

BIRMINGHAM CITY UNIVERSITY ACADEMIES TRUST

POLICY ON STATUTORY AND NON-STATUTORY TIME OFF



1. Introduction

- 1.1 There are instances where the Trust must allow an employee reasonable unpaid time off. There are also specific circumstances when the Trust is required to allow staff paid time off to undertake certain activities. The following notes indicate the type of circumstances that the Trust 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 the Trust 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:

- Any local authority;
- The Public Utilities authority;
- A Police authority;
- A Statutory Tribunal;
- A Board of Visitors appointed under the Prison Act;
- 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

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

- Maintained by a local education authority;
- Grant maintained;
- A Further Education Corporation;
- A Self-Governing School;
- 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

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seek other employment and to undergo training for a new job. To determine what is reasonable time off, the Trust will consider the following:

5.1.1 Requirements of the Trust 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 Heads of Department 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.