



Empowering our unique schools to Excel

LEAVE POLICY

	ODBST x.y	
Policy Level:	1	ODBST Trustee Policy Owned and applicable at ODBST Board level
	2	ODBST Statutory and Mandatory Policy All schools must adopt these policies with local amendment strongly discouraged. These policies are centrally amended and binding on LGBs from the date of Board approval. They must be displayed on the School's website. Approval for all proposed local amendments must be sought from the ODBST Governance Lead prior to Local Governing Body resolution.
Other related ODBST policies and procedures:	Health & Attendance policy Maternity, Adoption, Paternity & Shared Parental Leave policy Flexible Working policy	
Committee responsible:	FRAPP	
Approved by:	FRAPP	
Date Approved:	23 rd March 2023	
Date for Next Review:	Spring term 2026	

In reviewing this policy the Trust Board has had regards to the Equality Act 2010 and carried out an equality impact assessment. It is satisfied that no group with a protected characteristic will be unfairly disadvantaged.

1. INTRODUCTION

The Oxford Diocesan Bucks Schools Trust (ODBST) is committed to developing and maintaining working arrangements that enable staff to achieve a work-life balance.

The aim of this policy is to provide a standard and equitable approach to the management and calculation of leave to support both our employees and the Trust..

The policy is in accordance with the Working Time Regulations (1998: Amended 2003 & 2007) the Part-time Workers (Prevention of Less Favourable Treatment) Regulations (2000).

2. SCOPE

This policy applies to all ODBST employees. Where a clause is only applicable to a specific group within ODBST this will be clearly stated.

3. JURY SERVICE

Where an employee receives a summons to serve on a jury they must report this to their Headteacher/Manager who will grant him/her leave of absence unless exemption from jury service is secured. An employee serving as a juror is required to claim the allowance for loss of earnings to which he/she is entitled under the Juror Allowance Regulations currently in force. The ODBST will deduct from the employee's full pay an amount equal to the allowance received for loss of earnings.

4. WITNESS SUMMONS

An employee who is required as a witness to appear before the court should report this immediately to the Headteacher/Manager, who will grant him/her leave of absence with pay for such time as is necessary to discharge the duty as witness.

5. SERVICE IN NON-REGULAR FORCES

Employees must obtain the Local Governing Body/Trustee's consent before joining the Non-Regular Forces (e.g. Territorial Army, Royal Air Force Volunteer Reserve).

The ODBST may grant two weeks' additional paid leave to volunteer members of the Non-Regular Forces who are required by the Forces to attend summer camp. Such employees are required to show the Headteacher/Manager a copy of their Forces' payslip for the period of the summer camp, so that arrangements can be made for a deduction to be made from the employee's salary of an amount equal to the pay received from the Forces for each normal working day of the absence (i.e. without making any deductions for days when the employee would not normally be working).

Any such employees who are called-out by the Secretary of State for service with the armed forces will be granted leave of absence without pay for the duration of that service (unless the Governing Body/Trustees applies for and gains exemption, deferral or discharge on the grounds that their absence would cause serious harm to the Trust/school in which they are employed).

6. COMMUNITY FIRE FIGHTERS, SPECIAL CONSTABLES, MAGISTRATES AND MEMBERS OF PUBLIC BODIES

Paid leave will be granted for Buckinghamshire and Milton Keynes Community Fire Fighters to undergo the necessary training, subject to agreement by the Governing Body/Trustees.

The ODBST supports special constables in their duties to increase public safety and confidence and staff will be released, with pay, for agreed training and in times of significant emergency subject to agreement by the Governing Body/Trustees.

Employees who are appointed as magistrates or who undertake duties connected with the work of district councils or other public bodies, including governing bodies, will be granted leave of absence with pay for the equivalent of up to 208 hours per year in the case of staff on Bucks Pay conditions of service, and up to 10 working days a year for other staff, unless special approval is given by the Governing Body/Trustees in exceptional circumstances.

7. JOB INTERVIEWS

Leave with pay will be granted for interview attendance at the discretion of the Local Governing Body/Trustees.

8. REVISION/STUDY AND EXAMINATION LEAVE

The Local Governing Body/Trustees may approve up to a maximum of 5 days' revision/study leave with pay to employees undertaking work-related qualifications, supported by the ODBST, within an agreed timeframe.

Staff will be granted a maximum of 5 days' leave with pay per year to sit approved examinations: this is normally half a day per examination subject and must be agreed by the Governing Body/Trustees.

9. APPOINTMENTS WITH DENTIST, DOCTOR, HOSPITAL ETC.

These appointments should be made outside normal working time except in emergencies or where consultants etc. are inflexible over timing. In such circumstances the employee should provide advance notice to their Headteacher/Manager and agree how the time will be taken.

Paid time off will be given to employees for the purpose of breast and cervical cancer screening.

10. UNION/PROFESSIONAL ASSOCIATION DUTIES

Please refer to the ODBST's policy on Trade Union Recognition and Facilities for information on time off for union/professional association duties.

11. FAMILY FRIENDLY POLICIES

Please refer to the ODBST's maternity, adoption, paternity and shared parental leave policy for details of family friendly leave.

12. PARENTAL LEAVE

Employees with one year's continuous service will be entitled to take up to eighteen weeks' unpaid parental leave for the purposes of caring for their child up to the age of 18. Parental leave arises in respect of each child e.g. if the employee has two children they would be entitled to a maximum of 36 weeks. This applies also to employees who acquire formal parental responsibility for a child aged under 18. A maximum of 4 week's parental leave can be taken each year and leave must be taken in week blocks, rather than individual days, unless the child is disabled.

Parental leave will be unpaid and must be taken by the 18th birthday of the child. Requests for parental leave should be made in writing to the employee's Headteacher/Manager at least 21 days in advance of the leave. Parental leave can be delayed if granting the request is likely to have a significant negative impact on the Trust/School. The rescheduled leave should take place no later than 6 months from the original dates.

13. PARENTAL BEREAVEMENT LEAVE

Parents and primary carers who lose a child under the age of 18 or suffer a still birth after 24 weeks of pregnancy are entitled to 2 weeks paid leave. Leave can be taken as a continuous period of two weeks or can be taken as two separate one week blocks. Leave must be taken within 56 weeks of the child's death.

14. COMPASSIONATE LEAVE

Paid or unpaid compassionate leave is available. Each request will be judged on its individual merits, but the following circumstances may be used as guidelines:

- Death or serious illness of a close relative - usually spouse, partner, child, parent, brother, sister or grandparent.

Leave with pay is at the discretion of the line manager, or the Headteacher for school employees. A limit of five days' paid leave per annum (pro-rata) is normally applied although additional time paid or unpaid may be awarded in exceptional circumstances.

15. DEPENDANT LEAVE

Where an employee experiences a domestic emergency which affects a dependant, i.e. a spouse, partner, child, parent, a person living at the same address (except lodgers etc.) or a person who is dependant on the employee for assistance, the employee may be entitled to dependant leave. The purpose of leave for a domestic emergency is to enable the member of staff to deal with an unexpected or sudden problem and to make longer term arrangements. It does not allow the member of staff to be absent for a prolonged period of time or to deal with planned appointments.

All employees are entitled in law (Employee Relations Act 1999) to unpaid time off work to deal with an emergency involving a dependant. The ODBST offers up to 5 days with pay per annum (pro-rata) at the discretion of the Headteacher/Manager. The amount of time an employee is entitled to take is how long it takes to make sufficient alternative arrangements. One or two days will usually be sufficient.

16. CARERS' LEAVE

A carer is someone who, without payment, looks after or provides regular help to family members, neighbours or friends who are sick or disabled, vulnerable or frail. A carer may be the parent or guardian of a child or children. The support given by a carer may be with personal tasks such as dressing or practical tasks such as shopping and cooking; it may be emotional or supervisory. A carer may not necessarily live with the person they care for.

Employees on Bucks terms and conditions with at least 26 weeks of service may request up to 13 weeks' (1 term) unpaid Carers' Leave, to be agreed by the Headteacher/Manager and Local Governing Body/Trustees, at their discretion, and recorded as Carers' Leave. Carer's with at least 26 weeks' continuous service should refer to the ODBST's Flexible Working policy for information on requesting a change to working arrangements.

17. RELIGIOUS FESTIVALS

Employees may request holiday in order to celebrate or attend religious festivals or spiritual observance days, which are not covered by statutory UK public holidays. Leave will be granted, without pay, up to a maximum of 5 days per year (pro-rata for part time employees), although additional time may be granted in exceptional circumstances.

18. PARTICIPATION IN NATIONAL SPORTING, CULTURAL AND SIMILAR EVENTS

The Local Governing Body/Trustees may, at their discretion, grant leave (either with or without pay) for the period of absence.

19. MOVING HOUSE

For employees whose contractual arrangements do not allow them to take annual leave during term-time and where the move cannot be effected in a school closure period, 1 day's leave will be granted without pay at the discretion of the Headteacher/Manager.

20. DISCRETION

The Governing Body may grant leave (either with or without pay) for a period of time in excess of the limits detailed above, and for any other good reason.

21. APPLICATIONS FOR LEAVE OF ABSENCE

Requests for leave of absence (either with or without pay) should be made in writing to the Headteacher/Manager providing as much advance notification as possible.

22. UNAUTHORISED ABSENCE

When an employee does not attend work without reason or without authorisation, every effort will be made to contact the employee, including via emergency contact details, and arrangements made to support a return to work.

If contact cannot be made with the employee or if no good reason is provided for the absence, further investigations which may lead to disciplinary actions may pursue.

23. ANNUAL LEAVE (SUPPORT STAFF AND SHARED SERVICES TEAM ONLY)

Annual leave is the amount of leave that an employer grants staff on an annual basis. This annual leave section is applicable to support and shared services staff employed on a full-year basis only, term time support and shared services employees should refer to the term-time section for information on their annual leave entitlement.

As stated in the Working Time Regulations, staff have a statutory entitlement to 5.6 weeks leave per annum. The entitlement to public holidays is included in this statutory entitlement. ODBST's annual leave entitlement is inclusive of the statutory entitlement.

23.1. ROLES AND RESPONSIBILITIES

Where staff are employed on a full-year basis Headteachers/Managers are responsible for:

- ensuring that relevant individuals within their own team are aware of the procedures for requesting annual leave and of their own entitlements.
- ensuring that annual leave is planned and approved subject to the needs of the organisation. Headteachers/Managers should ensure that staff spread their leave over the year to avoid excessive levels of leave at the same time, towards the end of the leave year or leave being carried over into the new leave year.
- communicating the approval or rejection of a request to the employee.
- maintaining annual leave records for their team.

Staff employed on a full-year basis are responsible for:

- their own awareness of the annual leave procedure and submitting requests in line with ODBST procedures.
- ensuring that their annual leave is planned and taken at regular intervals throughout the year.
- submitting their requests promptly in line with this procedure.
- ensuring their annual leave is approved BEFORE booking a holiday.

23.2. PRINCIPLES

The annual leave year runs from 1st April – 31st March for school-based staff. For Shared Services ODBST staff the annual leave year runs from 1st September – 31st August.

Annual leave entitlements for support staff in our Buckinghamshire schools are documented in appendix 1. Annual leave entitlements for support staff in Milton Keynes are in appendix 2 and annual leave entitlements for shared services ODBST staff are documented in appendix 2.

Annual leave is calculated on a pro-rata basis for part-time employees.

Annual leave for Fixed Term/Temporary employees is calculated on a pro-rata basis to reflect the duration of their employment.

Annual leave provides individuals with a chance to relax and recuperate and the Trust actively encourages staff to take their full annual leave entitlement each year. Only in exceptional circumstances and subject to the requirements of the Trust, up to 5 days of annual leave (pro-rata for part time staff) may be carried forward to the next leave year. This must be agreed by the Local Governing Body for school-based staff or the Manager for shared services employees in advance. Any carryover of annual leave should be taken within the first 3 months of the new leave year, otherwise the entitlement will be forfeited.

Annual leave should normally be taken during school closure periods. Alternative arrangements may be agreed locally.

On the commencement and termination of employment, the employee will be treated as having accrued leave at the rate of one-twelfth of their annual entitlement for each completed calendar month of service calculated by reference to their first or last day at work (as appropriate). If, on the termination of employment, the employee has exceeded their accrued leave entitlement, the excess will be deducted from their final salary payment. If they have leave entitlement still

owing, the Trust may at its sole discretion require the employee to take the leave during their notice period or pay a sum in lieu of accrued leave. Where an employee changes their contractual hours part way through a leave year there may be an impact on their annual leave entitlement. Please contact the HR team for a revised entitlement.

23.3. REQUESTING ANNUAL LEAVE

Requests for annual leave should state the dates being requested, including the total number of working days, and should be submitted in accordance with the school's procedure for requesting annual leave or in line with the central team's procedure, detailed in appendix 2.

Requests for annual leave should be made as early as possible to enable the Trust/School to plan ahead most effectively. Headteachers/Managers should respond to requests as soon as they are able.

Before approving an annual leave request the Headteacher/Manager should check the employee's annual leave entitlement and any periods of leave already approved within the team. Consideration should also be given to the needs of the Trust/School over that period. Whilst annual leave requests should not be unreasonably refused, all leave requests must be approved taking into account the needs of the Trust/School and where this will be compromised, Headteachers/Managers have the right to refuse the request. Where possible, discussion should take place with the member of staff and consideration given to alternative options.

In normal circumstances a maximum of three consecutive weeks of annual leave can be taken at any one time. Requests extending beyond three consecutive weeks should be initially approved by the Headteacher/Manager and then submitted to the Chair of the Local Governing Body/Chair of the Trust, as applicable, for approval.

23.4. ANNUAL LEAVE AND FAMILY FRIENDLY LEAVE

Friendly Family leave, such as Maternity, Adoption and Shared Parental leave will not affect the employee's entitlement to annual leave. Wherever possible the annual leave entitlement should be taken in the appropriate leave year(s); unless it is mutually agreed with the Headteacher/Manager that it may be carried forward to the following year.

23.5. ANNUAL LEAVE AND SICKNESS ABSENCE

Employees who are long-term sick have the right to receive at least their statutory entitlement to annual leave (less accrued bank holidays) if their sickness continues into a new leave year. Managers should therefore make arrangements for the balance of any outstanding statutory entitlement (less accrued bank holidays) to be carried over in to the new leave year. This may also be used to support a graduated/phased return to work.

If an employee becomes incapacitated whilst on holiday and would have been unfit to work had they not been on holiday, they must advise their manager as soon as reasonably practicable. A medical certificate must be provided to cover the whole period of absence. The employee will

then be regarded as being absent on sick leave from the date of certification and will have the opportunity to re-take their annual leave at a later date.

24. PUBLIC HOLIDAYS

Employees will be entitled to a day off with normal pay for the usual United Kingdom public holidays. Public holidays will be calculated on a pro-rata basis for part-time employees.

A pro-rata entitlement has a different effect dependent on the part-time employee's working pattern. Where a public holiday falls on one of the employee's working days they will not normally be required to work. A positive or negative adjustment will be made to the part-time employee's annual leave entitlement in line with their working pattern and the days in which the public holidays fall to ensure the employee benefits from the correct pro-rata entitlement. Where feasible and mutually agreed between the employee and the Headteacher/Manager, negative adjustments may be dealt with by working additional hours at another time instead of using some of the employee's annual leave entitlement to make up the difference.

Further advice on the calculation of public holiday entitlements may be obtained from HR.

25. TERM TIME EMPLOYEES

Employees who work term-time only, or term-time plus a specified number of weeks, have their entitlement to paid annual leave public holidays included in the calculation of their annual salary payment. Leave must be taken during school closure periods and there is no other holiday entitlement.

Arrangements for working contracted weeks outside of term-time, where applicable, should be agreed between the employee and Headteacher/Manager.

The Trust follows term dates set by Buckinghamshire Council and/or Milton Keynes Council.

26. TIME OFF IN LIEU (TOIL)

This section applies to shared services employees and may, if agreed by the headteacher, be used as an alternative to paid overtime for school support staff.

The ODBST recognises that the nature of its work means that on occasion staff will be needed to work outside their contractual working hours. TOIL is provided for this purpose. As an example, TOIL may be accrued in the following circumstances where there is a requirement to work additional hours (this list is not exhaustive):

- Year-end accounts
- Trust events
- Academy conversion meetings
- Governing Body meetings

- Trustee meetings

TOIL is accrued based on the number of hours worked above contractual hours. Employees are expected to keep a record of additional hours worked, which should then be approved by their manager. As with annual leave, managers have a right to refuse a request for TOIL where the employee's absence at that time may have a detrimental impact on the Trust. In such cases, a discussion should take place with the employee to seek alternative opportunities for the TOIL to be taken.

Managers should monitor additional hours worked and not allow excessive TOIL to accrue. TOIL must be taken in half or full day blocks within the academic year (i.e. it cannot be carried forward to the next year).

APPENDIX 1

ANNUAL LEAVE – SCHOOL BASED EMPLOYEES ON BUCKS PAY ONLY

The Bucks Pay leave year runs from 1st April to 31st March.

The table below shows annual leave entitlements for staff employed on a full-time basis for 52 weeks per year, aligned to salary range and length of service. A pro-rata entitlement will be calculated for part-time employees:

Salary Range	Less than 5 years' service	More than 5 years' continuous service
1 - 3	22	27
4 - 5	23	28
6 – 12	25	30

APPENDIX 2

ANNUAL LEAVE – SCHOOL BASED SUPPORT STAFF IN MILTON KEYNES SCHOOLS ONLY

The annual leave year for support staff in Milton Keynes schools runs from 1 April to 31 March.

The annual leave entitlement for staff employed on a full time basis working 5 days per week on a 52 week contract is as follows:

- 27 days (inclusive of 2 extra statutory days)

After 5 years of continuous service this rises to 31 days (inclusive of 2 extra statutory days).

A pro-rata entitlement will be calculated for part-time employees or those with non-standard working patterns.

APPENDIX 3

ANNUAL LEAVE – SHARED SERVICES STAFF ONLY

The ODBST's annual leave year for the shared services team follows the academic year, from 1st September to 31st August.

Shared Services staff are entitled to annual leave as follows:

- During the first five years of employment staff are entitled to 24 days' annual leave per annum
- During the sixth to tenth year of employment, staff are entitled to 27 days leave per annum
- After the tenth year of employment, staff are entitled to 29 days' annual leave per annum

Entitlements are calculated on a pro-rata basis for part-time employees.

CHRISTMAS PERIOD

An additional discretionary holiday is given on Christmas Eve. It is recognised that some roles may be required to work from home on this day as and when the Trust requires it.

PROCEDURE FOR REQUESTING AND RECORDING ANNUAL LEAVE

Requests for annual leave should be made by email to the employee's line manager. The email should state the dates of leave being requested, including the total number of working days.

The manager should check the employee's annual leave entitlement and any periods of leave already approved within the team. Consideration should also be given to the needs of the Trust over that period. Annual leave can be checked using the shared services team annual leave tracker.

Requests for annual leave should be made as early as possible to enable the Trust to plan ahead most effectively. Managers should respond to requests for annual leave as soon as possible, by email.

Where the request is agreed, the manager should ensure that the shared services team annual leave tracker is updated.