



NON-SICKNESS ABSENCE POLICY

St Bartholomew's Primary School

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| Date agreed by Governing Board | December 2022 |
| Signature of Chair of Governors | <i>Bettina Carlyon</i> |
| Date to be reviewed by Governing Board | December 2024 |

This version supersedes all previous versions of this policy

NON-SICKNESS ABSENCE

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1. ABOUT THIS NON-SICKNESS ABSENCE POLICY

- 1.1 This policy sets out our arrangements for non-sickness absence under the following headings:
- Compassionate Leave;
 - Discretionary Leave;
 - Time off for Public Duties.
- 1.2 In this policy **Near Relative** refers to spouse or partner, child, stepchild, grandchild, parent, step-parent, parent-in-law, grandparent, brother or sister, stepbrother or stepsister, or brother or sister-in-law.
- 1.3 This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

2. COMPASSIONATE LEAVE

- 2.1 This section deals with Compassionate leave, which is designed to help you cope with the death of a close relative, deal with necessary arrangements and attend their funeral. It may also be granted where a close relative is seriously or critically ill.

2.2 Entitlement to Compassionate Leave

- 2.2.1 You are entitled to take paid Compassionate leave of up to **5 working days** in any **12-month** period in respect of a Near Relative.
- 2.2.2 We may exercise our discretion to grant a period of unpaid compassionate leave in respect of any other relative or close friend, depending on the circumstances of each case.
- 2.2.3 If you are still unable to return to work following an authorised period of compassionate leave you should contact the Headteacher. It may be appropriate to take a period of annual leave, subject to approval by the Headteacher, or we may at our

discretion grant you further unpaid leave in those circumstances.

2.3 Requesting Compassionate Leave

- 2.3.1 We recognise that it may not always be possible to request compassionate leave well in advance. However, where it is possible, you should make a request to the Headteacher at least **5 working days** before the start of the proposed compassionate leave. You should tell them the reasons for your request and the number of days leave you would like to take.
- 2.3.2 Where it is not possible to request leave **5 working days** in advance you should contact the Headteacher as soon as possible to tell them the reason for your absence and the number of days you expect to be absent. Someone can do this on your behalf if necessary.
- 2.3.3 In exceptional circumstances we may have to refuse a request for compassionate leave and will give you a written explanation of the reasons. If you are dissatisfied with this decision you may appeal to the Chair of Governors in writing within 1 working day of receiving our written reasons.

3. DISCRETIONARY LEAVE

- 3.1 We may at our discretion provide up to **5 days** paid discretionary leave and up to **5 days** unpaid discretionary paid leave in any **12 month** period for unplanned or unavoidable events which take place during term-time and not falling within other sections of this policy.
- 3.2 **Examples of Circumstances where Discretionary Leave May Be Granted**
- 3.2.1 Moving house;
- 3.2.2 Job interviews within the education sector;
- 3.2.3 Visiting a new school during term-time prior to taking up appointment;

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3.2.4 Attendance at a degree ceremony for yourself or a Near Relative;

3.2.5 Attendance at medical/dental appointments which cannot be taken outside working hours;

3.2.6 Religious observance which falls within term time and where annual leave cannot be taken.

3.3 Circumstances where Discretionary Leave Will Not be Granted

3.3.1 Weddings taking place during term-time.

3.4 Leave for Civil/Criminal Witnesses

3.4.1 Giving evidence in a case against the School by someone else – paid time off as part of duties.

3.4.2 Giving evidence in a case against the School brought by the employee – paid time off as equitable employer behaviour.

3.4.3 Giving evidence in a criminal case (other than against the employee) – paid time off provided that there is a witness order/summons and only for the balance not covered by any relevant expenses scheme in operation.

3.4.4 Giving evidence in a civil case – unpaid time off provided that there is a witness or the employee is the Claimant or Defendant.

3.5 Applying for Discretionary Leave

3.5.1 If you wish to apply for Discretionary Leave you should complete the Form NSAP D1.

3.5.2 For term-time religious observance the application for Discretionary leave must be made at least **4 working weeks** before the intended absence.

3.5.3 For all other issues the application must be made at least one working week before the intended absence.

4. TIME OFF FOR PUBLIC DUTIES

4.1 We wish to enable employees to perform any public duties that they may be committed to undertake and so will give them time off to do so where it does not conflict with our operational needs.

4.2 Jury Service

4.2.1 You should tell your line manager as soon as you are summoned for jury service and provide a copy of your summons if requested. Depending on the demands of the School we may request that you apply to be excused from or defer your jury service.

4.2.2 We are not required by law to pay you while you are absent on jury service. You will be advised at court of the expenses and loss of earnings that you can claim. If your School subscribes to an annual insurance product covering Jury Service, payments may be made to you in accordance with the terms of that scheme.

4.3 Voluntary Public Duties

4.3.1 Employees are entitled to a reasonable amount of unpaid time off work to carry out certain public duties, including duties as a tribunal member, magistrate, local councillor, member of an NHS Trust, prison visitor, police station lay visitor or school governor.

4.3.2 If you are unsure whether a public service you perform is covered you should speak to the Headteacher.

4.3.3 As soon as you are aware that you will require time off for performance of a public service you should notify the Headteacher in writing, providing full details of the time off that is being requested and the reasons for your request. In order that

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arrangements can be made to cover your duties in your absence you should make your request in good time.

- 4.3.4 Each request for time off will be considered on its merits taking account of all the circumstances, including how much time is reasonably required for the activity, how much time you have already taken, and how your absence will affect the School.

4.4 Reserve Forces Duties

- 4.4.1 We are aware that employees who are members of the Reserve Forces (the Territorial Army, Royal Navy Reserve, Royal Marines Reserve or Royal Auxiliary Air Force) may be called up at any time to be deployed on full-time operations, and are expected to attend regular training.
- 4.4.2 We are under no obligation to offer leave (either paid or unpaid) for reservists to undertake training. You should use existing holiday entitlement to meet training commitments.
- 4.4.3 If we receive notice that you have been called up for active service we may apply to an adjudication officer for the notice to be deferred or revoked if your absence would cause serious harm to the School (which could not be prevented by the grant of financial assistance).
- 4.4.4 Once your military service has ended you may submit a written application for reinstatement to your employment. This should be made by the third Monday following the end of your military service and you should notify us of the date on which you will be available to restart work.
- 4.4.5 If it is not reasonable and practicable to reinstate you into your former employment we will offer you the most favourable alternative on the most favourable terms and conditions which are reasonable and practicable.

- 4.4.6 When calculating the length of your continuous employment with us, the period of absence on military service will not be counted. The period of employment before your mobilisation and the period after your reinstatement will be treated as continuous.

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FORM NSAP DI Application for Discretionary Leave

Please complete this form and return it to the Headteacher
See our Non-Sickness Absence Policy – Section B

To be completed by the employee

Name of School _____

Name _____

Job Title _____

Circumstances under which you are applying for Discretionary Leave

Date/s of start of absence: _____

Please state briefly why you are requesting Discretionary leave:

How many days Discretionary leave have you taken in the last 12 months? _____

How many were paid? _____

How many were unpaid? _____

How many days discretionary leave are you requesting? _____

How many paid? _____

How many unpaid? _____

PLEASE ATTACH THE APPOINTMENT LETTER/CARD WHERE APPLICABLE

Signed: _____

To be completed by the Headteacher

Leave granted ☐

Leave not granted ☐

Comments (if required)

Signed _____

Date _____

Note: Please ensure **Unpaid** Discretionary Leave agreed is entered on the appropriate staff return and clearly marked as unpaid.