

## Leave of Absence Policy and Summary Charts

### STAR Multi Academy Trust

Date adopted by Trust Board	7 <sup>th</sup> December 2021
Date reviewed	September 2023
Changes made	Version 2: Updates to reflect increased annual leave for support staff and provide greater clarity on discretionary leave
Approved by the Trust Board	5 December 2023
Review Date	December 2026

Section	Contents	Page
1.	Scope	2
2.	Statement of Commitment	2
3.	Key Responsibilities	2
4.	Statutory entitlements to leave	3
5.	Contractual entitlements to leave	3
	<b>Summary Chart</b> – statutory leave	4
	<b>Summary Chart</b> – contractual leave entitlements	5
	<b>Summary Chart</b> – discretionary leave	8

## **1.0 Scope**

- 1.1 This policy applies to all employees of STAR Multi Academy Trust, unless specifically stated otherwise in the summary chart.

## **2.0 Statement of commitment**

- 2.1 STAR Multi Academy Trust is committed to supporting the work life balance of its staff and provides a range of leave entitlements, which help accommodate individual needs and commitments outside work.
- 2.2 Leave entitlement will accrue from the start date of the employment and will be calculated pro-rata to ensure compliance with the Working Time Regulations.
- 2.3 Whilst the entitlements set out in the charts are a guide, many types of leave are subject to manager approval. In considering such requests, the provision of education to the children attending the Academy Trust is paramount and therefore it must be understood that requests for leave, where there is discretion of the timing of such leave, cannot be guaranteed.

## **3.0 Key Responsibilities**

- 3.1 The following is an outline of key responsibilities expected when following this policy & procedure:

### **Line Managers (including Headteachers and other managers):**

- Should be supportive of individuals' needs and commitments outside of work, whilst balancing leave requests against the needs of the Academy Trust.
- Encourage staff to plan to take their full allocation of annual leave within the year, ordinarily within Academy Trust closure periods.
- Commit to forward planning of leave to ensure appropriate levels of cover for the effective running of the Academy Trust and the education of pupils.
- Ensure that leave application processes are followed and the outcome of these are recorded.
- Ensure that leave requests are considered in line with statutory provisions and nationally and locally agreed collective agreements which form part of the terms and conditions of employment.

### **Employees:**

- Should consider the needs of the Academy Trust in which they work when requesting leave.
- Should submit leave requests in accordance with the relevant process and timescales and only take leave when they have received the relevant approval.
- Leave should be requested and approved as far in advance as possible.
- Should request leave in line with relevant legal minimum periods of notice if applicable

**NOTE:** Any employee who absents him/herself without prior authorisation or fails to

follow required procedures will be in breach of their contract of employment and may be subject to disciplinary action and a deduction from pay.

#### **4.0 Statutory requirements of leave**

- 4.1 For certain types of leave, there is a statutory entitlement to take leave, as outlined in the statutory leave summary chart. Statutory leave and timescales must be adhered to.

**Statutory leave entitlement summary chart;**

The leave outlined in this chart are statutory entitlements for employees. Please refer to the relevant section of the leave guidance for full details

<b>Leave category</b>	<b>Description</b>	<b>Support Staff and Teachers</b>
<b>Adoption</b>	Applies to an adoptive parent who is the primary carer	Ordinary Adoption Leave of 26 weeks and Additional 26 weeks' adoption leave. Occupational and/or statutory pay applies, dependent on service.
<b>Antenatal for expectant mothers</b>	Care during pregnancy including relaxation and parenting classes.	Paid time off for antenatal care is given to all staff expecting a child. Managers can ask to see appointment cards.
<b>Dependants</b>	Time off to deal with an emergency involving a dependant. Available to all employees with dependants. A dependant is the husband, wife, partner, child or parent of the employee or someone who depends on you for care and also includes someone who lives in the same household as a member of the family, but not a tenant or boarder or live-in employees.	Up to 3 days paid, first day paid on any 3 occasions within an academic year (September – August)
<b>Gender reassignment</b>	Employees undergoing gender reassignment.	It is discriminatory to treat an employee, who is absent from work to undergo gender reassignment, worse than someone who is absent from work for another reason - for example, because they are ill, injured, recuperating, or having counselling or medical appointments.  To note, there is no specific statutory entitlement to leave for gender reassignment, however the STAR Multi Academy Trust has agreed to allow credited medical leave for Hospital appointments up to a maximum of 10 visits per annum, with other treatment to be arranged in own time. Pro-rata for part-time staff.
<b>Maternity</b>	Applies to women who are pregnant	Ordinary Maternity Leave of 26 weeks and 26 weeks' additional leave. Occupational and/or statutory pay applies dependent on service.
<b>Unpaid Parental</b>	Available to all with parental responsibilities	All employees with 26 weeks' continuous service are entitled to up to 18 weeks' unpaid leave for each child to be taken before the child's 18th birthday. Leave should

		be taken in blocks or multiples of one week (except for parents of children in receipt of disability living allowance, where leave can be taken in periods of one day or more), with a maximum four weeks leave in any year.
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Leave category	Description	Support Staff and Teachers
<b>Parental bereavement</b>	For parents who lose a child under the age of 18, or suffer a stillbirth from the 24th week of pregnancy	Statutory entitlement to two weeks' leave within the first year after the child's death. Paid at the normal rate of pay.
<b>Paternity</b>	Partner of expecting mother who have responsibility for the upbringing of a baby or adopted child,	Up to 2 weeks' Statutory Paternity Pay (SPP) after 26 weeks' continuous service. Alternatively, if eligible, 1 week Maternity Support Leave at normal pay plus 1 week Paternity Leave with SPP. Leave should not start before the birth and must end within 56 days of the birth (or due date if the baby is early).
<b>Shared parental</b>	Regulations allow for the sharing of maternity and adoption leave	This leave is paid at statutory rates

**Contractual leave entitlements for STAR MAT staff summary chart;**

Leave category	Description	Support staff entitlement	Teachers entitlement						
<b>Annual leave</b>	<p><b>Support staff</b> Entitlement to paid annual leave with leave year beginning on 1<sup>st</sup> April and ending on 31<sup>st</sup> March. Contractual entitlement exceeds statutory requirements.</p> <p><b>Teaching staff</b> Leave year for ensuring statutory leave requirements have been met is 1<sup>st</sup> September to 31<sup>st</sup> August.</p>	<p>STAR Multi Academy Trust provide the following annual leave entitlements based on length of continuous service (pro-rata for part time staff);</p> <table border="0"> <tr> <td><b>Completed Continuous Service</b></td> <td><b>Days leave per year</b></td> </tr> <tr> <td>Under 5 years</td> <td>28</td> </tr> <tr> <td>Over 5 years</td> <td>34</td> </tr> </table> <p>Staff working term time only have pro-rata leave included in salary</p>	<b>Completed Continuous Service</b>	<b>Days leave per year</b>	Under 5 years	28	Over 5 years	34	<p>Full-time Teachers are required to work 195 days per school year (Sept-August) (pro-rata for part-time teachers). They do not have a specified contractual leave entitlement so it must be ensured that minimum statutory entitlements are met (usually only relevant when a teacher has been absent for a number of months e.g. maternity leave, sickness absence).</p>
<b>Completed Continuous Service</b>	<b>Days leave per year</b>								
Under 5 years	28								
Over 5 years	34								

Leave category	Description	NJC Support staff entitlement	Teachers entitlement
<b>Antenatal appointments for partners</b>	Leave for antenatal appointments during pregnancy including relaxation and parenting classes.	Fathers and partners are entitled to attend up to 2 antenatal appointments with pay.	
<b>Attendance at a wedding/Civil ceremony (paid)</b>	Leave to attend the wedding of a son, daughter, father, mother, brother, sister, or person normally resident with the employee	<p>1 day paid leave to attend or travel to/from the wedding of a son, daughter, father, mother, brother, sister, or person normally resident with the employee</p> <p>Unpaid for non-family members</p> <p><b>Staff organising their own wedding should do so with their working pattern in mind. Time off for personal weddings will only be approved in exceptional circumstances.</b></p>	
<b>Bad weather / emergency</b>	Leave for staff prevented from attending work by severe weather, epidemics, fuel shortages etc. All options should be explored and only in exceptional circumstances does the manager have discretion to authorise paid leave subject to approval as necessary.	<p>All options should be explored in order to maintain the service. These include (where applicable):</p> <ul style="list-style-type: none"> <li>• Working from home</li> <li>• Working at another STAR MAT establishment closer to the employee's home</li> <li>• Different working times</li> <li>• Taking annual leave (where applicable)</li> <li>• Unpaid leave</li> </ul> <p>Where leave or annual leave entitlements have been exhausted, unpaid leave can be taken. All options should be explored and only in exceptional circumstances does the manager have discretion to authorise paid leave subject to approval as necessary.</p> <p>Please note: the entitlement to leave in relation to infectious diseases is outlined further in the Green Book for NJC staff, and the Burgundy Book for teachers.</p>	
<b>Emergency Leave</b>	For serious home or domestic problems	Unpaid or paid at the discretion of the line manager	Unpaid or paid at the discretion of the HT
<b>Compassionate leave</b>	Bereavement within family, including in-laws, step families and grandparents. Attending seriously ill dependants. Challenging life events	<p>Maximum of 10 days overall per employee</p> <p>Up to 1 day paid to attend the funeral of a family member (per occasion). Time off for non-family funerals will be at the discretion of the Headteacher/manager and will usually be unpaid.</p>	

Leave category	Description	NJC Support staff entitlement	Teachers entitlement
<b>Credited medical appointments</b>	Hospital/Clinic Appts Doctor/Dental/ Opticians Appts Specific Medical Appts	Where possible appointments should be made outside working hours. See also specific particulars for antenatal, fertility and gender reassignment. With the exception of emergency appointments, appointments will only be paid where the Headteacher is satisfied that all reasonable effort has been made to make appointments outside of the Academy Trust day.	
<b>Extended leave (unpaid)</b>	Unpaid leave for a period of not more than 3 months.	Following a minimum of 6 months' service with the Trust, an employee may request a period of extended unpaid leave from their post for caring or personal reasons, including personal development. Agreement is at the discretion of the headteacher / Executive headteacher	
<b>Fertility treatment</b>	Leave to attend hospital for treatment	Credited medical leave for hospital appointments up to a maximum of 10 visits per annum. Pro-rata for part-time staff.	
<b>Foster Carers' leave</b>	Applies to staff who have been granted foster carer approval.	Up to 5 days' paid leave in the first year of foster caring, during the period when Carers are expected to complete the Training, Support and Development Standards. In subsequent years up to <b>2 days' paid leave</b> to attend annual review, on-going training and other meetings relevant to the placement of the young person.	
<b>Interview leave</b>	Leave to attend interviews.	Leave with pay up to one day per annum unless holding a post for which notice of redundancy has been served.	Paid leave for interviews requiring more than one day at the discretion of the HT. May also include pre-interview visits to schools
<b>Maternity support leave</b>	An employee chosen by the expectant parent to be the primary carer when the child arrives.	1 week's paid leave. Pro rata for part time staff.	Teaching staff excluded via Burgundy Book but have Paternity Leave provision
<b>Pre-adoption</b>	Applies to staff applying to be adoptive parents	Paid leave of up to 5 days to attend sessions as part of the adoptive process that cannot be held outside of work time. Pro-rata for part-time staff.	
<b>Public / bank holiday</b>	Entitlement to the following public holidays from the commencement of employment.	<ul style="list-style-type: none"> <li>• New Year's Day</li> <li>• Good Friday</li> <li>• Easter Monday</li> <li>• May Day (first Monday in May)</li> <li>• Spring / Whitsuntide Bank Holiday (last Monday in May)</li> <li>• August Bank Holiday (last Monday in August)</li> <li>• Christmas Day</li> <li>• Boxing Day</li> </ul> (Where Christmas Day, Boxing Day or New Year's Day fall on a Saturday or Sunday the official Public Holiday is normally moved to the following Monday (or Monday and Tuesday, if both Christmas Day and Boxing Day fall at a weekend). Pro rata entitlement for part-time staff. For term time only staff this entitlement will be included in the salary calculation for any public/bank holidays falling outside of term time.	

Leave category	Description	NJC Support staff entitlement	Teachers entitlement
<b>Public Service</b>	Paid leave for specific public duties, up to 12 days per annum (pro-rata for part time staff), which can be extended at the discretion of the manager	Public service leave allows employees to serve on a public body, or to undertake public duties, for example, a magistrate, a Justice of the Peace, member of a LA (Parish or District Council), statutory tribunal, NHS Trust, Health Authority, Prison Board of Visitor, school governor, election duties, jury service, Territorial Army Service or non-regular forces; and attending relevant training. Staff should give as much notice as possible of requests of absence.	
<b>Study leave</b>	Paid leave for work-related study as approved.	Up to 1 day's paid leave per exam to a maximum of 5 days.	N/A
<b>Time off for trade union duties</b>	Trade Union representatives entitled to reasonable release from duties (paid) to undertake trade union duties	As set out in the Trade Union Recognition Agreement and local facilities agreement	As set out in the Trade Union Recognition Agreement and Burgundy Book
<b>Volunteer leave for stronger communities activities (paid)</b>	Paid leave for work-related activity.	Up to 1 day's leave per year. For staff within 6 months of retirement date entitlement is for half a day per week and then 1 day per week within 1 month of retirement date.	N/A

**Discretionary leave summary chart:**

For school based staff, the categories of leave outlined in this chart may be granted at the discretion of the Headteacher or Executive Headteacher. For Headteachers, they may be granted at the discretion of the CEO. For centrally employed staff, they may be granted at the discretion of the CEO, COO or Head of Service.

Leave category	Description	NJC Support staff	Teachers
<b>Duties in connection with exam boards</b>	Leave to be involved in external marking / moderator for exam boards	N/A	Leave for external marking / moderating at the discretion of the Headteacher. Leave for duties as a chief examiner of up to 10 paid working days per annum also at the discretion of the Headteacher.



Leave category	Description	NJC Support staff	Teachers
<b>Time off in lieu (TOIL)</b>	If applicable to the Academy Trust, leave taken with managers approval using hours accrued under TOIL.	Where applicable and as outlined in any local scheme.	N/A
<b>Leave for religious matters</b>	Employees whose religious beliefs require the observance of festivals which fall on their work days and employees who wish to travel to attend religious gathering	Such leave would usually comprise annual leave, other unpaid leave or unpaid special leave (TOIL) where applicable.	Leave to be requested from line manager and is agreed at their discretion. Such leave would usually equate to no more than 3 working days per annum, and if pay is agreed for such leave it would usually be expected that equivalent time should be worked in lieu. Where this is not possible it would usually be expected that leave would be without pay.
<b>Other leave (unpaid)</b>	Staff can apply for up to 10 days additional leave which is unpaid	Up to 10 days' unpaid leave at the discretion of the relevant decision maker. Will not be granted where authorisation has not been sought and approved. Where possible, this should be obtained in advance. <b>Can be used to cover any request/reason including the following:</b> <ul style="list-style-type: none"> <li>• <b>Special Leave</b></li> <li>• <b>Emergency</b></li> <li>• <b>Bad Weather</b></li> <li>• <b>Religious</b></li> </ul> This is not pro rata but is subject to manager's discretion in considering service needs.	N/A
<b>Special leave (unpaid)</b>	A short period of unpaid leave may be requested to deal with personal or domestic issues	Staff need to tell their line manager the reason for the request and their proposed return date as soon as reasonably practicable. It is intended that this scheme allows enough time for the employee to cope with the immediate crisis.	At the discretion of the HT
<b>Induction days for</b>	Induction days for children	Paid/unpaid leave will be at the discretion of authorising manager.	

<b>children into new primary school; sports days; school Christmas plays;</b>	into new primary school; sports days; school Christmas plays;	
<b>Supporting partner/dependant with ongoing investigations/treatment for life threatening illness</b>	Supporting partner/dependant with ongoing investigations/treatment for life threatening illness	Paid/unpaid leave will be at the discretion of authorising manager
<b>House moves</b>	Time off to move to a new house	1 days paid leave Not to be claimed retrospectively or if move is in a period of annual leave/half term
<b>Graduation son/daughter</b>	Attendance of son/daughter graduation	1 days paid leave