



## Appendix 1

# DISCRETIONARY ABSENCE POLICY

Current document may be accessed under the policies tab at: [www.warblington.hants.sch.uk](http://www.warblington.hants.sch.uk)

### Document Control

Baseline Document	Comments/ Scheduled Review Date	Action/ Reviewed by	Approved by the Governors/SLT
22 February 2012	Spring 2013	Mrs Julia Vincent Headteacher	Staffing & Professional Development Committee
	Spring 2014	Mrs Julia Vincent Headteacher	<i>Staffing &amp; Professional Development Committee</i>
	Summer 2015	Mrs Julia Vincent Headteacher	<i>Staffing &amp; Professional Development Committee</i>
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### Document Owner: The Governing Body

Leadership Team member responsible: Mrs Julia Vincent, Headteacher



Warblington School is a UNICEF Rights Respecting School. By reflecting on the United Nations Convention on the rights of the child and placing it at the heart of everything we do, we believe that our community is working together to enable our students to take an active role in developing their place in society both now and as adults of the future (Articles 28 & 29). We have based our Discretionary Absence Policy around these rights and to reflect on the rights of our staff to take discretionary leave as stipulated within the policy.

We believe that our absence policies are supportive documents which enable us to put the education of our students at the forefront of our practice.

## **Rationale**

The Governors are aware that there are occasions when staff have to request occasional absence. In addition to support an appropriate 'work life balance' there are occasions when events cut across school time.

The Governors are required to have a clear and consistent policy on requests for absence of staff not covered by statutory requirements and conditions of service. Staff absence can seriously disrupt pupil progress.

## **Aims**

To ensure continuity of education, care and effective management of the school whilst acknowledging the school's obligation to be a fair, just and understanding employer.

To inform and maintain consistency in decisions about paid and unpaid leave.

## **Guidelines**

- Staff should take leave outside of the school term.
- Absences must be discussed and agreed with the Headteacher.
- Guidelines for notification of illness are provided in the school's Sickness Absence Policy and Procedure handbook

The Governing Body has responsibility for establishing the school's Sickness Absence Policy and Procedure, for ensuring that it is followed and for monitoring staff absence rates.

Unauthorised absence will be dealt with under the school's Disciplinary Procedure.

As in the majority of cases, a quick response will be required. The responsibility for implementing this Policy is delegated to the Headteacher or to the Chair of Governors in the case of applications for leave of absence from the Headteacher.

Where an employee wishes to make representation against a decision made by the Headteacher or Chair of Governors, he/she should follow the grievance procedure.

The decision of the Governing Body or its Committee is final.

Employees have certain entitlements to leave of absence in particular circumstances under their conditions of service. The Governing Body delegates the implementation of this policy to the Headteacher, with appeals against a decision dealt with as detailed above.

The Governing Body will grant leave of absence in accordance with national or local conditions of service in the following circumstances:

### **Examiners and Moderators for Examining Bodies**

Chief Examiners and Chief Moderators or examiners will be given up to 3 school days' leave with pay in any one financial year.

Employees shall not be required to pay the school any fees or expenses received for examining and moderating duties.

### **Time off for Public Duties**

The Headteacher and governors will consider this under exceptional circumstances giving due concern for the needs of the school.

Public duties are defined as

- A Justice of the Peace
- A Member of the Magistrates Courts Committee
- A Member of a Family Practitioner Committee
- A Member of a Local Authority (incl. Teacher Representative )
- Such other public duties as are referred to in section 50 of the Employment Rights Act 1996
- Serving on other local or regional public bodies as the Governors may authorise.
- Campaigning as an official candidate for a General Election
- Campaigning as an official candidate for a European Election
- Acting as a School Governor

For a full-time employee carrying out the above activities a reasonable amount of time off will be a maximum of 10 days in any one year

### **Witness Summons**

An employee who is subpoenaed as a witness to appear before the court should report this immediately to the Headteacher who will grant him/her leave of absence with pay for such time as is necessary to discharge the duty as witness.

### **Service in Non-Regular Forces**

Employees must obtain the Headteacher's consent before joining the Non-Regular Forces (e.g. Territorial Army, Royal Air Force Volunteer Reserve, Royal Marine Reserve). The Headteacher will grant two weeks' additional paid leave to volunteer members of the Non-Regular Forces who are required by the Forces to attend summer camp.

Such staff are required to show the Headteacher a copy of their Forces' payslip for the period of the summer camp, so that the Headteacher can arrange for a deduction to be made from the employee's County Council salary of an amount equal to the pay received from the Forces for each normal working day of the absence (ie. without making any

deductions for days when the employee would not normally be working). The Headteacher should also arrange for this sum to be credited to the school's budget.

Any such staff who are called out by the Secretary of State for service with the armed forces will be granted leave of absence without pay for the duration of that service (unless the Governing Body applies for and gains exemption, deferral or discharge on the grounds that their absence would cause serious harm to the school in which they are employed).

### **Union Duties**

This is covered under separate agreements between the Unions and the STPRB

### **Job Interviews**

Leave with pay will be granted as necessary.

### **Adoption and Maternity Support Leave**

Information on maternity support leave and adoption leave is available through the school finance office. The school follows the current statutory guidance on adoption and maternity leave.

### **Paternity Leave and Parental Leave**

Information on paternity leave and parental leave is available through the school finance office. The school follows the current statutory guidance on paternity and parental leave.

### **Moving House**

For staff whose contractual arrangements do not allow them to take annual leave during term-time (teachers) and where the move cannot be effected in a school closure period, 1 day's leave will be granted with pay.

### **Routine Doctors, Dentist and Hospital Appointments**

Whenever possible, appointments should be arranged during school holiday periods or outside directed time. When the above is not possible or because of the urgency of the situation or because of the inflexibility of hospital, paid time off will be given. It is anticipated that routine appointment arrangements will not reach beyond 3 days in any academic year.

### **Time off to care for dependants/ Compassionate Leave**

An employee is entitled by law to be permitted by his employer to take a reasonable amount of unpaid time off during the employee's working hours in order to take action which is necessary:

- To provide assistance when a dependant falls ill, gives birth or is injured or assaulted.
- To arrange care for a dependant who is ill or injured.
- Where the arrangements for care of a dependant are unexpectedly disrupted or terminated.
- To deal with an incident involving the employee's child which occurs unexpectedly when the employee is at school.

Staff must tell the school the reasons for their absence as soon as is practicable and also how long they expect to be absent. It is not expected to reach beyond 3 applications for cover in any school year and staff will only receive pay for the first day of consecutive cover linked to a dependant child's day to day illness.

A dependant is defined in all the cases above as:

- A spouse
- A child
- A parent
- A person who lives in the same household as the employee (except lodgers, etc)

In addition, in the first three cases above, dependant also means a person who reasonably relies on the employee, this may be the case if the relative is distant but there are no other living relatives.

### **Special Leave - in the event of the death/serious illness of a relative or death of a close friend**

At the discretion of the Headteacher the following may be granted in the event of the death/serious illness of:

- a close relative (e.g. parent, partner, son or daughter), a maximum of five days' paid leave (or pro rata equivalent for part-time staff).
- other relatives, relatives in law or a close friend, a maximum of one day's paid leave (or pro-rata equivalent for part-time staff)

Additional unpaid leave may also be granted at the discretion of the Headteacher in exceptional circumstances.

### **Request for additional holiday entitlement**

The Headteacher will consider this only under exceptional circumstances. If granted this will be unpaid. Leave granted under this category cannot amount to more than three days in any one academic year.

### **Unforced leave of absence**

Situations may arise where a member of staff cannot return to school to continue their contractual duties due to circumstances beyond their control e.g inclement weather, holiday departure delays. The decision to pay staff is at the discretion of the Headteacher. However, no member of staff will be paid for more than 5 days in one academic year in this situation.

If staff experience holiday delays for the purpose of transparency, information from the travel agent, tour operator or airline is required to confirm the delay. Staff are advised to take the necessary insurance cover for consequential loss of earnings due to a delayed return from holiday.

If leave is forced on colleagues as a result of a decision to shut the school then staff will continue to be paid.

## **Other Circumstances**

Other circumstances may arise when staff request time off. The Headteacher has the discretion to deal with these one-off situations and decide whether it will be on a paid or unpaid basis.

To provide opportunities for staff to take time off for family/personal reasons not covered by this policy, we have implemented a two hour discretionary opportunity for all staff to use once during the academic year. This could be split into two 1 hour sessions for shorter visits of a personal nature, but cannot be carried over to the next year if not used.

The Governors would wish to support families and are aware that circumstances occasionally arise where family members require support.

Leave granted under this category cannot amount to more than 2 days in any one academic year.

## Request for leave of Absence 'ready reckoner'

Issue	Response	Notes
Examiners and Moderators	Normally 3 school days with leave for the purpose of examination meetings. with pay	Representation to be made to Head with letter from Examination body
Public Duties (e.g magistrate)	Normally 5 school days with pay. Up to 5 additional days no pay	Representation to be made to Head to join public body
Witness Summons	Normally with pay	Representation to be made to Head
Service in non regular Armed forces	Normally with pay	Representation to be made to Head. Salary to be credited to school budget
Union Duties	This is covered under separate agreements between the Unions and the STPRB	
Job interviews	With Pay	Representation to be made to Head
Visiting new employer	1 day Normally with pay	Employer may pay cover costs then additional day will be considered
Adoption or maternity Support leave	In accordance with national guidelines	
Medical Appointments	Normally Paid	Regular appointments and treatment that necessitate consecutive days off will be considered as sick.
Moving House	1 day normally with pay	Representation to be made to Head
Compassionate leave Special Leave	Head teachers discretion with pay Additional Unpaid leave may be given in exceptional circumstanced	If absence is longer than 1 week staff are advised to see GP if unfit to return to work.
Additional Holiday	Unpaid, or additional hours worked for part time staff	Only in very exceptional circumstances
Other circumstances	No more than 2 days in any one academic year normally un-paid.	Representation to be made to Head