witness**

Similar arrangements will apply to those described above for Jury Service. However, it is likely that the time-off required will be much shorter than that required for Jury Service.

Before allowing paid time-off managers will need to ask for confirmation from the employee that they have been subpoenaed as a court witness. If they have not been subpoenaed and are acting as a

witness on a voluntary basis, they will be expected to use annual leave or flexi-time or to take the time as unpaid leave.

Any employee who has a query on any of the above provisions should discuss this with their line manager in the first instance.

### **32. Leave to Attend Job Interviews**

Employees invited to attend job interview within Cumbria will be granted reasonable time off for each post. Reasonable time off without pay will be allowed for all other interviews. Alternatively, employees may use annual leave or flexi leave (if a flexi scheme is in operation) as appropriate

Employees under notice of termination of employment on the grounds of redundancy shall be entitled to additional support this includes paid time off to seek work. Refer to the Managing Change procedure and guidance for further details.

### **33. Public Duties**

By virtue of Section 50(1) of the ERA, an employer shall permit an employee who is a Justice of the Peace or Magistrate to take time off during the employee's working hours for the purpose of performing any of the duties of office. The right includes time spent sitting in Court and attending the required training sessions, plus visits to various prescribed institutions.

Membership of various committees, such as the Probation Committee and a panel such as the Youth Panel of the Court are also covered.

For employees who are a Member of a Local Authority (as defined by Section 40 of the Local Government Superannuation Act 1937), leave with salary up to a maximum of 208 hours (approximately 28 days), (pro-rata for part-time employees) may be granted in any one year, together with such additional leave without salary as may be necessary (subject to Departmental/Unit requirements) for duties and attendance at meetings as a member of a Local Authority or of any Committee or Sub-Committee thereof. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the employing authority.

Under Section 50(2) of the ERA further categories of membership are identified which give employees a statutory right to time off. These are Membership of a Statutory Tribunal, an independent monitoring board of a prison Visitors or a prison visiting committee, a relevant health body, a relevant education body, the Environment Agency or the Scottish Environment Protection Agency, or Scottish Water.

The amount of time off which an employee should generally be permitted for public duties is that which is reasonable in all the circumstances having regard in particular to:

- How much time off is required for the performance of the duties of the office or as a member of the body in question, and how much time off is required for the performance of the particular duty.
- How much time off the employee has already been permitted for public duties, or for trade union duties or activities?
- The circumstances of the employer's business and the effect of the employee's absence on the running of the business.

### **34. Duties as a Partner to a Mayor/Mayoress or as a Deputy Mayor/Mayoress**

An employee undertaking duties in the role of partner to a Mayor/Mayoress (or as a Deputy) should be allowed time off without pay. There is no specific limit to the amount of time but it should be that which is reasonable in the circumstances.

### **35. Election Leave**

- Staff assisting as Presiding Officers, Poll Clerks and Counting Assistants will be granted Leave with pay for duties in connection with European, Parliamentary and Local Council Elections, subject to approval by the manager/headteacher.
- Prospective Parliamentary Candidates will be granted unpaid leave from nomination day until the day after the election.
- Local Council Candidates will be granted unpaid leave for polling day.

In cases where the workplace is closed due to use as a Polling Station, arrangements should be made where possible for employees to work in an alternative location. Where this is not possible paid leave will be granted. Arrangements in schools will be in line with Department of Education guidance.

### **36. School Governors**

Employees appointed as School Governors may be granted up to a maximum of 10 half days (5 days) paid leave per annum per school.

Additional leave without pay may be granted as necessary by the Senior Manager subject to the exigencies of the service and Directorate requirements.

### **37. Right to Request Training**

With effect from 6 April 2010 the statutory Right to Request Time Off for Study was introduced. Eligible employees can submit a request for time off for any study or training that they believe will improve their effectiveness in the organisation and the performance of the business. The Council is not obliged to automatically agree to such a request but is under a duty to consider and discuss the request with the employee. In order to qualify to make a request under the Act an employee will have to have been in employment with that employer for over 26 weeks.

### **38. Study Leave and examinations**

Employees undertaking an approved and relevant correspondence course should be allowed up to 1 half day per week paid leave for private study.

Paid leave will be granted for the purpose of sitting approved and relevant examinations.

In addition, up to a maximum of three days paid leave (dependent upon the number of examinations being taken) may be granted for the purpose of revision for the final examinations, this will be at the discretion of the relevant manager/headteacher. Normal reasonable time will be one day per final exam.

Apprentices should spend 20% of their time on off the job training.

### **39. Under Notice of Redundancy**

An employee who has been given notice of redundancy must be allowed to take a reasonable amount of time off, with pay, to look for new employment or to make arrangements for training for future employment.

This right is dependent on the employee having at least one year's continuous employment by the date on which notice is due to expire, or by the date on which it would expire had the statutory minimum period of notice been given.

### **40. Trade Union Conferences, Committees and Special Meetings**

Requests by the Trade unions to seek time off with pay to allow representatives to attend annual conferences, local government group meetings or special meetings (e.g. to discuss a pay claim) are normally made "en bloc" direct to HR. Services will be advised and consulted before replying to the Trade Union, with regard to:

- (a) the appropriateness of the request;
- (b) any restrictions on the granting of leave in view of:
  - the exigencies of the service.
  - the length of time off allowed.
  - the number of employees affected.

Senior Officers are authorised to grant individual requests for paid leave for other approved Trade Union activities such as National or Provincial Council Meetings.

### **41. In a school setting the following may apply**

#### **Holidays during term time**

Reasonable time off without pay may be granted to meet cases where the residential partner is compelled to take their main holiday during term time for such reasons as staggering of holidays in industry. Leave for short industrial breaks should not be approved e.g. shift patterns of work. Normal reasonable time will be a maximum of ten working days, subject to the approval of the headteacher.

#### **Awards Ceremonies**

Leave of absence of up to one day with pay may be granted for attendance at degree ceremonies of close family members, subject to the approval of the headteacher.

#### **House removal/relocation**

Homeowners or tenants in own right who, on appointment, live more than 30 miles from the new place of work and sell their home within a reasonable period, may be granted up to two days paid leave for actual house removal. There is no right to paid time off work for those who move house which is not linked to changing jobs. Unpaid leave is at the discretion of the headteacher.

### **Weddings / Civil Partnership**

Leave without pay for the day of the wedding / civil partnership of a close family member at the discretion of the headteacher.

Should further clarification be required in relation to the consultation and / or implementation process please contact your Directorate HR Team/School HR provider/Diocesan Officer.

## Appendix A - Time off Work Guidance

Version Control	Changes Made	Author
Version 1 – April 2023		HR/OD

### Introduction

Within this document you will find information and guidance on the options available for employees to request time off work, which are in addition to the relevant annual leave provisions. Time off can usually be taken in days or hours depending on the working pattern.

### Scope

- The time off provisions outlined in this guide are applicable to all employees of the council and all school based staff for whom there is no specific procedure laid down in national or local conditions of service.
- It is expected that governing bodies of all community and voluntary controlled schools will adopt this procedure. Foundation and voluntary aided schools and academies are encouraged to do the same.
- Where provisions exist within national terms and conditions for specific staff groups these will be highlighted in the relevant sections.
- Where throughout this document there are references to the Line Managers in the case of schools this should be interpreted as the Head Teacher or Governing Body. In all cases an application must be made to the relevant manager or the Head Teacher.
- In all cases the Service concerned, or the School, is responsible for the costs of any cover arrangements which may be deemed necessary.
- It should be noted that the annual leave year may be different in some service areas and any reference to the annual leave year should take this into account.

### Principles

- The provisions for time off are not intended to replace the need to use annual, flexi or unpaid leave (where these are available), but to lessen the burden on employees. All requests for time off will be considered carefully and sympathetically, taking into account the needs of the service. The provisions do not cover all eventualities, nor prescribe time off in a rigid way. They do aim, however, to promote a consistent and fair approach whilst dealing with each application on its own merits.
- Time off in relation to sickness absence is distinct from other time off provisions. This document does include guidance on paid time off for hospital and medical screening appointments.
- It is recognised that people can suffer distress from time to time in their personal lives. This guidance encompasses a mix of statutory and local provisions. It enables line managers to

exercise compassion as a good employer and allow employees to take time off to deal with domestic incidents.

- Approval to take time off is subject to the needs of the service, the reasons for the request, and working arrangements.
- As with all absences, line managers will maintain records of occasions when time off is granted using the appropriate recording system.
- Some provisions are statutory and some are at the discretion of the Line Manager. Requests for non-statutory time off for specific reasons may be with or without pay and this document aims to give guidance in dealing with such requests.
- Due to operational demands it is not possible for every time off provision to apply in all settings.

Should further clarification be required in relation to this guidance please contact the council's HR team/your School HR provider/Diocesan Officer.

Should further clarification be required in relation to the consultation and/or implementation process please contact your Directorate HR Team/School HR provider/Diocesan Officer.

## Appendix B - Phased Return Application

### Phased Return Application

1. Employee Name:

2. Length of Phased Return:

1 week     2 weeks     3 weeks     4 weeks

Other: please specify \_\_\_\_\_

3. Phased Return Start:   /   /

4. Phased Return End:   /   /

5. Details of requested hours during phased return:

6. Expected Return to Normal Duties Date:   /   /

7. Medical Evidence to Support Phased Return:

Doctors Certificate     Occupational Health Report

Other please specify \_\_\_\_\_

## Phased Return Application

9. Written Phased Return and Monitoring Arrangements Agreed:

Yes

No

(Note: Employer to complete)

10. Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

11. Employer Signature: \_\_\_\_\_

Date: \_\_\_\_\_