



The Consortium Trust

Where together excellence and pupils thrive

Discretionary Leave Policy

1. Introduction.

- 1.1 Consortium's Board of Trustees recognises that the success of Consortium depends upon the contribution of all staff and gives full acknowledgement that a fair and effective policy on Discretionary Leave of Absence contributes to the maintenance of staff morale and thereby our success.
- 1.2 This policy sets out the Discretionary Leave of Absence provisions to make sure requests for leave of absence are dealt with in a fair and consistent way. The needs of students and the operational requirements of the school / other provision must be given the highest priority and therefore there will be times when a request for leave is refused. The examples of discretionary leave given are non-exhaustive and where circumstances arise which are not identified in this policy the Academy Head or line manager for central staff has authority to make the final decision on whether or not leave is granted, and whether it is with or without pay.
- 1.3 This policy and procedure also sets out what you must do in the event that you must take leave of absence because you have a personal emergency.
- 1.4 The statutory (required by law) leave of absence provisions are generally outside the scope of this policy though they are noted where they bear a relationship to a request for discretionary leave of absence. If you need clarification on whether the leave of absence that you want to take is statutory or discretionary then you must speak to either the Academy Head or a member of the Trust's HR team.
- 1.5 This policy does not cover leave which is included in the policies and procedures listed below:
 - > [Maternity/Paternity/Parental/Adoption Leave](#)
 - > [Flexible working](#)
 - > [Sickness absence](#)
- 1.6 This policy applies to all teaching and support staff. This policy is non-contractual and may be amended at any time with the approval of the Trustees and in consultation with the relevant trade unions.

2. Procedure and Decision Making

- 2.1 Except in emergencies, authorisation to take leave of absence must be requested from the Academy Head or line manager for central staff as soon as the need for the leave is known.

Where the leave of absence request is made by the Academy Head, the request should be made to the Chair of the Locality Committee.



The Consortium Trust

Where together excellence and pupils thrive

- 2.2 Requests for leave of absence and approval/refusal of such will be dealt with in a fair and consistent manner, having regard to the nature of the request, statutory obligations, pupil educational provision, service needs, eligibility, any previous requests and the degree of flexibility that you already have in your current working arrangements. Non-emergency leave of absence must not be taken unless and until it has been approved in advance.
- 2.3 Where an **emergency** arises you must notify the school or establishment by telephone as soon as is reasonably practicable, giving the reason for the absence and how long you expect to be absent from work to deal personally with the emergency which cannot be dealt with by anyone else.
- 2.4 A confidential record of requests for leave of absence and whether or not the request was granted will be maintained. Members of the Pension schemes will be informed about the impact of taking unpaid leave on their pensionable service.
- 2.6 Unpaid leave of absence will be calculated using the employee's hourly rate.

3. Discretionary Leave of Absence

See accompanying guidance.

4 Statutory Leave of Absence for Public Duties

- 4.1 Employees are entitled to a reasonable amount of **unpaid** time off work by law to carry out certain public duties. Public duties include service as a:
- > Tribunal member
 - > Magistrate
 - > Local councillor
 - > Member of an NHS Trust
 - > Prison visitor
 - > Lay visitor to police stations
 - > School governor
- 4.2 As soon as you are aware that you will require time off for performance of a public service you should request leave of absence from the Academy Head or line manager for central staff.
- 4.3 The school or establishment will agree to requests for **paid** time off to undertake public duties wherever reasonably possible having regard to the criteria set out in this policy.



The Consortium Trust

Where together excellence and pupils thrive

- 4.4 Each request for time off will be considered on its merits, in the circumstances in which it is made including:
- > Whether the activity is reasonable in relation to your employment
 - > How much time off is reasonably required for the duty in question
 - > How much time off you have already taken for the public duty in question
 - > How your absence will affect the school.

5. Jury Service (Read in conjunction with Guidance)

- 5.1 You must inform your Academy Head or line manager for central staff as soon as you are summonsed for jury service and provide a copy of your Jury Service Summons and the accompanying Loss of Earnings form. Where, in our view, the release of an employee for jury service raises significant teaching or operational problems, assistance will be provided to the employee in order to appeal to the court to re-arrange or cancel the dates of service.
- 5.2 Employees attending Jury Service are usually able to claim compensation from the court for loss of earnings. We will make up the Loss of Earnings allowances to your normal level of earnings. We must complete the Loss of Earnings form and you must give the completed form to the Clerk of the Court on your first day of Jury Service.
- 5.3 Upon completion of Jury Service, the Court will pay an employee for travel, subsistence and Loss of Earnings and provide a remittance advice. This advice **MUST** be forwarded to the central Finance team within 3 days of your return to work.
- 5.4 Your salary will be reduced by the "Juror's Loss" paid by the Court. Pension contributions are not affected. An Employee cannot be paid twice by the Court and the school for the same days.
- 5.5 Where jury service lasts for less than half a day you must return to work for the remainder of the day wherever practicable. You must keep your Academy Head or line manager for central staff regularly informed about how long you are likely to be away from work.
- 5.6 Employees are protected from being subjected to a detriment or being dismissed, as a result of being summonsed to attend for service as a juror or being absent from work on jury service.

6. Statutory Dependent Care Leave

- 6.1 Employees have a right to take a reasonable amount of **unpaid** time off work when it is necessary to:
- (a) provide assistance when a dependent falls ill, gives birth, or sustains serious injury;
 - (b) make longer-term care arrangements for a dependent who is ill or injured;
 - (c) take action required in consequence of the death of a dependent;
 - (d) deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependent; and/or
 - (e) deal with an unexpected incident involving their child during school hours (or those of another educational establishment)



The Consortium Trust

Where together excellence and pupils thrive

6.2 A **dependent** for the purposes of this paragraph 6.1 is:

- (a) an employee's spouse, civil partner, parent or child or other individual for whom the employee has responsibility as a carer;
- (b) a person who lives in the same household as the employee, but who is not their tenant, lodger, boarder or employee; or
- (c) anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to in 6.1 above.

Document Control

Changes History

Version	Date	Amended By	Details of Change

Approval

Name	Job Title	Signed	Date
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	10/07/19
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	10/07/19

Equality Impact Assessment

Date	Name	Details

END OF DOCUMENT