



Absence Request Guidance for Howe Dell School & Day Care

Adopted by Howe Dell School: October 2021

Reviewed: Spring 2025

Next review date: Spring 2027

Objective and Guidance

This is guidance to assist Head Teachers and Governing boards in making decisions about requests for leave in accordance with legal, contractual and moral obligations.

This guidance covers annual leave, family leave and other leave. A principal purpose in setting out these guidelines is to ensure that requests are dealt with fairly and consistently. This document incorporates the following Herts for Learning documents: Time Off for Medical Reasons, Time Off for Public Duties and Time Off Work guidance.

The guidance applies to all employees of Howe Dell School and Day Care. It does not form part of any employees' contract of employment.

Any request for absence/time off should be on a yellow form which can be found in the school office (example attached). Please note that those working 52 weeks per year should continue to book their annual leave in the normal way and use this request for other circumstances only.

Principles

- Annual leave and occupational sick leave will be in accordance with the relevant conditions of service for teachers and support staff
- Other leave of absence will normally be on an unpaid basis, unless otherwise specified.
- All leave allowances should be applied pro rata to an employee's contracted hours, unless otherwise stated
- The operational needs of the school will be paramount and, except in emergency circumstances, adequate notice of a request for leave of absence must be given
- The responsibility for exercising discretion on behalf of the Governing Board is the Executive Head Teacher or in the case of Day Care, it is the responsibility of the Day Care Manager
- Any dispute or grievance about a request for leave of absence or payment during leave of absence will be dealt with through the schools Grievance Procedure; there is no right of appeal to a leave request being declined
- All requests for leave must be submitted to provide the school with reasonable notice.
- It should not be assumed approval has been given until a response has been provided by the Executive Head Teacher
- Where the request for leave concerns the Executive Head Teacher requests should be made to the Chair of Governors
- Where a number of day's leave are specified these are limits in any one leave year

Scope

This guidance relates to requests for time off work for ad-hoc or one off events, including but not limited to:

- Bad Weather Conditions
- Appointments, including with banks / solicitors, blood donation
- Family events, such as graduation ceremonies or weddings of close family member
- Domestic emergencies, such as a flood or damage to property
- Moving house
- Religious Observance/Festivals
- Sporting or volunteering activities

Please note that there are separate guidance notes relating to requests for other forms of time off work available on the HR Portal. These include:

- Annual Leave for Support Staff
- Career Breaks

- Time off for Medical reasons
- Time off for Reservists
- Bereavement leave
- Time off for Trade Union duties, including safety representatives
- Time off for Public Duties, such as for jury service, court proceedings, magistrates, local councillors or school governors
- Time off for dependants
- Family Leave, including Adoption Leave, Maternity Leave, Paternity Leave, Unpaid Parental Leave, and Shared Parental Leave

Time off request considerations

Consideration should be given to requests in line with operational requirements and the needs of the school. A sensitive approach can help keep a good working relationship with employees and help keep the workplace productive. Each individual situation is likely to be different so the circumstances surrounding each request should be taken into account.

Consideration should be given to aspects including, but not limited to the following:

- The employee attendance record;
- The number and frequency of requests for time off;
- The individual circumstances requiring time off during working time;
- The needs of the school;
- The consistency with other employee requests.

Handling requests for time off

Unless there is an emergency, employees should submit any requests for time off at least two working weeks in advance of the proposed leave dates to allow the school adequate time to consider it, last minute requests should only be considered in emergency or serious circumstances.

Sometimes an informal meeting will need to be held with the employee to discuss the request. Records of requests and decisions should be retained on employee files. A template time off work request is included in this guidance and is available from the school office.

In an emergency, the employee must inform the Executive Head Teacher or relevant line manager by telephone and complete the form retrospectively on their return to work. If an employee takes time off which has not been authorised, they may be subject to disciplinary action under the school's disciplinary policy and procedures.

Pay during time off

Head Teachers have the discretion as to whether, if authorised, requests for time off are paid or unpaid. Whilst taking into consideration individual circumstances, Executive Head Teachers should ensure fairness, equity and consistency in their approach towards agreeing time off and whether or not to pay employees for this time off.

Unpaid leave and pension deductions (Local Government Pension Scheme)

Pension contributions will not automatically be made for any periods of unpaid leave, as they are calculated according to actual pay. If an employee who takes unpaid time off wishes to request to pay an Additional Pension Contribution (APC) to cover the amount of pension 'lost' during a period of unpaid leave they should make an election to the Local Pensions Partnership within 30 days of returning to work.

Employees can visit www.lgps2014.org/content/how-do-i-buy-extra-or-lost-pension and click the 'Buy Lost Pension' option to calculate the cost to buy back lost pension. Contact the schools' payroll provider to find out the amount of lost pensionable pay to enter into the website.

After using the quote on the website above, employees should, using the application form provided on this website, submit the application to your school's payroll provider and send a

copy to the Local Pensions Partnership
Contact the LPP on 01992 555 453 or email askpensions@localpensionpartnership.org.uk with any questions about the purchase of lost pension.

Moving house

Up to 2 days unpaid leave will be granted.

Carry-over of annual leave

The School expects employees who are covered by Local Government terms and conditions of employment to take their full entitlement of leave in each leave year, which runs from April to March. Where this is not possible due to exceptional circumstances, with the knowledge of and by arrangement with the Executive Head Teacher, employees may carry forward 5 days to the next annual leave year, provided this is taken prior to 31 May.

Religious Festivals

Where staff can show that they are bona fide adherents of any organised religion and that they require leave for the purpose of an official holy day, the Governing board will allow up to 2 days leave.

Sporting Events

Where staff can show they are representing their country they should write to the Executive Head Teacher so that arrangements can be made for paid or unpaid leave.

Bad weather conditions

There may be circumstances when the employee is unable to attend work due to bad weather but the school remains open as usual. All reasonable effort should be made to attend work. Alternative arrangements may be agreed with the Executive Head Teacher, e.g. working from home or at a different location. Where this is not possible, non-attendance will normally be treated as unpaid leave.

Time off for Public Duties

Jury Service

Employees will be notified of a requirement to carry out Jury Service by letter from the courts. A copy of this letter should be given to the Executive Head Teacher and a request made for time off at the earliest opportunity.

Unless the absence would have a serious impact on the business then the school recognises that it must approve the time off.

Employees will receive normal pay during the period of Jury Service on the condition that they complete the Certificate of Loss of Earnings or Benefit form to receive reimbursement from HM Courts and Tribunals Service. Employees will be paid as normal until the reimbursement has been processed whereupon they will provide the School with the Remittance Advice Slip they receive and the School will make the appropriate deduction for equivalent monies from the employee's pay.

Attending court as a witness

Employees can be asked to attend as a witness in proceedings under both the Criminal Courts and the Civil Courts. In such circumstances an employee may be issued with one of the following:

- A court summons or subpoena, which requires their attendance and the need for them to give evidence;
- A witness warning letter by the Police requiring them to attend court;
- A court order requiring their attendance

- Schools must allow employees time off work to attend court proceedings if they have been issued with one of the above

Schools should be aware that the notice given to a witness can vary from a couple of weeks to only a few days. It is also possible that the date is postponed or cancelled any time leading up to the planned date, and even on the day itself. As an employer, it means that your employee may not have the ability to give much notice and that the agreed arrangement may be changed.

Pay arrangements

Schools are not legally required to pay employees for time off to attend court as a witness. However, schools should have regard to the role of court attendance in undertaking public duties and as such may wish to pay employees for the time off in recognition that doing so can contribute to building trust and reflects good practice in employee relations.

In some cases it may be possible for an employee to claim loss of earnings from the Court or claim for expenses for attending court. Advice for employees can be obtained from the Gov.uk website here: <https://www.gov.uk/going-to-court-victim-witness/expenses-for-going-to-court>, or from the Citizens Advice Bureau here: <https://www.citizensadvice.org.uk/law-and-courts/legal-system/going-to-court-as-a-witness1/>.

Attending court on a voluntary basis

If your employee has been asked to attend a Court hearing as a potential witness voluntarily and wishes to do so, you do not have to agree to time off work but it is good practice to try and reach mutual agreement on how this time off can be facilitated. For example, you can ask them to take this time as annual leave (where they have time to take) or you can agree to unpaid time off work.

Other Public Duties

A school employee should be granted reasonable time off to undertake public duties associated with the following:

- A magistrate (also known as a justice of the peace)
- A local councillor
- A school governor
- A member of any statutory tribunal (for example an employment tribunal)
- A member of the managing or governing body of an educational establishment
- A member of a health authority
- A member of the Environment Agency
- A member of the prison independent monitoring boards
- A member of a Water Customer Consultation Panel

Whilst time off does not have to be paid it is not uncommon for schools to grant some paid time off to school governors to help support the wider education system.

It is important to note that Legislation does not define how much time off schools must give employees other than to specify that the amount of time off must be "reasonable in all the circumstances".

When considering reasonableness schools should consider the whole circumstances of the request including:

- how much time off is required for the employee to perform the duties
- how much time off the employee has already been permitted to take for public duties or trade union duties and activities
- the effect that the employee's absence will have on the running of the school.

Time Off for Medical Reasons

Occupational Health (OH) Appointments

When referred under the School's Sickness Absence management policy, there is an expectation that employees will attend any OH appointments once arranged. These will normally be in the employee's working time and are paid absences.

Medical appointments

Reasonable time-off for employees to attend medical appointments, which are unable to be arranged out of working hours or in the holidays can be given. Before arranging non-urgent doctor's medical appointments, employees should seek the approval of their Executive Head Teacher and make every attempt to make these appointments at the beginning or end of the day or during lunch breaks, to minimise the time they have to be absent from work.

Routine doctor or dentist appointments, e.g. check-ups, should not be taken during term time or working time for those working in holiday periods. As per the Health and Attendance Policy, time off for such appointments is unpaid unless discretion is applied by the Head.

Elective procedures should be arranged during holiday periods and will usually be unpaid.

Medical Screening

Where possible, screening should be arranged outside of working time. If not possible, paid time off will be granted for medical screening (including cancer screening) where required by the employee's medical advisors.

Maternity, Paternity, Adoption Carers Leave and Antenatal care

There are specific entitlements for maternity, paternity, adoption, carer's leave and antenatal care contained in the Carers Guide for Schools, a copy of which can be obtained from the school office.

Time off for Dependants Policy

There is a specific policy for this. Please ask the Office Manager for a copy of the policy.

Unauthorised Absence

If an employee takes leave of absence without the prior consent of the Executive Head Teacher this will be investigated and could be considered Gross Misconduct under the Disciplinary Policy and Procedure.

Annual leave entitlements will be pro rata for part time staff working 52 weeks per year.

Staff engaged on a term time only basis are not be permitted to take leave at any other time except during school holiday periods unless permission from the Executive Head Teacher has been granted.



Time off work request form

Please return this completed form to the Executive Head Teacher/Day Care Manager.

You must seek approval for non-emergency leave at least two weeks before the first day of absence.

Part A (for completion by employee)

Full Name	
Job Title	
Date of Request	
Date / time required from	
Date / time required to	

Reason for Request

Please detail below and continue on a separate sheet if necessary

I have attached a copy of any relevant appointment card or supporting documentation (if relevant).

Signed _____

Date _____

Part B (for completion by the line manager or Executive Head Teacher)

Your request for time off work is:

- Approved with pay
- Approved without pay

If your request has not been approved, it was for the following reason(s):

- Operational difficulties in covering absence
- Impact absence would have on continuity of educational needs
- Referred to governors for decision (outside of policy)
- Other
Specify reason(s) for non-approval in the box below

Signed _____

Print Name _____

Job Title _____

Date _____

Absence flowchart

Is this an emergency?
 An emergency is when leave is being requested less than 24 hours in advance of the date of absence, for a reason that the employee didn't know about beforehand.

No

Yes

Does the request relate to one of these special circumstances?

- Disability leave
- Moving house (up to two days unpaid)
- Sporting events
- Attendance at court proceedings
- Public duties
- Study/examination leave
- Bad weather conditions
- Maternity, paternity, adoption or carers leave / ante-natal care
- Career break/extended leave of absence
- Jury service

Is this a minor emergency? – e.g.

- minor sickness of a dependant
- unexpected disruption of care arrangements for a dependant
- home emergency such as flooding or boiler breakdown
- minor personal crisis

Or a serious emergency? – e.g.

- serious incident involving a dependant or immediate family member e.g. falls seriously ill, is injured or assaulted, or dies
- serious personal crisis
- unexpected termination of care arrangements for a dependant

Yes

Minor

Serious

No

Specific rules are applied to these special circumstances, please refer to the absence guidance document.

Does the minor emergency relate to you?

- Unpaid unless exceptional circumstance

Does the minor emergency relate to a dependant?

- Unpaid unless exceptional circumstance

Compassionate or emergency leave.
 Up to five days' paid leave per leave year for compassionate or emergency leave. The time off is to enable an employee to cope with a crisis, and where necessary to make longer term care arrangements for a dependant.

Is the request to attend a funeral, wedding or other one-off, ad-hoc event?

Yes

Leave will be approved and paid to attend the funeral of an immediate family member of the employee (parent, spouse, husband, wife, civil partner, cohabiting partner, sibling, grandparent or child). Leave to attend funerals of another close relation or close friend may be granted but is unpaid.

Leave to attend your own wedding, or the wedding of an immediate family member will be approved for one day's paid leave.

One off, significant family events will be approved as paid as long as a reasonable notice period is provided (at least two working weeks).

Is the request to attend a religious festival?

Yes

Where employees are bona fide adherents of any organised religion and require leave for the purpose of an official holy day, up to two day's paid leave may be approved.

Is the request to attend a job interview?

Yes

Up to a maximum of five days paid leave of absence for job interviews, to cover both formal and informal stages, during any one academic year. Further leave of absence for this purpose will be on an unpaid basis.

Is the request to attend a medical appointment?

Yes

Before arranging non-emergency medical appointments, for either themselves or dependants, employees should seek the approval of their line manager if it is necessary to take time off work. Employees should make every attempt to make these appointments at the beginning or end of the day or during lunch breaks to minimise the time they have to be absent from work. If not made at these times, the absence will be unpaid

Medical Screening - Where possible, screening should be arranged outside of working time. If not possible, paid time off will be granted for medical screening (including cancer screening) where required by the employee's medical advisors

Appointments for optical, dental, orthopaedic, or other routine medical treatment should not be taken during term time or working time for those working in the holiday period

Elective procedures should be arranged during holiday periods and will usually be unpaid. IVF – there is no statutory right to time off work but the discretion for up to 5 days is not uncommon

Occupational Health appointments are a paid absence.

If the appointment is for a dependant:
 Non-emergency medical appointments for dependants will usually be approved but unpaid.

None of the above

All other requests will be considered as 'other exceptional reasons' on a case by case basis.

Approval will depend on a consideration of the impact the request will have on the school. If approved, such requests are likely to be unpaid.

If an employee takes leave of absence (non-emergency) without prior approval from the Executive Head Teacher, it will be investigated and could be considered gross misconduct under the Disciplinary Policy and Procedure.