



# **SOUTH CUMBRIA**

## **MULTI-ACADEMY TRUST**

### **NON – SICKNESS ABSENCE MANAGEMENT POLICY**

<b>Approved by Trustees:</b>	Yes
<b>Date:</b>	05/2024

<b>Ratified by SLT:</b>	Yes
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<b>TURA:</b>	Consultation with recognised trade unions and associations: ASCL, NEU, NAHT, NASUWT, GMB, Unite and Unison.
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## **1. INTRODUCTION**

**1.1.** Supporting staff with a fair and consistent approach to non-sickness absence enables us to ensure that as a caring employer we balance staff's responsibility to the academy with important life events/issues outside of the academy. We encourage a positive attendance culture and we support staff to have the time needed for important non-work life events/issues. The key aim of the policy is to encourage a positive attendance culture and ensure a fair and consistent processes for non-sickness absence for all staff as a supportive approach.

## **2. POLICY STATEMENT AND APPLICATION**

**2.1.** South Cumbria Multi-Academy Trust is committed to ensuring that employees who wish to be absent from the academy during their contracted working days/hours have a fair and consistent approach to support them. This approach is focussed on important life events/issues that are reasonable in the context of positive workplace wellbeing, rather than for all requests, so that the burden of staff absence is not unduly carried by colleagues. By taking a fair, consistent and proportionate approach this policy ensures everyone has a framework for non-sickness absence that is workable for all.

**2.2.** This policy provides for key scenarios likely to be experienced by staff – yet is not exhaustive and careful consideration will need to be given to respond fairly and sympathetically to each request recognising individual circumstances. The need for reasonableness in the management and request for time off is a fundamental principle. This policy aims to maintain consistent, positive practices to minimise the negative effects on students' learning and the imposition of increased pressure on colleagues. This may not entail identical decisions in all cases, as each case will be assessed according to the circumstances.

**2.3.** When considering requests for leave of absence, which requires discretion to be exercised, the Headteacher or should have regard to fairness and consistency within the context of:

- The operational needs of the academy.
- The individual needs of the person concerned.
- The length of time requested.
- The amount of notice given.

**2.4** Absence from duties will be recorded for reference purposes and consistency of approach and authorised absence under the terms of this policy must be used for the purpose specified alone. Failure to comply will be dealt with under the Disciplinary Procedure and may result in disciplinary action, up to and including dismissal.

**2.5** Arrangements for absence because of personal illness, injury or other disability and payment during that period are covered under the Sickness Absence and Management Procedure and arrangements for maternity, and adoption leave are not covered by this policy as they are covered by statute and the Conditions of Services for School Teachers in England and Wales and in the case of support staff, by the NJC Conditions of Service for Local Government Services.

**2.6** Any appeals arising from your Leadership Team Line Manager's decision in relation to leave should be made to the Headteacher. Any further appeal thereafter should be made through the academy's Grievance Procedure.

**2.7** This policy applies to all staff.

### **3. REQUESTING NON-SICKNESS ABSENCE**

- 3.1.** Where possible all requests must be made in writing (email is acceptable) to the Head of Department and/or line manager depending on the reason for the request as detailed in this policy and their direct line manager. Requests for leave should be made as soon as possible to allow time for considering the request and informing an employee of the academy's decision.
- 3.2.** It is recognised that this may not be possible, for example, when absence relates to a sudden domestic emergency; in this case you must notify the school office email by 7:30am on the day of absence. In all cases employees must also notify their direct line manager.
- 3.3.** In all cases – care must be taken by employees and the academy to ensure cover is provided.

### **4. NON-SICKNESS ABSENCES SUPPORTED BY THIS POLICY**

#### **4.1. Death Of Immediate Family (Spouse / Partner, Child, Parent, Brother, Sister, Dependant)**

Paid leave of absence of up to five days (pro rata for part time staff) will be granted at the discretion of the Headteacher or CEO. It is recognised that further leave may be required where unpaid leave may be granted.

#### **4.2. Illness / Death Of Family / Close Friends Other Than Above**

At the discretion of the Headteacher or CEO, up to five days' leave in aggregate in any 12-month period in the case of death/illness of other close family/close friend who are living with/dependent upon the employee.

#### **4.3. Funeral**

Up to one day's paid leave will be granted, at the discretion of the Headteacher or CEO, to attend a funeral. Allowance for time off will count towards the entitlement detailed in 4.1 and 4.2 above.

#### **4.4. Antenatal Care**

Pregnant employees are entitled to paid time off to attend antenatal appointments, however they are expected to arrange such appointments at times convenient to both themselves, colleagues and the academy, and must provide proof of their appointments upon request.

Employees who are fathers, partners and civil partners of pregnant women are entitled to attend up to two antenatal appointments of up to 6.5 hours each to accompany their partners. Proof of appointments must be provided on request.

#### **4.5. IVF Appointments**

Employees should discuss the requirements of any fertility treatment with your Leadership Team/Line Manager as soon as possible to agree how the appropriate time off may be accommodated within work patterns and workload requirements. Although there is no statutory

obligation to allow time off for IVF treatment, the academy will grant up to five days' paid leave in any one 12-month period.

If further absences are required within any one-year period, the Headteacher or CEO, at their discretion, may grant unpaid leave of absence.

#### **4.6. Maternity, Paternity, Shared Paternal Leave, Adoption Leave And Parental Leave**

Entitlement to all of the above is provided in line with relevant statutory legislation and in accordance with the Burgundy Book for teaching staff or NJC Terms and Conditions for support staff. Copies of these policies are available on request.

#### **4.7. Award Ceremonies**

Leave of absence of up to one day with pay may be granted for attendance at degree ceremonies of close family members, subject to the approval of your Line Manager.

#### **4.8. Personal Medical / Dental Appointments**

There is no automatic entitlement to paid leave for doctor or dental appointments. There is an expectation that such appointments will be made in the employee's own time. If this is not possible, any leave may be granted at the discretion of your Line Manager if cover can be provided. The academy will aim to approve such reasonable requests, however, where this affects timetabled activities or pre-arranged academy duties the academy may ask employees to seek a re-arrangement of the appointment and decline the absence request. Adequate notice will help ensure requests are supported where possible.

#### **4.9. Accompanying A Child or Dependent Relative to Medical Appointment**

Leave for up to five days in aggregate in any 12-month period may be granted at the discretion of the Headteacher or CEO. Proof of medical appointments should be provided upon request.

#### **4.10. Interviews**

Employees will be allowed up to a maximum of three days' paid leave in a rolling 12-month period for interviews with prospective employers. Further requests may be refused or unpaid. Where possible, such interview commitments should be made for half days to enable the disruption within the academy to be kept to a minimum.

In the event that the employee has already resigned, the academy will allow a maximum of one days paid leave to attend the new employer for induction/orientation. Further requests may be refused or unpaid.

#### **4.11. Holiday During Term Time**

Except in the most compelling circumstances and at the discretion of the Headteacher or CEO permission will not be granted for term time only employees to take leave of absence during term

time. Permission will not be granted to take leave of absence prior to or at the end of school holiday periods to allow extended holidays or cheap flights.

If an employee finds themselves in a situation where their residential partner is compelled to take their main holiday during term time for such reasons as staggering of holidays in industry, they should, in the first instance, discuss with the Headteacher or CEO the possibility of requesting unpaid leave.

Staff on whole year contracts should agree their planned annual leave according to their department's working schedule. Holidays during term time are allowable only if the department's working schedule supports this. Approval of term time leave for staff on whole year contracts is at the discretion of the CEO.

#### **4.12. Moving House (Main Residence)**

One days' paid leave of absence on the day of the house move, if this falls during term time, in any one academic year.

#### **4.13. Weddings / Civil Partnerships**

Leave without pay for the day of the wedding, at the discretion of the Headteacher/CEO, of:

- Parent
- Child
- Brother/sister.
- Close family relative.

Staff's own weddings/civil partnerships should not be scheduled on school days during term time.

#### **4.14. Examinations And Study Leave**

Employees who are undertaking exams relating to their role will be granted leave of absence with pay on the day of the examination, plus leave with pay up to the equivalent of one days' leave per examination for final revision purposes, up to a maximum of three days per annum. Unpaid leave may be granted for all other examinations at the discretion of the Headteacher or CEO.

#### **4.15. Duties As Partner To A Mayor Or As Deputy Mayor Or Other Similar Civic Role**

An employee undertaking duties in the role of partner to a Mayor/Mayoress (or as a Deputy) may be allowed time off without pay. There is no specific limit to the amount of time but it should be that which is reasonable in the circumstances. Such absences should be planned in advance and are allowed at the discretion of the Headteacher or CEO.

#### **4.16. Magistrates Duty**

Up to 13 days' paid leave in any school year may be granted to enable employees to undertake duties as a Magistrate.

#### **4.17. Attendance At Court Associated with Student At Academy**

Leave as required.

#### **4.18. Attendance At Coroner's Court**

Leave as required.

#### **4.19. Jury Service & Similar Public Duties**

A member of staff will be granted leave of absence for jury service or similar public services if summoned. If the timing of the duty is at a crucial time in the academic year, staff are asked to request a deferral to a date that is more acceptable. That member of staff will continue to be paid a full salary, but shall claim for loss of earnings if the service allows; this sum of money will then be deducted from his/her salary.

#### **4.20. Academy Trustees/Governors/Members**

Employees appointed as an academy Trustee/Governor/Member may be granted up to a maximum of five days' (10 half days) paid leave per annum. Additional leave without pay may be granted as necessary by the Headteacher or CEO.

#### **4.21. Trade Union Members**

Employees who are trade union members are allowed to take reasonable time off work to take part in the following trade union activities:

- To take part, as a representative or delegate, in meetings of the trade union executive committee or annual conference.
- Voting at the workplace in union elections.
- To attend union meetings called during working hours.

Such time off will normally be without pay unless otherwise agreed and be subject to the prior approval of the Headteacher or CEO. There is no right to time off for trade union activities which themselves consist of industrial action.

If an official or a member of a union is refused time off for trade union duties/activities then they have the right to complain to an industrial tribunal within three months of the refusal.

#### **4.22. Trade Union Officials**

Employees who are trade union officials (an employee who has been elected or appointed by a union to be a representative of the union members in a workplace) should be allowed "reasonable" time off work with pay, ("reasonable" means that the employer can take account of the needs of the business), subject to appropriate prior approval, to undertake the following duties:

- Collective bargaining with the appropriate level of management.
- Informing employee members about negotiations or consultations with management.
- Meeting with other lay officials or with full-time union officers on matters which are concerned with industrial relations between his/her employer and any associated employer and their employees.
- Interview with and on behalf of employee members on grievance and discipline matters concerning them and their employer.
- Appearing on behalf of constituents before an outside official body, such as an employment tribunal, which is dealing with an employee relations matter concerning the employer.
- Explanations to new employees whom he or she will represent of the role of the union in the workplace employee relations structure.

Where there is some element of doubt as to whether a matter is a trade union duty, the academy will exercise discretion.

**N.B. - Travelling Expenses:-**

Meetings between management and officially recognised trade union representatives are accepted as being authorised trade union duties. Provided such meetings are called - either by management or by the trade union - for a reasonable purpose to discuss legitimate employee relations business relevant to the academy and the number of trade union representatives attending is appropriate for the purpose, then the travelling expenses should be reimbursed by the academy.

For meetings, which involve only trade union representatives - Branch Executive Committees, Departmental Committees, ad hoc Steward Meetings, etc., the expenses will not be reimbursed by the academy.

**4.23. Training For Trade Union Officials**

Trade union officials should be allowed a reasonable amount of time off work up to 5 days annually with pay in order to attend relevant training courses approved by the official's union. Such time off is always subject to the prior approval of the Headteacher or CEO.

**4.24. Under Notice Of Redundancy**

An employee who has been given notice of redundancy will be allowed to take a reasonable amount of time off with pay to look for new employment or to make arrangements for training for future employment.

This right is dependent on the employee having at least one year's continuous employment by the date on which the notice is due to expire, or by the date on which it would expire had the statutory minimum period of notice been given.

**4.25. Urgent Domestic Reasons**

The Headteacher or CEO has discretion to allow additional leave up to a maximum of five days, however they will always consider each set of circumstances on their facts. The fact that leave may be given in a particular instance is not to be taken as precedent for future requests.

A maximum of five days' leave with or without pay may be granted to any one employee in a 12month period. While the individual circumstances of the case will always be considered, leave in excess of this shall not normally be granted. Consideration will be given to staff who can offer to "pay back time" either in the form of additional cover periods for teaching staff or additional time for support staff. In addition, since December 1999, all employees have a statutory entitlement to a reasonable amount of **unpaid** time off to deal with domestic incidents; these are defined in the legislation as incidents where it is necessary for an employee to take action which is:

- To provide assistance when a dependant falls ill, gives birth or is injured or assaulted.
- To make arrangements for the provision of care for a dependant who is ill or injured.
- In consequence of the death of a dependant.
- Because of the unexpected disruption or termination of arrangements for the care of a dependant.

- To deal with an incident which involves a child of the employee and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for him/her.

A dependant is:

- A spouse.
- A child.
- A parent.
- A person who lives in the same household as the employee e.g. a live-in partner, but not someone living there as a lodger, tenant or employee.

**N.B.** A dependant is also any person who reasonably relies on the employee for assistance but does not live with them or is any person who is reliant upon the employee for making arrangements for care e.g. an elderly relative who does not live with the employee.

#### **4.26. Weather**

In cases of extreme weather conditions or other exceptional circumstances outside anyone's control, employees may have difficulties travelling to work. In such circumstances employees should make every effort to attend work if it is safe and they are able to do so, however if they are unable to attend then they should work from home if they are able to do so as the time absent is paid absence.



