

**For use in conjunction with the College's
Attendance Management Policy**

Leave Procedure

College Governance Status

This policy was introduced in March 2008 following guidance from North Yorkshire County Council. It was reviewed and formally adopted by the Governing Body on 18 March 2009. It will be renewed in the light of new Local Authority or Government guidance or every three years.

Review dates	By Whom	Approval date
October 2012	Staff and Governors	17.10.12
January 2016	NYCC, Staff and Governors	26.01.16

Signed by the Chair:



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Leave Policy

Scope

- 1.0 This policy applies to all employees of NYCC, unless specifically stated otherwise in the summary chart below and where employees are employed in schools under local management arrangements.

Statement of commitment

- 2.0 NYCC 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.
- 2.1 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

Key Responsibilities

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

Line Managers (including Headteachers and other school managers)

- Should try to accommodate individuals' needs and commitments outside of work, wherever possible.
- Encourage staff to plan to take their full allocation of annual leave within the year.
- Commit to forward planning of leave to ensure appropriate levels of cover for the effective running of services.
- Ensure that leave application processes are followed and leave requests are approved and recorded.
- Regularly review and monitor the utilisation of annual leave throughout the year to ensure the requirement to carry over leave into the next year is avoided or, where this is not practicable, kept to a minimum.

Employees

- Obtain management approval for annual leave.
- Submit leave requests in accordance with the relevant process and timescales.
- Leave should be requested and approved as far in advance as possible.
- Some types of leave have a legal minimum period of notice required for requesting leave; for example 21 days notice of a request to take parental leave.
- Consideration should be given to the business needs of the service for which you work when requesting leave taking into account local service specific agreements.

School based Employees

The provision of service to the children attending the school is paramount and therefore it must be understood that requests for non-statutory leave cannot be guaranteed.

Recommendations for Schools

While schools staff, support and teaching, work in a different environment where the (Corporate) Leave procedure may not always apply, it is strongly recommended that school governing bodies adopt this procedure where they can. Where a type of leave is a statutory provision then governors must take steps to make sure that they are legally compliant and provide these types of leave where legitimately requested

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 pay may be deducted.

Statutory requirements of leave

4.0 For certain types of leave, there is a statutory entitlement to take leave. Statutory leave and timescales must be adhered to. Please refer to the summary charts.

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Summary Chart

☞ Please refer to the relevant section of the LEAVE GUIDANCE for full details ☑ = applies to this group / S = statutory n/a =not apply

Leave	Description	Entitlement	NJC LG	Soulbury	Teachers (Centrally Employed)	Teachers (Schools)	JNC Y&CW
Annual Leave	Paid annual leave entitlement for employees. Leave year ¹ from 1 st April to 31 st March. Pro-rata for part-time employees	Continuous Service length 0-12 months 1 year 2 years 3 years 4 years 5 years 10 years 15 years Days leave per year 23 23 24 25 26 27 30 33 The above grid applies to NJC LG staff only	☑ See grid to left Staff working term time only have pro-rata Leave included in salary	☑ 32 days rising to 33 after 15 years ¹ continuous service. Pro rata for part time employees	Full-time Teachers are required to work 195 days per school year, (Sept-August (pro-rata for part-time teachers) and take their leave in school closure periods	Full-time Teachers are required to work 195 days per school year (Sept-August) (pro-rata for part-time teachers) and take their leave in school closure periods	☑ 32 days annual leave rising to 37 after five years ¹ continuous service. Pro rata for part time employees
<u>Compulsory Unpaid Leave</u>	To facilitate a close down of non-frontline buildings over the Christmas period (see guidance document for further information)	2 days unpaid leave applies for all staff – pro-rata for part time staff (CCW staff exempt from this, as agreed by the Governing Body). Where possible, this will be taken between Boxing Day and New Year, alongside annual paid leave for the remainder.	☑	☑	n/a	n/a	☑
<u>Public/Bank Holiday entitlement</u>	All NYCC staff are entitled to the following Public Holidays from the commencement of employment Pro rata entitlement for part-time staff	<ul style="list-style-type: none"> • New Year’s Day • Good Friday • Easter Monday • May Day (first Monday in May) • Spring / Whitsuntide Bank Holiday (last Monday in May) August Bank Holiday (last Monday in August) • Christmas Day • Boxing Day (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).	☑	☑	☑	☑	☑

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Leave type and policy section	Description	Entitlement	NJC LG	Soulbury	Teachers (Centrally Employed)	Teachers (Schools)	JNC Y&CW
Flexi-leave	Leave taken with manager's approval using hours accrued under the flexi-time scheme. Pro-rata for part-time staff. (Only applicable to certain services and posts.)	Up to 12 days leave per year in half or full days: no more than 2 days per month. Carry forward no more than 15 hours credit or 7.5 hours debit per month.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> (refer to local arrangements in CYPS)	N/A	N/A	
Time Off In Lieu (TOIL)	Similar to Flexi time, this is a method of allowing staff time off for extra hours worked. (Only applicable to designated staff)	TOIL is given for staff who have worked on Public Holidays (in addition to pay). Otherwise, Directorate guidance is available for the use of TOIL in certain services. This is through agreement with line managers and is used for support staff at Caedmon College Whitby to be taken against the equivalent of a week's paid training days, in agreement with the postholder's line manager. The aim of this should be to have a zero amount of time owing or owed at the end of the academic year. Some time may be carried forward in agreement with the line manager, where it has been agreed that this will all be taken during the next academic year, without the amount of time owing or owed increasing further.					
Credited Medical Appointments	Hospital/Clinic Appts Doctor/Dental/ Opticians Appts Specific Medical Appts	As detailed in the leave guidance sections	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Teaching staff required to make appts outside the school day where possible. Otherwise at manager's discretion (Hospital appts normally allowed with pay)	Teaching staff required to make appts outside the school day where possible. Otherwise at Principal's discretion as to whether paid (Hospital appts normally allowed with pay)	<input checked="" type="checkbox"/>
Antenatal	Care during pregnancy including relaxation and parenting classes.	Paid time off for antenatal care is given to all staff expecting a child. Appointment cards should be provided. Fathers and partners are entitled to attend up to 2 antenatal appointments (with proof of the appointment to be provided in advance).	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory

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Fertility Treatment	Leave to attend hospital for treatment	Credited medical leave for hospital appointments up to a maximum of 10 visits per annum (evidence of appointments to be provided).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Gender Reassignment	Employees undergoing gender reassignment.	Credited medical leave for hospital appointments. Own time for other treatment.	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory
Maternity	Applies to women who are pregnant	Ordinary Maternity Leave of 26 weeks. 26 weeks additional leave. Occupational and/or statutory pay applies dependent on service.	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory
Leave type and policy section	Description	Entitlement	NJC LG	Soulbury	Teachers (Centrally Employed)	Teachers (Schools)	JNC Y&CW
Maternity Support leave	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 employees.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Teaching staff excluded via burgundy book but have Paternity Leave provision	Teaching staff excluded via burgundy book but have Paternity Leave provision	<input checked="" type="checkbox"/>
Pre-Adoption	Applies to staff applying to be adoptive parents	Paid leave of up to 5 days (pro-rata for part-time staff) to attend sessions as part of the adoptive process that cannot be held outside of work time.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Adoption	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.	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory
Foster Carer's Leave	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 2 days paid leave to attend annual review, on-going training and other meetings relevant to the placement of the young person	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Paternity	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	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory

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<u>Additional Paternity Leave</u>	For babies due, born or adopted from 3 April 2011 regulations changed to provide the opportunity for individuals to be able to apply for additional paternity leave.	This paid leave is for a maximum of 26 weeks and, providing the partner has returned to work, can be taken between 20 weeks and one year after the child is born / adopted.	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory
<u>Compassionate (paid)</u>	Bereavement within family, including in-laws, step families and grandparents. Attending seriously ill dependants.	Up to 3 days paid leave for bereavement or attending seriously ill dependants. Up to 5 days paid leave where the bereavement arrangements are the primary responsibility of the employee, at the discretion of the Principal.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Up to 3 days paid leave for bereavement or attending seriously ill dependants.	Up to 3 days' paid leave per annum for bereavement or attending seriously ill dependants.	<input checked="" type="checkbox"/>
<u>Interview leave</u>	Leave to attend interviews for other NYCC post or other Local Authority post.	Leave with pay up to one day per annum.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Leave for interviews requiring more than one day at the discretion of the Principal. May also include pre-interview visits to schools.	<input checked="" type="checkbox"/>
<u>Public Service</u>	For specific public duties. Election Duties Jury Service Territorial Army Service or Non-Regular Forces	Up to 12 days paid leave (pro rata for part time), which can be extended at the discretion of the manager. Paid time off Paid time off Leave to attend Summer Camps Paid time off, up to 12 working days including training days.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
<u>Study leave (paid)</u>	Paid leave for work-related study as approved.	Up to 1 day's leave per exam to a maximum of 5 days, at the discretion of the Principal.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
<u>Time off for Trade Union duties</u>	Please refer to the Time off for Trade Union Duties & Activities Agreement on the intranet. This applies to Unison only.						

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UNPAID

Leave type and policy section	Description	Entitlement	NJC LG	Soulbury	Teachers (Centrally Employed)	Teachers (Schools)	JNC Y&CW
Parental (Unpaid)	Available to all with parental responsibilities	Up to 13 weeks unpaid leave before the child's 5th birthday, or 18 weeks unpaid leave before the 18 th birthday of a child receiving disability allowance. Parents of adopted children are entitled to up to 13 weeks unpaid leave in the first five years following placement, provided this is not later than the child's 18 th birthday	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory
Dependants (unpaid)	Available to all employees with dependants. A dependant is the husband, wife, or partner, child or parent of the employee and also includes someone who lives in the same household as a member of the family, but not tenant or boarder or live-in employees.	Up to 2 days' unpaid leave when an emergency arises regarding a dependant. This is a statutory provision.	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory	<input checked="" type="checkbox"/> Statutory
Leave type and policy section	Description	Entitlement	NJC LG	Soulbury	Teachers (Centrally Employed)	Teachers (Schools)	JNC Y&CW
Extended Leave (unpaid)	Unpaid leave for a period of not more than 3 months.	Following a minimum of 6 months' NYCC service, an employee may request a period of extended unpaid leave from their post for caring or personal reasons, including personal development. (Replaces Career Break Scheme.)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	At the discretion of the Principal/Gov Body	<input checked="" type="checkbox"/>
Other Unpaid Leave (unpaid)	Staff can apply for up to 10 days additional leave (unpaid)	Spread the cost across the rest of the leave year. Must be authorised by manager. Can be used to cover any request/reason including the following: <ul style="list-style-type: none"> • Special Leave • Emergency • Bad Weather • Religious See sections below:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>

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<p><u>Special Leave (unpaid)</u></p>	<p>A number of days (a short period) of unpaid leave may be requested to deal with personal or domestic issues</p>	<p>This must have manager’s approval. Staff need to tell their Line manager the reason for the absence and their expected 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.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>At the discretion of the Principal/Gov Body</p>	<input checked="" type="checkbox"/>
<p>Emergency (unpaid)</p>	<p>For serious home or domestic problems</p>	<p>Unpaid time off not normally more than one working day, with manager’s agreement.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>At the discretion of the Principal/Gov Body</p>	<input checked="" type="checkbox"/>
<p>Bad Weather / Emergency</p> <p>Please refer to Infectious diseases</p>	<p>Staff prevented from attending work by severe weather, epidemics, fuel shortages etc.</p>	<p>All options should be explored in order to maintain the service. These include: -Working from home -Working at a NYCC establishment closer to the employees home -Different working times -Taking flexi-leave -Taking annual leave -unpaid leave (see sect on dependants) Where flexi-leave or annual leave have been used, 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>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>All options should be explored in order to maintain the service. These include: -Working from home -Working at a NYCC establishment closer to the employees home -Different working times, only in exceptional circumstances does the manager have discretion to authorise paid leave subject to approval as necessary.</p>	<p>If the Principal is satisfied that all reasonable efforts have been made to attend work, leave may be paid – otherwise unpaid</p>	<input checked="" type="checkbox"/>
<p><u>Religious Matters</u></p> <p>Festivals /Holidays Prayer Times/Fasting</p>	<p>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 See section details</p>	<p>Negotiated time off with Line Manager using annual leave, flexi leave, unpaid leave or lieu time. A number of days (unpaid) special leave can be taken to attend religious gatherings and festivals.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Up to 3 working days with pay. Equivalent time should be worked in lieu.</p>	<p>Up to 3 working days with pay. Equivalent time should be worked in lieu.</p>	<input checked="" type="checkbox"/>

Recommendation: While schools staff, support and teaching, work in a different environment where the (Corporate) Leave procedure may not always apply it is strongly recommended that school governing bodies adopt this procedure where they can. Where a type of leave is a statutory provision then governors must take steps to make sure that they are legally compliant and provide this type of leave where legitimately requested.