



# MARISH

## Academy Trust



# Exceptional Staff Absence Policy

**Date:** 1 November 2014

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## 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.

Exceptional Leave of Absence is not an entitlement.

Exceptional Leave must whenever possible be applied for with at least 3 weeks notice.

Exceptional Leave is allowed for any employee at the Executive Headteacher's discretion.

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.

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 a rolling 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.

Other types of leave not covered in this policy, but statutory under Local Authority or National Employment Policies:

There are statutory rights for pregnant employees to have paid time off to attend ante-natal appointments.

Maternity and Paternity Leave: There is also a statutory entitlement to maternity leave for new mothers, paternity leave for new fathers and to adoption leave for new adoptive parents.

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, 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.

All staff will apply direct to the Executive Headteacher (or Associate Headteacher at Willow) using the appropriate request 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. (The Associate headteacher or other ALT line manager can recommend exceptional leave but must consult the Executive Headteacher, and in the case of staff based at the Willow, the Associate Headteacher as well before responding to the request.) 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.

Version	Approved	Next Review	Comments
1.0	March 2011	January 2013	
2.0	December 2012	October 2014	
3.0	December 2014	October 2016	