



MARISH

Academy Trust

Staff Exceptional Leave Policy

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Table of Contents

1.	Introduction	3
2.	Procedure.....	4
2.1	Reasons for Exceptional Leave of Absence	4
2.2	Applying for Exceptional Leave of Absence	4
2.3	Allowing Exceptional Leave.....	5
2.4	Appeals	5
2.5	Recording Exceptional Leave of Absence	5
2.6	Public Holidays.....	5
2.7	Court Attendance	6
2.7.1	Jury Service	6
2.8	Public Service Leave.....	6
3.	Governing Body Approval	6
	Appendix 1	7
	Revision History	8
	Approval History	9

1. Introduction

Attendance is a vital factor for the effective and efficient delivery of a high quality service by Marish Academy Trust. This policy will be applied to all employees of Marish Academy Trust.

This policy complements the Trust's Staff Sickness Absence Policy and is concerned with staff absence other than because of sickness or annual leave.

Marish Academy Trust places great emphasis on the proactive management of staff absence from the workplace, because we are aware of the detrimental impact high levels of absence can have on the whole school.

This policy is based on the following principles:

- Employees will be treated equally, fairly and compassionately.
- Enables employees to respond to the needs of their family.
- Line Managers are required to be consistent and robust in dealing with the procedures.
- The school has a responsibility to maintain high standards of health, safety and welfare: this includes a duty of care towards all pupils and employees.
- Information received during the application of the procedures will be treated confidentially.
- The school leadership is committed to occupational health involvement and health promotion.
- The school leadership has a responsibility to ensure the maintenance of education and welfare of pupils with minimum disruption.
- The school complies with the Equality Act 2010.

The Policy applies to all permanent and temporary staff employed by Marish Academy Trust on either a full-time, part-time or fixed term basis at any Trust school.

All new employees will be made aware of these objectives as part of the induction process and it is the task of the Line Manager to ensure this is carried out.

The school operates a zero tolerance policy for parents requesting leave of absence for their children during term time. The same policy must therefore operate for all members of the school community and school staff are expected to model their commitment to good attendance.

Except in cases of serious urgency, no member of staff may be absent from work for any reason other than their own illness, unless it is with previous permission.

Headteachers have discretion to grant special leave which may be paid or unpaid. This is not an entitlement and there is no automatic right to special leave. Exceptional Leave for the Executive Headteacher is at the discretion of the Chair of the Trustees.

There is an appeals procedure for employees who have had an application for Exceptional Leave declined.

Exceptional Leave of Absence provisions operate with a high level of trust. Abuse of this trust will be dealt with under the school's Disciplinary Procedure.

Staff are encouraged when seeking Exceptional Leave to discuss alternative arrangements where the desired outcome might be achieved through a specific, time limited, flexible working arrangement.

2. Procedure

2.1 Reasons for Exceptional Leave of Absence

At the Executive Headteacher's discretion Exceptional leave may be allowed in any one academic year for the following reasons:

- For illness of a child, spouse or civil partner, or dependent relative; or for the special celebration of child's, spouse's or civil partner's, or dependent relative's achievement; 3 days paid.
- For serious illness of near relative; a further 7 days unpaid. A near relative is a spouse or civil partner, parent, parent-in law, son, daughter, fostered child, brother, sister, or grandparent.
- Compassionate leave for bereavement; 5 days paid for death of a near relative.
- Attendance at funeral for near relative; 1 or 2 days paid according to distance and circumstances.
- Wedding of near relative; 1 working day unpaid when ceremony does not take place at a weekend. A near relative here is a parent, son, daughter, brother, or sister.
- Own wedding or civil partnership - negotiable depending on circumstances.
- Moving house; 1 paid day in any year.
- Attendance at interview; 1 or 2 days paid in any one year, according to distance and circumstances. Further unpaid leave is negotiable depending on circumstances.
- Religious observance or cultural activity; no more than 3 days, 1 paid, 2 unpaid in any year.
- Examination attendance, 1 day paid for the first sitting of approved examinations that are applicable to the post held, further unpaid leave may be negotiable.
- Graduation ceremonies, 1 day paid.
- Day or part day release to attend further education or training- negotiable with Headteacher depending on the needs of the school and how the training relates to the employee's role within school.

Entitlements to statutory leave such as maternity, adoption, paternity and parental leave are covered under separate procedures.

Any request for leave of absence other than those specified above will not normally be granted.

2.2 Applying for Exceptional Leave of Absence

The Executive Headteacher or ALT line manager may suggest an informal arrangement where a flexible, time-limited, working arrangement can provide the employee with the time absent from school needed to meet any out of school commitment.

If no informal arrangement can be made Exceptional Leave must be applied for. Whenever possible it must be applied for with at least 3 weeks' notice. An employee will make an application on the appropriate form at Appendix 1, available from the school office, giving the number of days leave

sought and a brief reason. Additionally, employees should advise the Executive Headteacher of the full reasons and context of the request in advance of the submission of the form.

Moreover they must make their line manager or team leader aware of the request before its submission.

2.3 Allowing Exceptional Leave

Exceptional Leave is allowed for any employee at the Executive Headteacher's discretion. ALT or line manager can recommend exceptional leave but must consult the Executive Headteacher.

Exceptional Leave for the Executive Headteacher is at the discretion of the Chair of the Trustees.

Exceptional Leave will usually be allowed for the reasons above only and for those durations.

The employee will be told by return of their request form of the Trust's decision to allow or refuse Exceptional Leave no later than 10 working days after the application is made.

2.4 Appeals

If a request for Exceptional Leave by an employee (other than the Executive Headteacher) is refused and the employee thinks that the refusal is unreasonable an appeal can be made by the employee to the Chair of Trustees. The appeal must be in writing no later than 14 days after the decision is made known to the employee. The appeal should clearly state why the decision is felt to be unreasonable.

The Chair of Trustees will make a final decision on the application and inform the employee within 5 days of receipt of the appeal.

If a request for Exceptional Leave by the Executive Headteacher is refused s/he may appeal in the same manner to the full Governing Body for a new final decision.

2.5 Recording Exceptional Leave of Absence

Staff must inform their Line Manager if called to any emergency and will sign out of school.

The Trust HR Manager will keep a record of all Exceptional leave requested and if it was granted, and of appeals made.

The Academy Trust's Payroll provider will be notified of any unpaid leave that has taken.

2.6 Public Holidays

All employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each bank holiday as it occurs. Part-time staff will receive paid bank holidays pro rata. Staff who are required to work on bank holidays will receive appropriate pay and time off in lieu.

2.7 Court Attendance

2.7.1 Jury Service

An employee receiving a summons to serve on a jury must inform his / her Line Manager who shall grant leave of absence unless exemption is secured. If the employee's absence from work would have a serious, adverse effect on an important aspect of the Academy Trust's activities, the Chair of Trustees or Executive Headteacher may provide a letter to this effect which the potential juror can then use to seek being excused from jury service.

Any Trust employee will be paid at full pay during any jury service on provision of proof of jury attendance.

Attendance to Court as a Witness

Leave with pay will be granted to employees who are subpoenaed by the Court to attend to give evidence as a witness in criminal cases which have no connection with their employment for the Academy Trust.

2.8 Public Service Leave

Paid leave will be granted to employees required to undertake official duties relating to membership of public bodies including service in support of the democratic process and as a School Governor (other than at Marish Academy Trust). Written confirmation will be required to support the leave request subject to the needs of the service. Up to 5 days in total with pay per year may be granted to employees to enable them to undertake duties as a Councillor, Magistrate or School Governor.

(This excludes those bodies defined in regulations under the Local Government and Housing Act 1989 to which restrictions apply for politically restricted posts.)

3. Governing Body Approval

This policy is reviewed by the whole staff team trust wide and Strategic Board on their recommendation.

Appendix 1

Exceptional Leave Absence Request Form

<i>Employee to Complete</i>	
Name:	
Job Title:	
From (date):	To (date):
From (hours):	To (hours):
<i>Please give reason for request</i>	
Employee signature	
Print Name	
Date Submitted	

Headteacher to complete		HR to complete	
Leave approved for:		HR received form on (date):	
Paid Leave for:.....days/hours		SIMS updated by and on: (date and name)	
Unpaid Leave for.....days/hours		Approved Leave written in the main diary on and by:	
Leave Rejected (reason)			
Headteacher Signature		Date	

Appendix 2

Rationale for Banked Days

In 2016 Marish Academy Trust instituted a system of flexi leave for children and staff in an effort to improve overall attendance. This proved immensely successful and attendance increased to above the national average in both schools during 2016-7. Due to this success the system will continue to operate. We have devised the following protocol to ensure that the system of banked days for staff is structured so that the extent of flexible leave is commensurate with the level of each individual's attendance. Moreover the protocol ensures that absence in respect of banked days and its administration of banked days is not detrimental to the smooth operation of the school.

Protocol for Banked Days

The banked day system is open to all term time staff at Marish Academy Trust. Year round employees have access to a separate flexible leave system. Banked days can be created in one of two ways:

1. Inset days at the beginning of some academic years are designated as Banked days
2. Teaching and learning staff can attend work for two days during the summer holiday and bank these days on the authorisation of a senior leader.

This means that in any year the maximum number of banked days will be four. Please note the banking of days does not automatically entitle the staff member to use them. In order to claim, book and use their banked days, staff must adhere to the following procedure:

1. Banked days must be logged in September each year with the staff attendance champions. It is each staff member's to ensure these are logged as soon as possible after the start of term and any authorisation from a senior leader is secured promptly.
2. Banked days cannot be taken during September. If leave is needed in September, special leave must be applied for, giving at least three weeks' notice, except in an emergency.
3. To apply to claim a banked day, the staff member must first email the staff attendance champion, giving at least three weeks' notice, who will confirm that they do have a day to claim and check with HR that their attendance in the current academic year is above 95%.
4. If their attendance is below 90%, banked days cannot be claimed, booked or used until it improves to more than 90%. If their attendance fails to improve to above 90% , in that academic year, all banked days will be forfeited.
5. If a staff member has attendance above 90% but below 95% only 1 banked day may be claimed, booked and used before their attendance improves to above 95%. If it does not improve during the academic year to above 95% any remaining banked days will be forfeited.
6. Once the staff attendance champion has confirmed a banked day is available and the staff member is eligible to claim it, they will email the staff member, the executive HT, HR and the school office and put the claimed day into the google diary, noting the banked day as used on their spreadsheet.
7. It is the staff member's responsibility to complete the form, inform their team, put their day's absence in the school diary and cover any duties. The Executive HT will sign the form and organise cover with the school offices.
8. The staff attendance champions will authorise the first three applications for any particular date that meet all the above criteria in each school. If they receive a fourth application for the same day, they will send it to Shelley who will bring it to the next ALT meeting to see if it can be authorised. Following the ALT meeting the process, the staff member will be emailed approving or denying the day's leave.

9. Any banked days not claimed or used at the end of the academic year are lost. They cannot be carried forward, except in exceptional circumstances at the discretion of the Executive head teacher.
10. All staff need to be aware that the last few days of each term are very popular days to claim as leave. It is therefore extremely important that if you wish to take these as leave in respect of your banked days you give as much notice as possible.

Revision History

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