



BIRMINGHAM CITY UNIVERSITY ACADEMIES TRUST

SPECIAL LEAVE OF ABSENCE POLICY

It is recognised that term-time staff do not have an annual leave allocation to enable them to book time off for special events during term-time.

This policy should be read in conjunction with the following Birmingham City University Academies Trust (BCUAT) policies:

- Other statutory and non-statutory time off (Appendix A)
- Dependent Leave Policy
- Parental Leave Policy
- Maternity Leave and Pay Policy
- Sickness Absence Policy

Time off for dependants

Clarification regarding time off for dependants is detailed under the Dependant Leave Policy.

Sick children

It is recognised that it can be difficult for working parents to respond to the need to care for sick children.

Staff have a statutory entitlement to unpaid time off to make arrangements for the care of a dependent child under the Dependant Leave Policy.

In recognition of the fact that term-time staff do not have the flexibility to take annual leave in order to make arrangements to care for sick children BCUAT have agreed that staff will be entitled to up to one paid day per academic year to care for sick children. If staff members are required to take in excess of one day per academic year to care for sick children, this will be unpaid in accordance with the Dependant Leave Policy.

In order to take leave in order to care for sick children, the member of staff must follow the notification procedures as detailed within the Dependant Leave Policy.

Leave to attend significant events

The trust recognises that from time to time staff may have the opportunity to attend a significant event during term-time such as a graduation ceremony for their son or daughter or the wedding of a close family member.

This policy enables staff members who do not have a leave allowance to take one day of unpaid leave in an academic year in order to attend a significant event.

Owner of Policy	Human Resources
Legislation Status (Statutory / Non-Statutory)	Non-Statutory
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Staff must seek the express permission of the Principal for unpaid leave in advance of the event. The operational needs of the school will be considered before granting leave and there may be times when the Principal may need to refuse a request for leave.

Leave for religious festivals and Holy days

Staff who wish to attend a religious festival or Holy day which occurs during term-time may apply to the Principal for up to one days' unpaid leave per academic year. This will be granted at the discretion of the Principal providing that there is no significant disruption to teaching.

Compassionate Leave

In addition to the formal leaves of absence, people may, from time to time, need time off work for compassionate reasons.

BCUAT's policy is to respond reasonably in circumstances where compassionate leave is required. Examples include:

- Bereavement of a close relative;
- Serious domestic difficulty; for example, the serious or life threatening illness of a relative.

The Principal will aim to be consistent and compassionate towards staff who are faced with difficult emotional situations. It is not appropriate to pre-determine levels of compassionate leave. Each circumstance will be different and any application for leave of this nature will be judged upon the merits of the case.

Periods of compassionate leave exceeding two weeks will require the approval of the Local Advisory Board.

Requests for holidays during term-time

Holidays during the school term for staff who work term-time only will only be granted in very exceptional circumstances, as unpaid leave. The agreement of the governing body will be sought before permission is granted. The Principal reserves the right to refuse the request if there is an additional cost to the school budget or if the provision for the provision would be adversely affected.

Interviews

All staff may take up to three days' paid leave in order to attend selection interviews for jobs. Requests to take leave to attend an interview must be made to the Principal in advance of the event. Staff members must produce evidence of attendance if requested to do so.

Moving house

Staff are encouraged, wherever possible, to make arrangements to move house during school closures. If this is not possible, staff are granted one days' paid absence in order to move house. Permission must be sought from the Principal in advance of the event taking place, and the Principal may ask for documentary evidence.

Medical and dental appointments

Details confirming arrangements for medical and dental appointments are contained within the Sick Pay and Absence Management Scheme Policy.

Deductions from pay

Where the time off granted is unpaid, the deduction from salary will be at the following rates:

- Teaching staff: $1/365^{\text{th}}$ of the annual salary for each day's absence
- All other staff: $1/260^{\text{th}}$ of the annual full-time equivalent salary for each day's absence for staff members who work the same amount of hours each day. For other members of staff who work different hours each day, calculation for unpaid leave should be made based on their hourly rate of pay and the number of hours that they would have been expected to work on the day of absence.

Other Leave covered within Appendix A

Public Duties

Trade Union Duties

Safety Representatives

Redundancy

Ante-natal care

Forces Training

Examination study

Appendix A

Other Statutory and Non-Statutory Time Off

1. Introduction

- 1.1 There are instances where BCUAT must allow an employee reasonable unpaid time off. There are also specific circumstances when BCUAT is required to allow staff paid time off to undertake certain activities. The following notes indicate the type of circumstances that the BCUAT must consider when allowing time off; and the decisions that need to be made to ensure fair consideration for any request.

2. Public Duties

- 2.1 As an employee, you have the right to reasonable time off in the circumstances listed below to undertake public duties. The needs of BCUAT will normally take precedence. However, the “test of reasonableness” needs to be applied: “what would a reasonable employer have done?” If you have responsibilities or undertake key work in your job, this may legitimately restrict the number of days allowed.

- 2.2 The duties are those of a:

2.2.1 Justice of the Peace;

2.2.2 Member of:

- (i) Any local authority;
- (ii) The Public Utilities authority;
- (iii) A Police authority;
- (iv) A Statutory Tribunal;
- (v) A Board of Visitors appointed under the Prison Act;
- (vi) National Health Service bodies such as a Health Authority, a Hospital or Community Trust, a Primary Care Group or Trust, a Patient Liaison Group or a Community Health Council

2.2.3 Managing or Governing a public body that includes a school or college whether:

- (i) Maintained by a local education authority;
- (ii) Grant maintained;
- (iii) A Further Education Corporation;
- (iv) A Self-Governing School;

- (v) The National Rivers Authority (NRA).

3. Trade Union Duties

- 3.1 Officials of recognised independent trades' unions have the right to reasonable paid time off to carry out their duties related to negotiations with their employer or when representing a member at a disciplinary hearing. All Union members have the right to reasonable unpaid time off to take part in trade union activities.
- 3.2 Officials will usually be able to claim paid time off even where they are required to be away from their normal place of work. This is if they can show that the subject of their visit was related to members employed by the organisation and represented by them; or preparing for negotiations or collective bargaining. They can usually also claim for paid time off to undergo training in their duties. Where the purpose is to attend a training course, the training must be directly related to the requirements.

4. Safety Representatives

- 4.1 Independent recognised trades' unions may appoint safety representatives from amongst the work force. Safety representatives are then entitled to reasonable paid time off to undergo training for, and to carry out, their duties. Since a safety representative is also regarded as a union official, they also qualify for paid time off to carry out appropriate union duties.

5. Redundancy

- 5.1 If you have been declared redundant, you are allowed to have reasonable paid time off to seek other employment and to undergo training for a new job. To determine what is reasonable time off, BCUAT will consider the following:

5.1.1 Requirements of BCUAT for the presence of the employee;

5.1.2 Length of the notice period;

5.1.3 Local employment situation;

6. Ante-Natal Care

- 6.1 A pregnant employee has the right to reasonable paid time off to attend classes or appointments related to her pregnancy. Except for the first appointment, the right to be paid can be refused by the employer unless you produce an appointment card and a certificate stating that you are pregnant.

7. Other Absences

- 7.1 For territorial army or other forces training, one week's leave of absence will be granted. If you are required to attend training for longer than one week you will be expected to take the balance as part of your annual leave.

8. Examination Study

- 8.1 Examination Study leave may be granted at the discretion of the Principal to assist staff who are taking approved qualification courses. This is in addition to normal day release to attend the course and is intended to help students to prepare for examinations.
- 8.2 Although the Line Manager levels can vary the amount of leave given according to the course and the student circumstances, the following guidelines apply.
- 8.3 For courses where examinations form the major part of the student assessment examination, study leave should be half a day for each exam, in addition to the time required to attend the examination.