



OAKLANDS CATHOLIC SCHOOL **AND** **SIXTH FORM COLLEGE**

With delegated responsibility from the
Edith Stein Catholic Academy Trust

STAFF ATTENDANCE AND ABSENCE POLICY

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| APPROVED BY LOCAL GOVERNING BODY | JULY 2025 |
| SCRUTINISED BY ETHOS & STRATEGY COMMITTEE | JUNE 2025 |
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| MEMBER OF STAFF RESPONSIBLE | HEADTEACHER |
| STATUTORY / NON-STATUTORY | STATUTORY |



Community

Unity



Opportunity

Policy Amendments

| Version Date | Section / Page | Amendments |
|--------------|----------------------|---|
| June 2025 | 1.5 / Page 3 | New Paragraph added drawing reference to relevant legislation |
| | 1.5 / Page 3 | New paragraph defining employees |
| | 3.8.2 / Page 4 | Additional sentence regarding delay in receipt of medical certificate |
| | 3.8.3 / Page 4 | New paragraph regarding payroll implications |
| | 4.2 / Page 9 | Addition of 'midwife' appointments |
| | 4.5.2 / Page 10 | Removal of EU Elections |
| | 4.5.4 / Page 10 | New paragraph clarifying pay for School Governor duties |
| | 4.12 / Page 11 | New paragraph regarding Neo-Natal Care Leave |
| | 4.13 / Page 12 | Additional sentence regarding evidence of moving date |
| | 4.15 / Page 12 | Additional sentence re scheduling of midwife appointments |
| | 4.16 / Page 12 | New paragraph regarding midwife appointments for partners |
| | 4.17 / Page 12 | New paragraphs regarding Elective and Cosmetic Surgeries |
| | 4.18.1 / Page 13 | Amendment of clause referencing relevant legislation and pay for time off for dependants |
| | 4.18.5 / Page 13 | Addition of pay back going across more than one year |
| | Ready Reckoner | Updated to reflect above changes |
| | | |
| June 2023 | 1.4 / Page 3 | New paragraph |
| | 4.2 / Page 9 | Additional guideline added regarding requests for evidence to support discretionary absence |
| | 4.16.3 / Page 13 | New clause added |
| | 4.23 / Page 14 | New clause for payback and TOIL 4.23.1 for those leaving employment 4.23.2 to carry forward to next academic year |
| | Ready Reckoner | Updated to reflect above changes |
| | | |
| June 2022 | | No changes made |
| | | |
| June 2020 | 4.11 / Page 11 | Addition of Keeping in Touch Days |
| | 4.15 / Page 12 | Clarification of procedure when end of life care is protracted |
| | | New arrangements for leave under the Parental Bereavement |
| | Appendix 1 / Page 16 | Updated to include Parental Bereavement Act |

'Is anyone among you sick? Let him call for the elders of the church, and let them pray over him, anointing him with oil in the name of the Lord. And the prayer of faith will save the one who is sick, and the Lord will raise him up. And if he has committed sins, he will be forgiven. Therefore, confess your sins to one another and pray for one another, that you may be healed. The prayer of a righteous person has great power as it is working.'

James 5:14-16

1.0 Introduction

- 1.1 The importance of valuing the individual is enshrined within the Mission Statement of Oaklands Catholic School. This underpins the Pastoral Care that the school extends to staff. Part of this care is to ensure that staff welfare is considered at times of sickness
- 1.2 It is an intrinsic part of the School's strategy to help resolve attendance issues to ensure the best possible offer to students, and as such should not be viewed in isolation but rather as one of a number of policies intended to manage performance at work.
- 1.3 Staff attendance in school is generally very good, however it is important that all staff understand that when absence occurs for whatever reason there is a consistent and fair approach.
- 1.4 The importance of ensuring staff absence is managed with dignity is key to this policy. Further, where reasonable and practicable, the policy provides the scope for staff to manage non-related sickness absence so that families are supported.
- 1.5 This policy recognises the rights of employees under relevant employment legislation Equality Act 2010 including but not limited to the Employment Rights Act 1996, Statutory Sick Pay (SSP) Regulations 1982, The Management of Health and Safety at Work Regulations 1999, Parental Bereavement (Leave and Pay) Act 2018 and Equalities legislation.
- 1.6 This policy applies to all staff under the employment of Edith Stein Multi Academy Trust (ESCAT). An employee is defined as someone on the payroll of ESCAT. This policy does not cover volunteers or contractors

2.0 Policy Aims

- 2.1 For the purpose of this policy all staff are the employees of the 'Edith Stein Catholic Academy Trust'
- 2.2 In order to ensure the continuity of education, care and effective management of the school along with acknowledging the school's obligation to be a fair and understanding employer, the School has established this policy as part of its approach to monitoring attendance and managing absence both illness and discretionary
- 2.3 The policy seeks to ensure that all staffs' attendance is monitored and absences are recorded and the causes of absenteeism dealt with, where possible. Where staff absence is not covered by statutory requirements and conditions of service the policy sets out clear and consistent guidance. The policy is divided into 2 sections dealing with Sickness Absence and Discretionary Absence.

3.0 Attendance and Absence

- 3.1 By default all staff are expected to attend in accordance with the conditions in their contract. The Governors recognise that Staff at Oaklands give of their time to support the running of the school this often extends beyond the school day and is greatly valued and appreciated.
- 3.2 On occasions staff may have to take time off and this affects all colleagues, and students. It is vital, where illness or injury makes absence necessary, staff follow the correct procedures. When a member of staff is absent this will be recorded on the school database.
- 3.3 Obviously, it is of no benefit to anyone to have sick employees struggling in to work. That is not the aim of the policy. If you do have a problem, however, whether at work or at home, staying away from work may sometimes not be the answer. Discussion with your Line Manager may help you to work things out. If you do not feel able to talk to your line manager, the Head/Deputy or School Business Manager (SBM) may be able to help or to refer you to someone who can.
- 3.4 This procedure is intended as guidance for SLT, Governors and staff. It does not confer any contractual rights on individuals. The School and/or Governors reserve the right to make amendments to the policy from time to time and will consult staff where necessary.
- 3.5 This procedure is not appropriate for dealing with cases involving misconduct or work performance, and such matters will be handled separately under the Disciplinary or Capability Procedures as appropriate.
- 3.6 **Procedure**
 - 3.6.1 There are two central features to this procedure: strict adherence to the absence reporting procedure and the return-to-work interview with your Manager. The reporting procedure enables the School to monitor absences and identify any problems, as well as ensuring the proper functioning of the school and enabling you to be paid correctly.
 - 3.6.2 The return to work interview, which in most cases will be informal, enables the School to ensure you are fit for work, to offer any assistance that may be appropriate and to help employees deal with any outstanding problems they may have.
- 3.7 **Reporting Procedure**
 - 3.7.1 The purpose of requiring notification of absence is to enable the School to make any necessary arrangements for cover and to ensure, where appropriate, that employees are paid in accordance with their entitlements. The Headteacher should ensure that employees are aware of the notification and reporting procedure for sickness.
- 3.8 **Process**
 - 3.8.1 First day of absence
On the first day of absence and by 8am staff must notify the school by calling the absence line (02392 248047), stating the nature and problem and the likely duration of the sickness. If it is not possible to call in person then someone else must call on your behalf. Teaching staff must ensure they follow the procedure for setting cover.

3.8.2 Over 7 day's continuous absence

If absence is for more than 7 calendar days (including weekends, Bank Holidays etc), a medical certificate must be obtained from a GP on the eighth day of absence, and forward this to the Headteacher. Subsequent medical certificates must be obtained and forwarded to cover the full period of sickness absence. Should there be a delay with the issuing of the medical certificate, please inform HR that it has been requested and the dates it will cover in advance of receipt.

3.8.3 Payroll

- If HR are unable to determine a return to work date for a current absence prior to the payroll closing, the absence will be run as continued and amended in the following month's payroll. This is only implemented in order to avoid a significant overpayment.
- If a GP note is not provided then the absence will be deemed to be unauthorised and this could result in a loss of pay and/or disciplinary action.

3.8.4 Long Term Sickness

Long-term absence is defined in this policy as where an employee has been absent from work for a continuous period of 20 days or more (including weekends, Bank Holidays etc). There will be occasions when the employee's absence from work on the grounds of ill health is such that there is concern as to whether or not the employee will be able to return to his/her usual occupation. This situation will be dealt with sensitively and in a fair and reasonable manner.

3.9 **Personal Contact**

3.9.1 On occasions where absence is for a long period a home visit may be necessary, this may be made by a representative from the school authorised by the Headteacher. Equally it may be as a result of consultation with the school's HR advisors (HR mentor). They may decide to arrange a home visit where they are being consulted about an attendance case

3.9.2 The purpose of a visit will be:

- Maintain personal contact with the employee where an absence is long term.
- Keep the employee informed about school, developments etc.
- Discuss the prognosis for their illness/condition including the support from occupational Health
- Outline future options for both parties.

3.10 **Any personal contact should be by agreement with the individual.**

This can be by telephone, written communication or a home visit. The Headteacher, or representative should be sensitive as to whether they are the most appropriate person to initiate and maintain contact with the individual (further advice may be sought from HR Mentor). If an employee is hospitalised it may not be appropriate to visit them, this should be handled sensitively. It is important to note that excessive personal contact may be seen as harassment. Teachers who are on long term absence should not be asked to provide work or planning for lessons.

3.11 If staff are absent from work due to an incident outside work or a family emergency then reference should be to the Discretionary Absence Section of this policy which includes details of Time-Off for Dependents)

3.12 If absent through illness and staff fail to comply with the reporting procedures detailed above it may affect the sick pay you are entitled to.

3.13 Failure to comply with notification procedures may also be a disciplinary offence.

3.14 Certification of Illness Self-Certification

- 3.14.1 After absence staff will be given a self-certification form which they must complete in respect of the first seven days (including weekends) of illness. This may be discussed at your return-to-work interview (below).
- 3.14.2 Once completed and signed the self-certification form must be given or sent to the HR Officer.

3.15 Statement of Fitness to Work

- 3.15.1 For periods of illness longer than seven calendar days, staff must provide a Statement of Fitness to work (formerly known as a Doctor's certificate), to cover the absence until return to work. This certificate should immediately be sent in or delivered to the Headteacher. In the case of more serious or extended periods of illness, staff may be required, when or before return to work, to attend a medical examination by the Occupational Health Service (OH).
- 3.15.2 If staff receive a note from their G.P. which outlines a return to work under certain circumstances (known as a Fit Note), staff should contact their line manager immediately to discuss how these restrictions may be considered by the School.

3.16 Return-To-Work Interview

- 3.16.1 Following any absence for sickness [or for a family emergency], the member of staff's line manager will, at the earliest opportunity, hold a brief informal meeting as part of normal management procedure. He/she will also briefly discuss the reason(s) for the absence and whether there is anything the School can do to assist. These discussions will be carried out sympathetically and sensitively, with the intention of establishing the cause of absence and reducing further absence from school. Line managers will inform the absent colleague about what has occurred during the absence and who has covered their work.
If there are any underlying problems that are causing absence, this is the opportunity for them to be aired. If the returning member of staff finds it difficult to talk to their line manager, then they should ask to see the Headteacher or SBM. This is also an opportunity to raise any issues regarding a return to work (e.g. that you are taking medication). The burden is on the returning member of staff to make known any issues. For absences of 3 days or more a written record of this meeting should be passed to the HR Officer and kept in the member of staff's personnel file.
- 3.16.2 If a member of staff is returning from a long period of absence, is on a phased return or is under a medical certificate then the line manager must seek advice from the Headteacher, SBM or HR Officer, as temporary adjustments to the returnees working conditions or environment may be required. Guidance on these adjustments will be taken from Occupational Health consultants and the school's Health and Safety Consultant. It may be appropriate for the Headteacher, Deputy Headteacher or SBM to undertake the return to work interview. For support staff joining the school or issued with new contracts from 1 September 2015 a phased return to work may be subject to a comparative phased rate of pay.

3.17 Sickness Absence Review Procedure

- 3.17.1 The school will regularly monitor attendance/absence records and report annually to the Governing Body. Any member of staff can review their absence on the database following reasonable notice. All Staff are responsible for maintaining their record of their own absence.

3.17.2 If an employee is absent from work, then there needs to be some professional discretion in how this is monitored and managed so that colleagues feel supported and able to return to their position in school. However, it is expected that the following procedure will be followed by all Line Managers:

- First occasion of sickness absence (less than 3 days) – Informal discussion with Line manager
- First occasion of sickness absence (more than 3 days) – Documented return-to-work interview.
- Second occasion of sickness absence – Documented return-to-work interview. After a return to work interview, if there are any further actions required on behalf of the school to support the member of staff, or actions required by the member of staff to assist in their attendance these should be documented and agreed (Return to work Interview Form)
- Third occasion of sickness absence - Documented return-to-work interview. The Headteacher and SBM will be made aware of the third period of absence. They will then use their professional judgement about how to proceed based on patterns of absence and the reasons for the same. If absence is repeated, it is expected that the return to work interview will explore reasons for absence in more detail. Patterns of absence, recurring illnesses, and absence during periods of heightened work pressure will be examined, and where appropriate, actions to support the member of staff agreed. It may, for example, be appropriate to arrange (following mutual agreement) an interview with the Schools Occupational Health consultants. During the return to work interview the Governors policy on repeated absence will be highlighted. Dependent on the findings of the above process staff who have reached this level of absence will be written to formally to advise them that further absence could result in disciplinary action being taken.
- Repeated Absence or unacceptable pattern of absence (For example, Fourth occasion or more than 10 days of absence in total over a rolling 12 month period; absence on Monday's/Friday's or following annual leave) - Documented return to work interview. There will be occasions when a member of staff's level of absence from work might be considered unacceptable. The success of our school relies on all staff reaching and maintaining a satisfactory level of performance, conduct and attendance. Unacceptable levels of absence may include one long period of absence or a series of short term absences. Unsatisfactory attendance occurs when absences continue to remain high or is frequent and suggest that the member of staff can no longer fulfil his/her contractual duties nor provide a regular and sustained service. Unsatisfactory attendance will be dealt with under the school's disciplinary procedures.
- Note: As always the appropriate level of discretion will always be considered in cases of staff illness including long term illness.

3.18 Formal action over a member of staff's attendance is not taken lightly. The staged process of return to work interviews provide an opportunity for staff to discuss reasons for absences. After the third absence line managers will refer to this policy and to the School's position on staff attendance. All staff will have the opportunity to explain the reasons for absences.

3.19 If it appears that there is an underlying cause for absences, staff may be asked for permission as part of an occupational health referral, to seek a medical report from a member of staff's doctor. Alternatively, or in addition, referral may be made to a doctor appointed by the School's occupational health provider in consultation with the member of staff. The school will write an advice letter recording the concerns and any support that can be provided.

- 3.20 If a report is sought, any formal interview will be conducted after receipt of the report when its contents and its implications can be discussed in detail.
- 3.21 **Formal** action may be taken if it appears that a member of staff's attendance continues to be a cause for concern following the school's disciplinary procedure. If a member of staff receives a disciplinary warning (usually taking the form, initially, of a formal Recorded Verbal Warning), attendance targets may be set, for example "no more than one occasion or exceeding more than 3 days' absence in the next 4 months". These are not absolute targets but what the school may find acceptable. Failure to adhere to the targets could lead to further disciplinary action.

Further details of the Disciplinary Procedure can be found in the staff handbook.

3.22 **Procedure in the case of Long-Term Sickness Absence or Where Frequent Short-Term Absence is Due to Underlying Illness**

- 3.22.1 It is the employee's responsibility to provide the School with relevant information and certificates throughout a period of absence. The reporting and Certification provisions above apply in all cases.
- 3.22.2 If an absence appears likely to continue for a considerable period, the member of staff's Line manager/Headteacher will, with the employee's consent and using occupational health, seek an up-to-date medical report from the member of staff's GP or specialist with particular reference to the prospects of returning to work in the existing job or some other capacity. Alternatively, a report may be sought directly from the occupational health consultant. On receipt of the report, a meeting will be convened to discuss, in the light of it, the prospects for future employment, including whether alternative work or ill-health retirement might be appropriate.

Where it is established that you are disabled as defined in the Equality Act 2010, consideration will be given to whether any reasonable adjustments can be made to school premises or working arrangements to enable resumption of employment. If it is considered, however, following this consultation, that the options of different working arrangements, alternative work or ill-health retirement are not appropriate, but the prospects for early return to work are poor, it may be necessary to consider the member of staff's future employment with the school.

- 3.22.3 All staff have the right to appeal against the dismissal.
- 3.22.4 It is in all staff's interest to provide medical information related to illness. If medical information is not provided any decision concerning future employment will be based on information available to the School at the time.
- 3.22.5 If a member of staff is diagnosed with a medical condition that has not resulted in absence but might have an impact on health and safety whilst in work staff must inform the school so the necessary reasonable safeguards can be put in place as this may help secure future attendance.

3.23 **Medical Suspension**

- 3.23.1 Circumstances may arise where a medical condition leads to medical suspension. With particular reference to teachers, this is covered within the Education (Teachers Qualifications and Health Standards) (England) Regulation 1999.
- 3.23.2 The regulations set out the statutory framework relating to the medical fitness of teachers and specify certain requirements which local education authorities have to fulfil when appointing teachers and when dealing with teachers who become unfit during service.

3.23.3 There are a number of medical conditions that could lead to a medical suspension such as:

- German Measles
- pulmonary tuberculosis
- epilepsy
- psychiatric disorder

3.23.4 If the Headteacher becomes aware of any medical condition such as those detailed above then contact should be made with the school's HR Advisors and/or Health and Safety consultant for further advice in relation to work related incidents.

3.24 Sickness Absence Pay Entitlement

3.24.1 All Teaching Staff and Support Staff who joined the school prior to 1 September 2015 will retain existing Sickness Absence Entitlements of pay.

3.24.2 For all Support Staff who joined the school or have been issued with new contracts after 1 September 2015 they will be entitled to the following:

- During 1st year of service – 2 weeks full pay followed by 2 weeks half pay
- During 2nd year of service – 3 weeks full pay followed by 3 weeks half pay
- During 3rd year of service – 4 weeks full pay followed by 4 weeks half pay
- During 4th year of service – 5 weeks full pay followed by 5 weeks half pay
- After 5 years of service - 6 weeks full pay followed by 6 weeks half pay
- After the above periods the appropriate levels of statutory sick pay will be paid.

4.0 Discretionary Absence

4.1 It is recognised that there are occasions when staff have to request absence in order to support a 'work life' balance when events cut across school time. In addition some staff decide to work part time to balance commitments outside of school with their professional duties.

4.2 Guidelines:

- Staff should take leave outside of the school term
- Absences for the Headteacher must be approved by the Chair of Governors
- Absences for teaching staff must be approved by the Headteacher
- Absences for support staff must be approved by the SBM
- Staff may be asked for evidence to support requests for discretionary absence, eg solicitor letter or removal company contract for house moves, invitation to interview, medical/midwife appointments
- Unauthorised absence will be dealt with under the school's Staff Disciplinary Policy

4.3 Leave of absence will be granted in accordance with national or local conditions of service in the following circumstances. For other discretionary absence not covered by the law the Headteacher will continue to consider any reasonable request and if granted will normally be paid. However, the school will operate a 'pay-back' system whereby the number of periods missed in school will have to be paid back in cover, irrespective of the teaching commitment during the absence. Although this section of the policy covers many of the reasons why staff may request discretionary absence it is recognised that there may be reasons in addition to those listed.

4.4 Examiners and Moderators for Examining Bodies

- 4.4.1 The school recognises that having examiners on staff for subjects taught within the curriculum is of benefit to the school. Chief Examiners and Chief Moderators or examiners will be given up to 3 school days' leave with pay in any one financial year.
- 4.4.2 Employees shall not be required to pay the school any fees or expenses received for examining and moderating duties.
- 4.4.3 If a member of staff requires any other time off for examiners duties these will be discretionary and without pay.

4.5 Time off for Public Duties

- 4.5.1 The Headteacher and Directors/Governors will consider this under exceptional circumstances giving due concern for the needs of the school
- 4.5.2 Public duties are defined as:
 - Jury Service
 - 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
- 4.5.3 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 and will be unpaid.
- 4.5.4 Staff will be allowed to take a reasonable amount of time, up to the equivalent of 5 days to undertake governor duties (School Governor, Director of Academy Trust) and this will be paid. Governor duties have to be agreed by the relevant Chair of Governors and communicated to the Headteacher.

4.6 Witness Summons

A member of staff 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.

4.7 Service in Non-Regular Forces

- 4.7.1 Employees must obtain the Headteacher's consent before joining the Non-Regular Forces (e.g. Royal Naval or Marines Reserve, Territorial Army, Royal Air Force Volunteer 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.
- 4.7.2 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 salary of an amount equal to the pay received from the Forces for each normal working day of the absence (i.e. 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.

4.7.3 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.)

4.8 **Union Duties**

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

4.9 **Job Interviews**

The Governing Body will approve up to 2 days paid leave to attend interview with a further 1 days' paid leave to attend the new school. (The new employer must make a formal request to the school). Paid leave for any further interviews will be at the discretion of the Headteacher.

4.10 **Study or Examination Leave**

4.10.1 If the Headteacher receives a request from an employee for leave of absence for the purpose of revision immediately prior to an examination for a recognised qualification related to their role or for leave of absence for the day(s) on which the examination takes place the request will be considered according to the following principles:

- The cost to the school in terms of salary, cover arrangements and organisational disruption
- The relevance of the qualification to the better performance of the role the individual holds
- The individuals career development and personal circumstances

4.10.2 The maximum amount of leave under this heading will normally be 5 days paid leave in 2 years.

4.11 **Adoption, Maternity and Paternity Support Leave**

The school follows the current statutory guidance on adoption, maternity and paternity leave. During Adoption and Maternity Leave, at the Headteacher's discretion, the employee can request one paid KIT (Keeping In Touch) day. This date needs to be mutually convenient with your Line Manager and any other colleagues you need to meet with. The hours paid should not exceed a normal working day.

4.12 **Neo-Natal Care Leave**

Parents of babies born on who require 7 (or more) days of continuous neonatal care in the first 28 days following their birth. will be able to take one week of leave in respect of each week their baby receives neonatal care without interruption, up to a maximum of 12 weeks.

Neonatal care leave must be taken within the first 68 weeks of the baby's birth. An employee who meets the requirements to qualify for statutory maternity, adoption or paternity pay should also qualify for neonatal care pay.

Employees are required to give their employer notice of their intention to take neonatal leave and provide the required information This leave will be granted in accordance with statutory Neonatal Care Leave Rights.

4.13 Moving House

For staff whose contractual arrangements do not allow them to take annual leave during term-time and where the move date cannot be effected in a school closure period, one day's leave will be granted with pay in any one year for the moving day. Evidence will need to be presented that the move day is the agreed date you take legal ownership/lease agreement on the property.

4.14 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 appointment arrangements, paid time off will be given.

4.15 Midwife Appointments

Whenever possible, appointments should be arranged during school holiday periods or outside directed time. When the above is not possible, paid time off will be given for midwife appointments. However, where possible these appointments should be scheduled to minimise disruption to the school day. Paid time off will be given for these appointments.

4.16 Time off to attend Partner's Midwife Appointments

Where time off is requested to attend a partner's midwife appointment, the first two appointments will be discretionary paid absences, and all future routine appointments will be unpaid. Evidence of appointment dates and times may be requested.

At the Headteacher's discretion, further paid absences may be granted in the event of there being any concerns for the health of the unborn baby.

Paid time off will be given to attend the baby ultrasound scan(s). Evidence may be requested.

4.17 Surgeries

4.17.1 Elective Surgery

Occupational Sick Pay (OSP) will not be paid out for any absences due to elective surgery, unless there are exceptional circumstances. SSP will be paid.

An exceptional circumstance would be, for example, if you are on a hospital waiting list for knee replacement, but you elect for private surgery in order to prevent ongoing pain and medical issues and a long wait for this surgery.

4.17.2 Cosmetic Surgery

Occupational Sick Pay (OSP) will not be paid out for any absences due to cosmetic surgery, unless there are exceptional circumstances. SSP will be paid.

An exceptional circumstance would be, for example, reconstructive surgery where parts of the anatomy have had to be removed due to a cancer diagnosis.

OSP may be paid if medical evidence is provided that this surgery is needed as a result of a condition such as body dysmorphia or if the existing bodily feature(s) is/are having a serious detrimental effect on the employee's mental health.

4.17.3 Further Absence required due to sickness as a result of Elective or Cosmetic Surgery

Follow-on medical complications arising as a direct result of the elective or cosmetic surgery will be reviewed on a case by case basis to review eligibility for OSP. Medical evidence will be required.

In the interests of fairness, all staff members are entitled undergo elective or cosmetic surgeries if they choose, but staff would be required to undergo such surgeries outside of term-time to minimise the impact this has on the school.

4.18 Time off to care for dependants / Compassionate Leave

4.18.1 Under the Employment Rights Act 1996 an employee is entitled by law to be permitted by their employer to take a reasonable amount of time off during the employee's working hours in order to take any action which is necessary in support of the dependant. The law is clear that this does not have to be paid. However, the Trust as the employer would wish, where possible, to support staff so they are not financially disadvantaged by occasional absences for reasons associated with dependants, subject to clause 2.13.

- To provide assistance when a dependant falls ill, gives birth or is injured or assaulted. This includes taking dependants to hospital appointments
- To arrange care for a dependant who is ill or injured
- To attend a medical appointment with a dependant
- 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

4.18.2 Staff must tell the school the reasons for their absence as soon as is practicable and also how long they expect to be absent.

4.18.3 A dependant is defined in all the cases above as:

- A spouse/civil partner
- A child up to the age of 18
- A parent
- A person up to the age of 18 who lives in the same household as the employee (except lodgers, etc)

4.18.4 In addition, in the first three cases above, dependant also means a person who reasonably relies on the member of staff, as the member of staff is the registered carer.

4.18.5 For each day a teaching member of staff is absent to care for a dependant they pay back absent periods up to a maximum of five periods (one day) in the form of cover. Thereon after any time off for dependants will be unpaid. Paying back absent periods needs to take place within a twelve month period, but does not have to happen straight away, eg the following day upon return to work. Pay back may be carried across more than one academic year.

4.18.6 There may be occasions when support staff are required to work additional hours over and above their contract therefore generating a need for TOIL. Opportunities will be available equitably across all support teams to pay this back as TOIL or in salary adjustment, subject to the needs of each support department area, as proposed by line management and approved at SLT level.

4.18.7 Support staff can take TOIL before accruing the necessary hours, eg first half of Autumn term when they can be certain they will be offering the necessary overtime later in the school year. If TOIL has been taken but the contract changes or ends before hours are accrued, salary adjustment can be made.

4.19 **Special Compassionate Leave - in the event of the death/end of life care of a relative or dependant**

Staff must contact the Headteacher as soon as possible to discuss their request for compassionate leave. Where more than one episode of compassionate leave for a close relative is needed in one year, each instance should be treated individually according to the circumstances.

4.19.1 At the discretion of the Headteacher, the following may be granted in the event of the death/or end of life care of:

- a close relative (e.g. parent, partner, son or daughter, grandparent), 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), in one rolling year.

4.19.2 The school would wish to support staff who are having to manage dependants' end of life care requirements. It is recognised that in these situations it is difficult to determine a time frame. Staff are advised to discuss with the school a period of unpaid leave if the end of life care period is to be protracted beyond the period described in 4.19.1, this should also cover time off for funerals.

4.19.3 Additional compassionate leave may be granted up to 10 days in any one year. This may be granted in exceptional circumstances for example the death of a close relative abroad.

4.19.4 Where the circumstances concern the death of a child under 18 then clause 4.19.3 will apply.

4.19.5 New arrangements for leave under the Parental Bereavement (Leave and Pay) Act 2018 came into force on 6 April 2020, giving those who suffer the loss of a child under the age of eighteen, or suffer a stillbirth after twenty-four weeks of pregnancy, a new entitlement to leave either in one two week block or two one week blocks.

Employees who are 'bereaved parents' will be entitled to the leave. The definition is wide ranging and will cover most parental and carer relationships.

The leave is a 'day one' right, meaning there is no minimum service required for an employee to be eligible, and can be taken at any time within the fifty six week period following the bereavement. The extension to fifty six weeks is to enable the parents to take a week off on the anniversary of the loss.

What are the notice provisions?

- In the first eight weeks, no notice will be required; and,
- between weeks eight and fifty six, notice of one week is required.

Employees taking the leave will receive *Statutory Parental Bereavement Pay*.

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

4.20.1 The school recognises that attendance at school by staff during times of family bereavement can be particularly difficult. The Governors would wish to support staff in these circumstances. However a balance needs to be struck between the operation of the school and the needs of an individual member of staff. Any additional discretionary leave beyond 4.19 is unpaid.

4.20.2 There may be other significant occasions where staff may wish to support family members for example, attending a graduation, passing out ceremony or a close family funeral or wedding. Staff may have up to one day in a twelve month period, this being paid back in the form of cover, up to a maximum of five periods.

4.20.3 There may be other less significant occasions, for example where staff may wish to watch their children in a concert or a sports day. Staff may have up to 2 periods with pay back in the form of cover over the next 12 months. Any additional requests would be unpaid and at the discretion of the Headteacher.

4.21 Request for additional holiday entitlement

The Headteacher will consider this only under exceptional circumstances. For teachers the leave will be unpaid. For support staff whose contracts are term time only, leave may be granted by the SBM. The default position is that it will be unpaid. There may be a situation where pay can be claimed back as time off in lieu, this is at the discretion of the school. Leave granted under this category cannot amount to more than three days in any one academic year. Leave granted as time off in lieu must be worked within the same academic year. Additional hours in lieu accrued by staff over any academic year must be taken against any contracted hours due to be worked over the following summer holidays.

4.22 Setting a precedent

Any discretionary absence granted in one academic or rolling year does not set a precedent for future decisions.

4.23 Annual Leave – Full time support staff

Those members of support staff whose contract is 52 weeks per year receive an annual leave entitlement according to their salary grade and length of service. The leave year runs from 1st April to 31st March.

All requests for leave must be approved by their line manager via the absence management system. Authorisation should be received prior to leave being taken.

A maximum of 5 days leave may be taken during term time during an academic year unless exceptional circumstances exist during a holiday year which makes it impossible to use holiday entitlement during the holidays. All holiday entitlement should be used within the year to which it relates. A maximum of 5 days may be carried over to the next holiday year but must be taken before 20th July of that year.

4.24 Enforced leave of absence

4.24.1 Situations may arise where a member of staff cannot attend school following to continue their contractual duties due to circumstances beyond their control e.g. inclement weather, holiday departure delays, disruption to travel arrangements including car breakdown, or domestic issues. The school cannot be expected to bear the cost of this. Under these circumstances time off will be unpaid.

4.24.2 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. Delay as a result of a holiday delay will be unpaid

4.25 Lateness to work

4.25.1 There may be occasions where a member of staff is late to work for travel related issues. Where this occurs the first two hours will be paid. There on after it will be unpaid. Persistent lateness to work will be managed under the school staff disciplinary procedures.

4.25.2 If leave is forced on colleagues as a result of a decision to shut the school then staff will continue to be paid and it will not count towards their annual leave allowance

4.26 Other Circumstances

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

4.26.2 The Directors/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 rolling year.

4.27 Payback or TOIL

4.23.1 If a member of staff has given their notice to leave and therefore is unable to pay time back in the form of cover or TOIL, then absence granted where payback or TOIL would usually be appropriate would be unpaid.

4.27.2 Where payback or TOIL cannot be used within the same academic year it will roll into the next year.

Appendix 1 - Ready Reckoner: Request for Additional Absence – this will be updated once changes approved

| Clause | Request for leave of Absence | Applicable to | Response | Notes |
|--------|-------------------------------------|---------------------------------|--|--|
| 4.4 | Examiners and Moderators | All Staff | Normally 3 school days with leave for the purpose of examination meetings with pay | Representation to be made to Headteacher with letter from Examination body |
| 4.5 | Public Duties (e.g magistrate) | All Staff | Normally 5 school days with pay Up to 5 additional days no pay | Representation to be made to Headteacher to join pupil body |
| 4.6 | Witness Summons | All Staff | Normally with pay | Representation to be made to Headteacher |
| 4.7 | Service in non regular Armed forces | All Staff | Normally with pay | Representation to be made to Headteacher. Salary to be credited to school budget |
| 4.8 | Union Duties | All Staff | | This is covered under separate agreements between the Unions and the STPRB |
| 4.9 | Job interviews | All Staff | Normally 2 school days with pay | Representation to be made to Headteacher, number of occasions at discretion of Headteacher |
| 4.9 | Visiting new employer | All Staff | 1 day, normally with pay | Employer may pay cover costs then additional day will be considered Official request must be made by new employer |
| 4.10 | Study Leave or examinations | Teaching staff Support staff | 5 days paid in 2 years | Representation to be made to Headteacher |
| 4.11 | Adoption or maternity Support leave | All Staff | | In accordance with national guidelines |
| 4.12 | Moving House | All Staff | 1 day normally with pay in any one 12 month period | Representation to be made to Headteacher |

| Clause | Request for leave of Absence | Applicable to | Response | Notes |
|--------|---|----------------|--|---|
| 4.13 | Medical Appointments | All Staff | Normally paid | Regular appointments and treatment that necessitate consecutive days off will be considered as sick. |
| 4.14 | Time to Care for dependants. Eg children ill, child care issues, children medical appointment | Teachers | Teachers: 1 day paid with payback as cover (5 periods) in a 12 month period, after this unpaid leave | Time off to look dependants has to be reasonable. |
| | | Support staff | TOIL up to 1 day, after this unpaid leave | |
| 4.15 | Special Compassionate leave - death or end of life care (close relative) | All Staff | Head teachers discretion with pay first 5 days paid. Additional unpaid leave may be given in exceptional circumstances Parental Bereavement (Leave and Pay) Act 2018 | If absence is longer than 1 week staff are advised to see GP if unfit to return to work. The 5 days do not have to be continuous |
| 4.16 | Additional leave e.g request to attend a significant event e.g graduation | Teaching staff | Up to 1 day – pay back through cover | Any additional time requested is at the discretion of Headteacher/SBM and may be unpaid |
| | | Support staff | Up to 1 day – TOIL | |
| | Additional leave to attend a less significant event | Teaching staff | Up to 2 periods payback | |
| | | Support staff | Up to 2 periods TOIL | |
| 4.19 | Annual Leave Staff | FT Support | Maximum of 5 days to be taken in term time in an academic year. Maximum carry over 5 days to be used by July | Additional unpaid days at discretion of Headteacher/SBM |
| 4.20 | Unforeseen absence e.g disruption to travel arrangements | All Staff | See notes | Staff will only be paid if the disruption closes the school. |

| Clause | Request for leave of Absence | Applicable to | Response | Notes |
|--------|--|---------------|--|---|
| 4.21 | Unforeseen absence e.g lateness to work due to travel arrangements | All Staff | See notes | First 2 hours paid at Headteacher/SBM, there on after unpaid. |
| 4.22 | Other circumstances where absence is required | All Staff | No more than 2 days in any one academic year un-paid. | Representation to be made to the Headteacher. Leave given in exceptional circumstances. |
| 4.23 | Staff who have given notice to leave | All Staff | Requests for absence that cannot be paid back before the leaving date will be unpaid | |
| | Absence requests late in the academic year | All Staff | Payback / TOIL will be carried forward to the next academic year | |