



NORTHAMPTON PRIMARY
ACADEMY TRUST PARTNERSHIP

Management of Absence Policy

Date approved by the NPAT Board of Directors:	11 October 2018
Chair of Directors Signature:	
Renewal Date:	October 2020

Introduction

1. The Northampton Primary Academy Trust Board of Directors recognises its responsibility for the health, safety and welfare of its staff. This Management of Absence Policy sets out procedures for reporting and requesting absence and for the management of absence in a fair and consistent way.

This policy covers all circumstances where absence from work may be required. It is split into four sections:

- Sickness Absence
- Discretionary Leave of Absence
- Training and Study Leave

The appendices at the end of the policy contain the relevant procedures, forms and documentation for the implementation of the policies.

2. Terms of Reference

- 2.1. For all employees employed by the Board of Directors of Northampton Primary Academy Trust

2.2. Definitions:

“Head Teacher” also refers to any other title used to identify the Head Teacher, where appropriate, or other senior manager delegated to deal with the matter by the Head Teacher.

“Companion” refers to a person chosen by the employee to accompany him/her, who shall be a trade union representative or a workplace colleague.

“School” refers to any school that is part of Northampton Primary Academy Trust.

Section 1 – Sickness Absence

1. Introduction

- 2.3. This section of the policy places emphasis on proactive support for staff in the event of ill health difficulties (see below). This policy does not form part of any employee's contract of employment and it may be amended at any time. Procedures set out in this policy, including any time limits, may be varied as appropriate in any case.
- 2.4. It is the responsibility of management to monitor sickness absence and to respond effectively to actual and potential problems. The Northampton Primary Academy Trust has standards for attendance for staff as it does for pupils. It is the responsibility of the Head Teacher and all levels of management to ensure these standards are achieved and to raise awareness of the effect of sickness absence levels on the quality and continuity of teaching and learning and other aspects of the effectiveness of the work of the Northampton Primary Academy Trust. In addition, managers have a clear obligation placed on them to identify and address problems in the work environment and/or job factors that may be contributing to staff absence.
- 2.5. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).
- 2.6. The Head Teacher is responsible for monitoring the implementation of the procedure to ensure that the procedure is communicated to employees and that it is applied consistently. Levels of sickness absence will be monitored and will record the average number of working days lost due to sickness per full time equivalent employee and identify areas where the work of the Northampton Primary Academy Trust, in particular the continuity of teaching and learning, is being affected by absence levels. This will include a breakdown of total absence into long-term and short-term absence (normally more than 28 days) and reasons for absence. The information will be reported to Local Governing Bodies for each individual school and the NPAT Board of Directors on an anonymised basis. The procedure sets out the steps which the Head Teacher and line managers will normally follow when staff sickness absence occurs.
- 2.7. Sickness absence may result from a disability under the Equality Act 2010. Reasonable adjustments to this procedure may be considered in appropriate cases, depending on the specific circumstances. HR advice should be obtained where the line manager considers the employee is likely to have a disability.
- 2.8. Persistent absences will be monitored using the Bradford Scoring Method for absence monitoring. Further information can be found via the link <https://www.bradfordfactorcalculator.com/guides.html>
- 2.9. No action will be taken under the formal part of this Sickness Absence Policy against a trade union representative without prior discussion with an appropriate trade union officer.

In normal circumstances, Managers with authority to have Return to Work discussions are:

- Head Teacher
- Deputy Head Teacher
- School Business Manager

2.10. Managers with authority to hold Informal Sickness Absence Meetings are:

- Head Teacher
- Deputy Head Teacher
- School Business Manager

2.11. Senior Managers with authority to hold Stage 1 Meetings (and review other Senior Manager's Stage 1 decisions at appeal) are:

- Head Teacher

2.12. The Head Teacher has authority to hold a Stage 2 meeting. In the event that the Head Teacher has held the Stage 1 meeting then Stage 2 may be considered by a Governor/Committee of Governors.

3. Employees' Responsibilities

3.1. Employees must attend work when fit to do so.

3.2. Employees must follow the Notification of Sickness Absence procedures:

3.2.1. An employee who is prevented by illness or injury from reporting for duty shall personally notify the Head Teacher as soon as possible by telephone as early as possible on the first day of absence. The following details should be provided:

- a) The nature of the employee's illness/injury.
- b) The expected length of absence from work.
- c) Current contact details.
- d) Any outstanding or urgent work that requires attention.

3.3. If an employee does not report for work, and has not explained the reason for absence, then the employee should expect to be contacted by telephone during the period of absence by the employee's line manager, who will want to enquire after the employee's health and be advised, if possible, as to the employee's expected return date. This must not be treated as a substitute for reporting sickness absence. Absence that has not been notified in accordance with the sickness absence reporting procedure will be treated as unauthorised absence.

3.4. All employees must complete a self-certification form detailing the reason for absence for any period of sickness absence up to seven days. The self-certification form can be obtained from the School Office and must be completed immediately on return to duty and returned to the School Office.

3.5. A medical certificate (a 'Statement of Fitness for Work' hereinafter called a 'Fit Note') must be provided from the EIGHTH day of absence (including Saturdays and Sundays). This

should be provided to the line manager as soon as possible and, if absence continues further, Fit Notes should be provided to cover the whole period of absence. Failure to do so may result in non-payment of sick pay (where applicable) and/or disciplinary action if appropriate.

- 3.6. Employees must continue to submit Fit Notes during school holiday periods.
- 3.7. The School may take a copy of the Fit Note for their records and return the original copy to the employee.
- 3.8. An employee shall, if required at any time, attend an Occupational Health or other medical appointment/examination by a registered medical practitioner nominated by the Northampton Primary Academy Trust.
- 3.9. The employee will, if required, engage with the Fit for Work service (6.1 below) either as a result of a doctor or employer referral and must ensure medical advice and treatment is obtained and adhered to in order to facilitate a return to work as soon as possible. An employee is required to give consent before medical records can be accessed. Employees will not be forced to disclose medical records from their GP.

4. Reimbursement of Cost of Doctors' Statements.

- 4.1. Where the Head Teacher requires a medical certificate ('Fit Note') from an employee, the employer shall, on provision of a receipt, reimburse the employee if a charge is made for the Fit Note.

5. Fit for Work Service

- 5.1. Fit for Work is a Government funded service which provides free work-related health advice to employers and employees. It is intended to complement and not replace the role of doctors or existing Occupational Health providers.
- 5.2. Employees may wish to access the online services available at www.fitforwork.org or the telephone advice line on 0800 032 6235.

6. Illness or Injury Arising from Work

- 6.1. Any accident arising out of, or in the course of, employment with the Northampton Primary Academy Trust must be reported and recorded in accordance with the required procedures. The accident may be subject to investigation and reported by an employee authorised for this purpose by the Northampton Primary Academy Trust.
- 6.2. Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to the Head Teacher or Senior Manager at the first opportunity.
- 6.3. In the case of the first, and any subsequent, absence due to industrial disease or accident an employee shall agree, at any time during such absence, if so required by the employer, to a medical examination by a registered medical practitioner nominated by the Northampton Primary Academy Trust.

7. General Return to Work Arrangements

7.1. Phased returns

Where an employee returns to work on a part time basis following long-term sickness absence, with the expectation that they will be able to work their full contractual hours (or other such amended contractual hours as agreed) within a reasonable period of time, then, in accordance with medical advice provided by the Occupational Health doctor or the Fit for Work service, the following arrangements will normally be made in relation to pay:

- Where the employee has exhausted their sick pay entitlement, the salary payment made will be based on the number of hours worked during the phased return.

7.2. If the employee returns to work with a Fit Note which states 'may be fit for work', the employee should notify his/her manager immediately. The advice on the note will be discussed together with any additional measures that may be needed to facilitate the employee's return to work, taking into account the doctor's advice. Consideration will be given as to how the advice impacts the employee, the job, the workplace, service delivery, pupils and colleagues. The doctor's comments, any of the return to work tick boxes, and any other action that could facilitate a return to work will be considered with due regard to the Equality Act 2010. Options may include:

- phased return to work;
- altered hours;
- amended duties;
- consideration of redeployment;
- workplace adaptations ;
- other reasonable adjustments.

If a return to work is possible, the agreed action plan will be documented and implemented. If it is not possible to provide the support suggested by the doctor, the employee will remain on sick leave and will not normally need to return to their doctor to obtain a revised Fit Note unless this is required in the circumstances. A review date will be set.

7.3. Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, for example a stress, ergonomic or more general risk assessment may be required.

7.4. The employee may return to work before the expiry of a Fit Note without going back to see their doctor, even if their G.P has indicated that they need to assess them again. This will not breach Northampton primary Academy Trust's Employer's Liability Compulsory Insurance, providing a suitable risk assessment has taken place if required.

8. Probationary Periods for Support Staff

8.1. All new support staff employees are subject to a probationary period. Sickness absence issues that arise during a support staff employee's probationary period may be taken into account in determining whether or not the probationary period is completed satisfactorily

and this procedure (save for the sickness absence reporting procedure) will not normally apply.

9. Unauthorised Absence/False Information

- 9.1. Unauthorised absence will be dealt with under the Disciplinary Procedure and could result in disciplinary action which may include dismissal in line with the Trust Disciplinary Policy.
- 9.2. The provision of any false information will be dealt with under our Disciplinary Procedure and could result in disciplinary action, which may include dismissal in line with the Trust Disciplinary Policy.

10. Attendance at Absence Meetings

- 10.1. The employee must take all reasonable steps to attend meetings. Failure to do so without good reason may be treated as misconduct. Employees will not be entitled to attend informal meetings under this policy with a trade union representative or work place colleague. At all formal meetings employees may be accompanied by a Companion (see Terms of Reference) or a trade union representative. If the employee (and/or his/her companion) is unable to attend at the time specified the employee should immediately inform his/her line manager who will normally seek to agree an alternative time. Meetings will not normally be postponed beyond 5 days. Depending on the circumstances, if an employee indicates that they are too unwell to attend a formal or informal meeting they will be given the option to:
 - meet in another venue or at their home; or
 - attend via telephone conference; or
 - send a Companion to represent them, providing appropriate written consent (though this will not normally apply in the case of informal meetings or discussions); or
 - provide a written submission; or
 - request that the meeting takes place in their absence.
- 10.2. If an employee fails to communicate their wishes with regard to the above, the meeting may take place in their absence with the outcome communicated to them in writing. Meetings will not, in normal circumstances, be postponed beyond 5 days unless there is medical evidence that the employee is not medically fit to take part by any of the means described in clause 11.1 and, even if this is the case, the employer reserves the right to proceed with any necessary steps required to manage the specific case including holding meetings notwithstanding, as appropriate.
- 10.3. Any senior manager visiting an employee's home will be accompanied by another manager.
- 10.4. A meeting may be adjourned if the employee's line manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

11. Informal Procedure

11.1. Return to Work Discussion

The line manager will normally have a discussion with the employee on their return to work following a period of sickness absence. The purpose of this discussion is to determine the reason for the absence and, where appropriate, offer assistance and support. It is also an opportunity to identify any difficulties that the employee is experiencing in carrying out the duties of the post and gives the employee an opportunity to raise any concerns or questions and bring any matters to the manager's attention. The return to work discussion should be held in private as soon as possible after a period of sickness absence, though it need not be long. When a note of the matters discussed at the meeting is made to record any action points, the employee will be provided with a copy.

11.2. Informal Sickness Absence Meetings

Informal sickness absence meetings may be arranged with employees whenever it is considered necessary including, for example, if the employee has had:

- a total of 7 working days absence within 1 term
- 10 working days within 3 terms
- 3 occasions of absence within 1 term: or
- unacceptable patterns of absence

In preparation for the meeting the line manager may, when appropriate:

- consider Northampton Primary Academy Trust's statistical data on levels and types of sickness absence for all staff to ensure consistency;
- confirm that an unsatisfactory level of attendance has been reached, depending on the circumstances, or that the record shows a pattern of absence or some other factual data which identifies the cause for concern;
- consider the job description and the impact of the absences on all affected; the work of the Northampton Primary Academy Trust and on the work group.

The purpose of the meeting is to agree a way forward, any action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure if this is required.

The line manager will, in normal circumstances, use the Sickness Absence Meeting Proforma in Appendix A as the agenda for the meeting and will record salient points. The employee will be given a completed signed copy after the meeting.

There is no entitlement for the employee to be accompanied by a Companion at an informal sickness absence meeting. A note taker may be present but that will not normally be necessary.

11.3. Monitoring Period following Informal Sickness Absence Meeting

After conducting a sickness absence meeting, the line manager will review or monitor the employee's attendance for a further period, normally this will be for a period of not less than one month and no longer than three months. Further meetings may take place during the monitoring period if there are further instances of sickness absence.

The line manager will:

- assess the employee's absence record and its impact;
- attempt to establish reasons for any on-going absence(s);
- offer any assistance to the employee (e.g. Occupational Health Services, Fit for Work service);
- consider what, if any, measures might improve the employee's health and/or attendance with a view to supporting the employee and improving the employee's attendance record.

During the monitoring period the Head Teacher/line manager may require that any period of absence is covered by a medical certificate (Fit Note). If the employee has a fit note which states 'may be fit for work', the process in 6.2 will also be followed. If the suggested support cannot be reasonably accommodated in order to facilitate the employee's return to work, a decision may be made to move to the formal part of the procedure.

11.4. Where the line manager is of the view that the employee's attendance has not improved to an acceptable level after the review period, the line manager should inform the employee that the issue will:

- be referred to Stage 1 of the formal procedure. A letter requiring attendance at a Stage 1 meeting will be sent to the employee; or
- if there are exceptional circumstances and it is appropriate to do so, extend the review period

12. Formal Procedure

12.1. Stages in the Process

There are two stages in the formal process. The type of case (i.e. short or long-term absence) will determine the need to move either through the stages (short-term absence), or, in some circumstances, directly to Stage 2 (long-term absence). The procedure can end at any point in the process if there is sustained improvement. If further unacceptable periods of absence arise within 12 months of a Stage 1 meeting being held, the procedure may resume at Stage 2.

12.2. Preparation for Stage 1 Formal Meeting

An appropriate manager will arrange a formal meeting with the employee and give him/her notice of 5 working days, in writing, of:

- the reason for the meeting, outlining the concerns about the employee's attendance;
- the time, date and location of the meeting;

- who will be conducting the meeting and who else will be present;
- copies of any documents to be referred to including any previous action plans;
- the employee's right to be accompanied by a Companion and to refer to any documents/other parties if he/she wishes; and
- the requirement for the employee to provide at least 3 days prior to the meeting;
- the name of his/her representative (if applicable); and
- copies of any papers to be referred to and other parties to be called (if applicable).

12.3. Stage 1 Meeting

At the Stage 1 meeting the appropriate manager will explain the purpose of the meeting. The following points are by way of guidance only:

- discuss the reasons, including any underlying causes for the employee's absence;
- explain how the employee's attendance has been assessed as unacceptable and the effect on teaching and learning, service delivery and colleagues;
- review the results of the informal procedure, including any measures taken to support the employee so far. Include any reasonable adjustments if appropriate, any work-related issues and consider the content of any medical reports and advice received;
- discuss the likelihood of further absences, if absent on a number of occasions or how long the absence is likely to last, if absent on long-term sickness absence;
- seek agreement from the employee for a further referral to Occupational Health if this is required and/or appropriate in the circumstances;
- consider the employee's ability to return to/remain in his/her job in view both of his/her capabilities and the Northampton Primary Academy Trust needs and any adjustments that can reasonably be made, if appropriate, to his/her job to enable him/her to do so;
- consider possible redeployment opportunities and whether any adjustments can reasonably be made, if appropriate, to assist in redeploying the employee;
- where the employee is able to return from long-term sick leave, whether to his/her job or a redeployed job if possible and/or appropriate, agreeing a return to work programme;
- give the employee and/or any Companion the opportunity to explain any mitigating circumstances;
- if appropriate, inform the employee that they may wish to consult their pension scheme provider with regard to ill health benefits;
- discuss the way forward and determine an action plan that clearly identifies:
 - the improvements necessary to achieve satisfactory levels of attendance;
 - the timescale for improvement;
 - how attendance will be measured/monitored;
 - any additional support/training to be provided; and
 - the review period, (normally one month and no more than three months);

The appropriate manager will write to the employee, normally within 5 working days of the Formal Stage 1 Meeting, to:

- confirm the action plan in writing; and
- advise the employee that if he/she fails to achieve the improvements in the review period then, unless the circumstances otherwise require, a Stage 2 meeting will be arranged where dismissal will be considered;
- confirm the employee's right to ask that another Senior Manager or Governor(s) (as appropriate) review(s) the decision at an appeal meeting. Any appeal should be made in writing to the employee's line manager within 5 days of the date on which the decision was sent to the employee.

12.4. Stage 1 Review Period

The appropriate manager will ensure that during the review period the employee's attendance is closely and objectively monitored. Normally, if practicably possible, weekly supervision meetings will be held between the employee and the appropriate manager to ensure:

- effective monitoring;
- appropriate support is given to the employee;
- positive feedback is given where possible; and
- if further periods of non-attendance are identified, the reasons are discussed.

Notes of the monitoring process will normally be kept by the appropriate manager and a copy provided to the employee. The notes may be referred to at Stage 2 of the procedure.

12.5. Stage 1 Review Period Evaluation

If, at the end of the review period, the employee's level of attendance has improved to acceptable standards, no further action will be taken under this procedure, unless an acceptable level of attendance is not sustained during the next 12 months.

The decision to take no further action will be confirmed by the appropriate manager in writing, normally within 5 working days of the end of the review period. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further unacceptable periods of absence the Sickness Absence Procedure may be invoked at Stage 2. A copy of this letter will be kept on the employee's personnel file for 12 months.

If, at the end of the review period, the employee's attendance has not improved to acceptable standards then:

- the issue will be referred to the Head Teacher under Stage 2 of the procedure;
or
- in exceptional circumstances, if appropriate, the review period will be extended.

Where the employee is in a Pension Scheme it may be appropriate to explore eligibility for an ill health pension award prior to convening a Stage 2 Meeting.

12.6. Preparation for a Stage 2 Meeting

The appropriate manager will hold a formal meeting with the employee giving him/her 5 working days' notice, in writing, of:

- the reason for the meeting, outlining the outstanding concerns about the employee's level of attendance due to ill-health;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;
- any documents to be referred to, which may include, as appropriate, previous action plans, notes of the monitoring process, copies of reports received from Occupational Health and from the Fit for Work service;
- the employee's right to be accompanied by a companion as above, to call other parties and to refer to any documents he/she wishes, copies of which should be sent to the appropriate manager at least 3 days in advance of the meeting; and
- the possible consequences of the meeting, i.e. that it may result in the employee's dismissal, if appropriate.

12.7. Stage 2 Meeting

At the meeting the Head Teacher may (with advice from an HR Adviser where necessary) and by way of guidance only:

- explain the purpose of the Stage 2 meeting
- ask the appropriate manager to outline:
- the ways in which the employee has been assessed as not meeting the expected levels of attendance due to ill-health;
- the process so far under the [sickness absence] procedure;
- any opportunities for return or redeployment that have been identified and where identified, the outcome of discussions with the employee
- review, as appropriate:
- levels of attendance expected;
- notes of the formal Sickness Absence meetings, records of home visits or other meetings plus any other information relating to the informal action taken;
- the previous monitoring of attendance and steps taken under any appropriate action plans;
- medical advice received from Occupational Health, doctor or Fit for Work; and
- measures taken by management to support the employee, e.g. reasonable adjustments if applicable
- discuss with the employee and his/her companion whether the employee has been assessed as achieving the required improvements in attendance;
- review the effect of the unsatisfactory level of attendance on teaching and learning, service delivery and work colleagues;
- explore, as appropriate, the potential for the employee to achieve a sustained improvement in attendance;
- give the employee and/or his/her companion opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances.

In circumstances where the Head Teacher has assumed the role of the appropriate manager at an earlier stage or does not have delegated power of dismissal, a Governor/Committee of Governors will assume the role of the Head Teacher as set out above.

12.8. Stage 2 Decision

Following the discussions, the Head Teacher will adjourn the meeting to consider the options available including, without limit and for guidance only:

- to take no further action under the procedure;
- to set a further/final review period to allow for additional monitoring and/or additional management support. A further Formal Stage 2 meeting may be held at the end of this review period. If attendance is not satisfactory by that time, then the employee may be dismissed;
- to dismiss the employee for lack of capability due to ill-health, ensuring that alternative work options have already been explored or will be explored during the employee's notice period, that there is no prospect of their return within a reasonable timeframe, or that they will be able to achieve or sustain their attendance.

12.9. Dismissal

If the decision at the Stage 2 (or a deferred Stage 2 meeting if applicable) is to dismiss the employee, the Head Teacher will inform the employee and his/her Companion, that the employee is dismissed, with the required contractual or statutory notice.

The Head Teacher will confirm in writing, to the employee within 5 working days, or as soon as reasonably practicable thereafter:

- that he/she has been dismissed;
- the grounds for dismissal and the reasons;
- the required contractual or statutory notice due (or payment in lieu of notice where applicable) and the date the dismissal will be effective;
- the employee's right of appeal against the dismissal to an Appeal Committee of the Board of Directors.

Termination will normally be with full notice or payment in lieu of notice. In some cases, it may not be appropriate for the employee to work during his/her notice period. Further, the contract may provide that the employee remains at home on 'garden leave' or this may be agreed between the parties. A Fit Note must be provided that covers the employee's notice period.

12.10. Appeals

An employee has the right to appeal against a dismissal decision. Any appeal must be submitted within 10 days of receipt of the letter confirming the dismissal and must clearly state the grounds for appeal. All appeals against dismissal will be heard by the Appeal Committee of the Board of Directors. The purpose of an appeal hearing is to review the decision made to dismiss the employee and to decide if this decision was reasonable in all the circumstances. The appeal hearing will be held as soon as practicable, and the employee will have the right to representation at the hearing by a Companion.

The Appeal Committee of the Board of Directors has the authority to:

- uphold the appeal (i.e. to reinstate the employee);
and/or
- issue a lesser level of management action, e.g. to:
 - drop the formal process;
 - refer to a lower stage in the formal process; and/or
 - reduce standards of attendance or targets set in the action plan;or
- dismiss the appeal, i.e. the decision to dismiss remains in force.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay. The decision of the Appeal Committee of the Board of Directors is final. The employee has no further right of appeal.

Section 2 – Discretionary Leave

1. Introduction

- 1.1 The Northampton Primary Academy Trust Board of Directors recognises that the success of the Northampton Primary Academy Trust 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 operational needs of the Northampton Primary Academy Trust are the priority and therefore there will be times when the Head Teacher has to refuse a request for leave. The examples of discretionary leave given are non-exhaustive and where circumstances arise which are not identified in this policy the Head Teacher has authority to make the decision on whether or not leave is granted, and whether it is with or without pay.
- 1.3 This policy 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 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 your Head Teacher.
- 1.5 This policy does not cover leave which is included in the policies and procedures listed below:
 - Annual leave
 - Maternity/Paternity/Parental/adoption leave
 - Flexible working
 - Sickness absence
 - Redundancy
 - Training and Study leave
 - Trade Union and Facilities time
- 1.6 This policy applies to all teaching and support staff. This policy is non-contractual and may be amended at any time.

2. Procedure and Decision Making

- 2.1 Except in emergencies, authorisation to take leave of absence must be requested from the Head Teacher as soon as the need for the leave is known using the form at Appendix B. Where the leave of absence request is made by the Head Teacher, the request should be made to the Chief Executive Officer of Northampton Primary Academy Trust.

- 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/student 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 on the form at Appendix B.
- 2.3 Where an emergency arises you must notify the Head Teacher 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. Details to be given should include:
- a) The nature of the employee's emergency.
 - b) The expected length of absence from work.
 - c) Current contact details.
 - d) Any outstanding or urgent work that requires attention.
- 2.4 Where a leave of absence request is refused there is right of appeal. Any appeal must be made on the form at Appendix B within 5 days of receipt of the leave of absence decision. The appeal will be considered by three Governors of the Local Governing Body whose decision is final.
- 2.5 A confidential record of requests for leave of absence and whether or not the request was granted will be maintained. Members of the LGPS scheme will be informed about the impact of taking unpaid leave on their pensionable service.

3. Discretionary Leave of Absence

- 3.1 Examples of discretionary time off work that may be granted with pay:

Summary non-exhaustive examples of absence normally granted with pay	Description	Days
Compassionate Leave	Illness or injury of a significant other person giving rise to serious domestic difficulties	A period reasonably necessary but not normally more than 3 days.
Bereavement Leave	Death (including funeral) of a significant other person	A period reasonably necessary but not normally more than 5 days.
Moving House	Moving house where it cannot be arranged for a non-working time	1 day

Personal Events or Emergencies	An event which, if response were to be delayed, would result in significant personal loss to the employee such as fire or flood	1 day
Accepted Impossible Travel	Due to weather or other public crisis.	A period reasonably necessary but not normally more than 2 days.
Interviews	May be requested in advance	A period reasonably necessary but not normally more than 3 days.
Care of a Dependent	Employees may only take paid time off to provide personal care for a dependent where there is an immediate crisis. (there is a statutory right to take unpaid leave see 6.1below)	In normal circumstances not more than 1 day on each occasion. Up to 3 days per annum.
Medical Appointments	Appointments for self and dependents that cannot be made outside of working hours will be authorised.	Leave may be authorised for up to half a day.
Antenatal Appointments	Time off will be granted to attend antenatal care.	A period reasonably necessary
School Governors	Leave may be authorised to allow Trust Governors to carry out monitoring visits	Period reasonably necessary

3.2 Examples of discretionary leave that may be granted without pay:

Summary of non-exhaustive examples of leave normally granted without pay	Description	Days
Personal Reason	Any personal reason other than those above which it was not possible to schedule for a non-working day or time or within annual leave e.g. dentist, optician, medical appointment,	Maximum of 3 days

	driving test, important one-off family occasions.	
Court	Attendance as witness either on subpoena or other direction from a court or at the direction of the police, or voluntary attendance at an inquest as witness not representing the school	Period of attendance necessary
Religion	Leave of absence for religious observance	Reasonable Time Off
Special Close Family Occasions	Leave may be authorised to allow attendance at a 'one off' special occasion (please see Appendix D for examples)	1 day

3.2.1 Medical appointments:

NPAT employees are expected to make appointments outside normal working hours wherever possible. Where this is not possible, upon production of a medical appointment letter/card up to half a day paid leave may be granted to attend a medical or dental appointment (to include medical screening, blood donation and fertility treatment but excluding any appointment associated with elective surgery). Leave should be requested via the appropriate line manager using the form at Appendix B.

3.2.2 Attendance in court as a witness

If you are subpoenaed or summonsed to attend a Court (including an Employment Tribunal), as a witness (and you are not representing the Northampton Primary Academy Trust) then, on production of proof of required attendance, you must request leave from the Head Teacher using the form at Appendix B. You will be granted unpaid leave to attend. If you wish to attend Court as a witness on a voluntary basis then you should request leave of absence from the Head Teacher as soon as the need for the leave is known using the form at Appendix B. A decision will be made on a case by case basis.

3.2.3 Leave of absence for religious observance

You may request unpaid time off work to attend religious festivals, pilgrimages, for prayer or may request an adjustment to your working time to accommodate periods of fasting or requirements to cease work by a particular time using the form at Appendix B. Requests for time off will be considered sympathetically and on a case by case basis, taking into account the needs of Northampton Primary Academy Trust's pupils and surrounding circumstances. You should request time off at the beginning of the academic year if

possible, otherwise as soon as possible, so that plans for covering your absence can be made in good time.

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 (leave may be authorised for Trust Governors)

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 Head Teacher using the form at Appendix B.

4.3 The Northampton Primary Academy Trust 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.

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 Northampton Primary Academy Trust.

5. Jury Service

5.1 You must inform your line manager 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 School Business Manager 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 Northampton Primary Academy Trust 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 line manager 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 summoned 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, is injured or assaulted;
 - (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).
- 6.2 A dependent for the purposes of this paragraph 6.1 is:
 - (a) an employee's spouse, civil partner, parent or child;
 - (b) a person who lives in the same household as an 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.

Section 3 – Training and Study Leave

1. Introduction

- 1.1 Northampton Primary Academy Trust are committed to developing the skills and knowledge of our employees and will support training appropriate to job roles, subject to the needs of our Trust's needs, and operational and budgetary considerations.
- 1.2 To be eligible to make a formal request under this policy you must:
 - a) be an employee*;
 - b) Have worked for us continuously for 26 weeks at the date your request is made;
 - c) have made no previous formal requests under this policy in the last 12 months

**Some employees aged 18 or under are subject to special laws on education and training, and may not be covered by this policy, depending on age and qualifications.*

2. Application and Decision

- 2.1 To make a formal request under this policy you should submit the form at Appendix C to the Head Teacher.
- 2.2 If your application for training is agreed without the need for a meeting, a copy of the signed form will be returned to you and the original will be retained on your personnel file. If necessary the application will be discussed with you at a meeting, usually within 28 days of receiving your formal request. We will normally tell you the decision in writing within 14 days of the meeting.
- 2.3 We do not have to pay you while you are taking time off for study or training requested under this policy. However, in some cases we may agree to pay you for some or all of the time off. We do not have to pay the costs of training or study requested under this policy (including associated costs such as travel expenses). However, in some cases we may agree to meet some or all of those costs.
- 2.4 Where we reject all or part of your request, we will write to you with the following information:
 - a) which part of your request is rejected;
 - b) which of the grounds for rejection set out below applies and why; and
 - c) the appeal procedure.
 - d) We may reject your request for any of the following reasons:
 - e) that the proposed study or training would not in our view improve your effectiveness at work and the performance of Northampton Primary Academy Trust;
 - f) the burden of additional costs;
 - g) detrimental effect on ability to meet the demands of the school community;
 - h) inability to reorganise work among existing staff;
 - i) inability to recruit additional staff;
 - j) detrimental impact on quality;
 - k) detrimental impact on performance;
 - l) insufficiency of work during the periods that you propose to work;
 - m) planned structural changes

3. Right to Appeal

- 3.1 You may appeal if we reject all or part of your request. Your appeal, at which you may be accompanied, must:
- a) be in writing and dated;
 - b) set out the grounds on which you are appealing; and
 - c) be sent to the Head Teacher within 5 days of receipt of the written notice of the decision.
- 3.2 The appeal decision will be final and you will not be able to make another formal request until 12 months after the date of your original request.

4. Changes to Agreed Training and Study Leave

- 4.1 You must tell us in writing immediately if:
- a) you do not start the approved course for any reason (for example if it is cancelled);
 - b) you do not complete the approved course; or
 - c) you undertake (or wish to undertake) a different course of study or training;
 - d) there are changes to the approved course, including changes to the timing or
 - e) content of the course.

5. Contract of Employment

- 5.1 This policy does not form part of any employee's contract of employment and we may amend it or depart from it at any time.

Appendix A

Sickness Absence Meeting Record



This is the management record of a meeting held under paragraph 11 of the Sickness Absence Policy and Procedure. It is strictly confidential. It will be held on the employee's personnel file until such time as the employee's attendance is wholly satisfactory and for 12 months thereafter. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the Sickness Absence Policy and Procedure. A Sickness Absence meeting is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

Employee Details			
Employee Name:			
Length of Service:			
Interviewing Manager:			
Date of Meeting:			
Details of Sickness Absence			
Date of Absence:		Number of Days Absence:	
Reason(s) for Absence:			
<div><ul style="list-style-type: none">• Is absence related to a known or possible disability under the Equality Act?• Has there been consideration of whether the 'trigger point' relating to days absence should be extended, or if the sickness absence policy should otherwise be modified?<p>Answer: <input type="checkbox"/> Yes <input type="checkbox"/> No if yes, details of medical evidence must be attached</p></div>			

Details of Meeting

Key Points discussed:

- Welcome
- Update, if necessary, on work events and changes

Reasons for absence:

- Underlying medical condition?

The value of your contribution:

- The impact of absence on teaching and learning, service delivery and colleagues.
- How your work has been covered in your absence.

Are you fully recovered and able to resume full duties?

☐ Yes ☐ No

If your view is "no" then action plan must consider:

- Referral to Occupational Health (OH)
- Temporary adjustments which can reasonably be accommodated?

Action Plan

The objective is that attendance will be satisfactory to the employer. Is there anything we can do to improve your attendance, e.g. OH referral, counselling, a review of risk assessment, temporary or permanent reasonable adjustments to the workplace, working practices or working hours or training?

Is your absence in any way related to work?

Are you doing all you can to improve your attendance?
e.g. Act on medical advice, lifestyle choices, attention to work life balance, non-medical support e.g. counselling.

Fit note required for any period of absence during the monitoring period?
(see paragraphs 3.1 and 11.3 of Management of Absence Policy)

Answer: ☐ Yes ☐ No

Review

Attendance will be reviewed in:

1 months 2 months 3 months Date of review: _____

Please note that further absence during this period may, depending on the circumstances, mean that the review is held under Stage 1 of the formal procedure if appropriate.

Copy of Management of Absence Policy and Procedure has been provided and process explained.

Answer: ☐ Yes ☐ No If yes, date provided: _____

(If the answer is no, a copy must be provided and explained prior to a formal meeting taking place)

Meeting Sign Off

Manager:

Date:

Employee:

Date:

Leave of Absence Request



Part 1 – Request by Employee

Name:	
Job title:	

Date and Time From:		Date and Time To:	
<ul style="list-style-type: none">• I have read and understood the Section 2 of the Management of Absence policy.• I understand and accept that if leave of absence is granted without pay it will affect my pension entitlement.• Please attach a copy of any relevant appointment card.• Reason for request: 			
Signed by Employee:		Date:	

Part 2 – Leave of Absence Decision

Your request for leave is:

Approved with pay: ☐ Time to be made up: Yes ☐ No ☐

Approved without pay: ☐

Not approved for the following reasons:

- ☐ Operational difficulties in covering absence
- ☐ Loss of entitlement/continuity of educational provision for pupils/students
- ☐ Leave of absence limits already reached
- ☐ The request is outside the policy framework
- ☐ Other. Explanation of reason(s) for non-approval:

[illegible]

Signed by Manager:

Date:

A copy of this form should be given to the School Business Manager once completed

Part 3 – Appeal Against Leave of Absence Decision

- If you wish to appeal against a refusal to grant discretionary leave of absence then you must explain your reasons below and return this form to the decision maker within 5 days of the date of the decision as recorded above.
- Your appeal will be heard by a panel of three governors from the Local Governing Body.

[illegible]

Signed by Employee:

Date:

Appendix C

Training and Study Leave Request



Part 1 – Request by Employee for leave

Name:	
Job title:	

Date and Time From:	
Course Title:	
Course Provider:	
Course Dates:	
Venue:	
What Qualification Will It Lead To:	
Date(s) of Previous Applications:	

How do you think the training would improve your effectiveness at work and improve outcomes for the school/Northampton Primary Academy Trust?

Part B – Application for Funding

Total Course Fees:		Total Being Requested:	
Please tick as appropriate:			
<input type="checkbox"/> For the school to meet the total being requested			
<input type="checkbox"/> I will meet the total course fees			

Part C - Declaration

<p>If you have requested funding from the school and it is agreed, in consideration of this, you agree that if your employment terminates after the School has incurred liability for the cost of the training you will be liable to repay some or all of the fees, expenses and other costs of the Course as set out below:</p> <ul style="list-style-type: none">(a) if you cease employment before you attend the Course and the School has already incurred liability for the Costs, 100% of the contribution made by the School that the School cannot recover from the course provider shall be repaid by you;(b) if you cease employment between one and six months of commencing the Course, 80% of the contribution made by the School shall be repaid by you;(c) if you cease employment between six and 12 months after commencing the Course, 50% of the contribution made by the School shall be repaid by you; or(d) if you cease employment between 12 and 18 months after commencing the Course, 25% of the contribution made by the School shall be repaid by you. <p>Thereafter, no repayment shall be required. You agree to the School deducting the Costs from your final salary.</p> <ul style="list-style-type: none">• I understand and accept that I may in extreme circumstances be required to absent myself from the Course and attend School, if directed by the Head Teacher• I confirm that there will be no other additional expenses that will be incurred by School as a result of me undertaking this Course e.g. travel, books, examination fees, etc• I understand and accept that:<ul style="list-style-type: none">1. Any books or resources belonging to the School bought by the School remain the property of the School and must be returned on completion of the Course or earlier if required.2. The Head Teacher may request an attendance report from the Course tutor. If I am unable to attend for any reason I will ensure that my Line Manager is notified.3. Consent for me to undertake the Course outlined by me in this agreement is dependent on my signed and dated acceptance of the terms of the agreement.			
Signed by Employee:		Date:	

Part D – Application Decision

Please tick as appropriate:

Request for Training and Study Leave:

☐

Request is accepted

☐

Leave will be unpaid

☐

Leave will be paid

☐

Leave will be partially paid.

% of your salary will be paid.

Request for Funding:

☐

Request is approved

☐

Request is rejected

You may appeal if we reject all or part of your request. Your appeal, at which you may be accompanied, must:

- a) be in writing and dated;
- b) set out the grounds on which you are appealing; and
- c) be sent to the Head Teacher within 5 days of receipt of the written notice of the decision.

Signed by Manager:

Date:

Appendix D

Special Occasions



Examples of events which may be considered to be 'one off' Special Occasions:

Examinations

Graduation Ceremony

Representation as an amateur or an advanced level player of a sporting event

Significant Wedding Anniversary i.e. Silver Wedding Anniversary

Invitation to Buckingham Palace