

LEAVE OF ABSENCE

The following leave of absence policy, formulated in accordance with SJNC (TSSE) sub-paragraph 11.13.1, indicates timescales and circumstances when paid/unpaid leave may be granted.

1 LEAVE OF ABSENCE POLICY

In terms of the Authority's policy, and the appropriate Conditions of Service, Head Teachers are empowered to grant paid leave of absence for periods of two days or less (SJNC (TSSE) sub-paragraph 11.13.1). In such circumstances cover will be provided from within the school where appropriate.

When a Head Teacher has doubts relating to the payment of salary, form ESG25 (1998) (Leave of Absence Application) should be submitted in advance to the appropriate Education Officer. Similarly, forms ESG26 (1998) (Absence Report) and form ESG28 (1998) (Return to Duty) will require to be submitted in such cases. The submission of these forms, however, is not required if the Head Teacher is satisfied that leave with pay can be granted under current Authority policy.

Decisions relating to the interpretation of this agreement will be taken by Education Officers.

Staff should note that an accelerated appeals system has been established to ensure that appeals against decisions by Education Officers for leave with or without pay, may be timeously heard. Such appeals will only be considered where they relate to those clauses in the agreement where there is reference to "normally", "reasonably" or there is specific reference to the Appeals Committee.

The Committee will be composed of Council Members of the Grievance Appeals Sub-Committee to whom written appeals will be submitted. Appeals will normally be processed by the Joint Secretaries of the Union Management Forum; this does not preclude staff submitting appeals directly to the Management Side Secretary of the UMF.

Leave of absence, without pay, will be granted to temporary staff on account of family illness. Temporary staff on long-term contracts will also be granted, in cases of family bereavement, the same leave of absence as permanent staff. The policy for granting leave of absence to permanent staff in certain circumstances is as undernoted.

Reason for Absence	Policy
1. Exceptional Leave (including additional holidays and own wedding)	Such requests will not normally be granted and consideration of any such requests, in any case, would be subject to the exigencies of the service. All such requests must be made in writing and reasonable notice given to the Authority. Such additional leave shall be without salary.
2. Appointments medical, dental, driving test etc	Normally appointments should be made outwith school hours except that, in terms of SJNC (TSSE) 11.11, teaching staff shall be entitled to take such reasonable time off
Cross References:	
13 Leave of Absence SJNC (TSSE) 11.10.1-4; 11.11; 11.13.1-2; 14.7.4; POM 10.2; 10.4; 10.6; 11.4; 12.2	13.1

	without loss of pay as is required for the purpose of preventative medical examinations. It should be noted that this change was designed to ensure that teaching staff would be granted paid leave of absence for such purposes as cervical screening etc.
3. Bereavement a) Near relative, in law, cohabitee or Foster parent (also see 4 below) b) Others	Paid leave shall be granted for up to 5 working days. Where specific family or personal circumstances merit, consideration shall be given to treating persons as 'near relatives'. Additional leave with or without pay may be made available in the event of prolonged serious illness or a bereavement where circumstances merit such leave. Normally grant up to one day without salary.
4. Parental Bereavement	Parents are entitled to statutory leave of 2 weeks if they suffer the loss of a child under the age of 18 or suffer a still birth from 24 weeks of pregnancy. The leave can be taken as a single block of 2 weeks or discontinuously as 2 separate blocks of 1 week. The Council offers employees contractual pay for the two weeks of Parental Bereavement Leave. Full details of the provisions are contained in the Parental Bereavement Leave guidance
5. Family Illness (near relative, in-law, cohabitee or Foster parent) a) Serious illness b) Other family illness e.g. normal childhood ailments	Paid leave shall be granted for up to 5 working days in the case of serious family illness. Favourable consideration will be given to the granting to extensions, without salary, on application to the Director of Education, in cases of serious illness extending beyond 5 days. Where specific family or personal circumstances merit, consideration shall be given to treating other persons as 'near relatives'. <i>NOTE: 5 days would be granted only in cases of serious illness of a close relative. Normal childhood ailments would not be regarded as 'serious' in the context.</i> Head teachers have discretion to grant up to 2 days paid leave of absence. In an emergency, where the family doctor has to be called in to determine the nature and seriousness of the illness, sympathetic consideration should be

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	given to a request for paid leave to cover the short period until diagnosis is made.
6. Paternity Leave	Statutory Paternity Leave and Pay This has been updated by a national agreement. Go to the National Agreements page, where there is a link to the SNCT Handbook. Scroll to Part 2, Section 7 – “Family Leave”.
7. Adoptive Leave	<ul style="list-style-type: none"> a) Where necessary, time off with pay shall be provided to allow both parents to attend for interview with adoptive societies of agencies, the parents having provided as much prior notice as possible. b) The adoptive parents shall inform the Authority immediately they are accepted by an adopting agency or have reason to believe that adoption is probable. c) The Authority shall expect, in so far as circumstances allow, reasonable notice and following placement of child will grant 2 weeks paid leave and 27 weeks unpaid leave for children not receiving statutory education. d) In all other cases the Authority will grant 2 weeks paid leave and any request for further unpaid leave of absence must be submitted in writing.
8. Religious Observance	<p>The position of Aberdeen City Council is that reasonable time off for religious observance should be permitted wherever possible in line with service delivery, and Head teachers are encouraged to treat such requests sympathetically.</p> <p>Time off for religious observance, where granted, will normally be unpaid.</p>
9. Educational Duties	Grant leave of absence with salary.
<ul style="list-style-type: none"> a) Members of: Education Bodies, Examinations Boards, National Working Parties, School Boards/College Councils, Transfer Boards b) Attendance of Children’s Hearings 	Attendance, with salary, at not more than ten hearings during school hours in any one session.
10. Jury Service	A teacher receiving a summons to serve on a jury must report the fact to his/her Head teacher and shall be granted leave to attend

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	<p>unless exemption is secured. The salary payable during such leave shall be subject to the deduction for the loss of earnings allowance to which the teacher will be entitled under Jurors Allowance Regulations. Accordingly, the teacher should claim this allowance for which purpose he/she will be furnished with an official note of his/her salary expressed in terms of a daily rate (SNJC (TSSE) sub paragraphs 11.10.1-2).</p> <p>The Director of Finance should be notified in writing immediately of the amount of the allowance received. That sum will be deducted from the first salary payment thereafter.</p>
<p>11. Moving House</p> <p>a) In Service</p> <p>b) New Appointment</p> <p>c) Transferring at Request of Authority</p>	<p>Grant one day with salary. In special circumstances, one additional day, without salary may be approved.</p> <p>Grant one day with salary. In special circumstances (e.g. distance involved) the period may be extended.</p> <p>Grant leave with pay for up to a maximum of 5 days to search for accommodation (not necessarily consecutive). (SNJC (TSSE) sub-paragraph 14.7.4)</p>
<p>12. Political</p> <p>a) Parliamentary candidates or election agents</p> <p>b) Representatives at National Party-Political Conference</p> <p>c) Representatives at National Party Social Functions</p>	<p>Grant 3 week's leave of absence without pay during the period up to the election subject in the case of the latter category only, to satisfactory consultation with the Director of Education.</p> <p>Grant without salary.</p> <p>Refuse leave of absence.</p>
<p>13. Post Entry Training (leave for examinations)</p>	<p>Special leave with pay shall be granted to teachers for the purpose of sitting examinations applicable to their teaching service: e.g. Open University, Med etc. Subject to the approval of the appropriate Education Officer, teachers may be granted 3 days paid leave for final revisions: study leave in excess of 3 days will be unpaid at the discretion of the EO, and subject to a maximum of 7 such unpaid</p>

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	days. In cases of unpaid study leave only the actual working days will be deducted.
14. Royal Gathering (Investiture, Garden Party etc)	<p>a. Self- grant one day with salary in Scotland or up to two days salary if in London.</p> <p>b. Accompanying spouse, son, daughter, parents – grant one day without salary in Scotland or up to 2 days without salary if in London.</p>
<p>15. Special Activities</p> <p>a) Representing Country, region or city in sporting cultural or recreational activities</p> <p>b) Adjudicating at festivals etc.</p> <p>c) Competing at festivals</p> <p>d) Attendance to accompany son or daughter to festival etc.</p> <p>e) Attending graduation of member of family</p>	<p>Grant up to 15 days per annum with salary in case of country and 5 days in case of region/city, where appropriate, these to be cumulative. For longer absences, requests to be submitted to the Director of Education for consideration. All requests for such leave must be submitted to EOs as soon as potential commitments are known.</p> <p>Grant up to 5 days without salary.</p> <p>Grant up to 2 days without salary.</p> <p>Normally refuse leave of absence.</p> <p>Grant up to 1 day with salary.</p>
16. Trade Union and Professional Association Activities and Duties	Refer to the Facility Time Agreement in Local Conditions of Service and Management Guidance Notes
<p>17. Volunteer Force Annual Deployment Exercise/Training Event during Session</p> <p>a) Members holding key positions</p> <p>b) Training of cadets</p> <p>c) Otherwise</p>	<p>Grant with salary.</p> <p>See provision on Cadet Force Adult Volunteers</p> <p>Refuse leave of absence.</p>
18. Cadet Force Adult Volunteers	This provision covers those who are Cadet Force Adult Volunteers (CFAV). Paid special leave up to a maximum of 5 days will be granted to CFAV to attend relevant annual training and camps. CFAV who require further time off are expected to use days from their normal annual leave entitlement (or to take unpaid or flexi leave or to agree with their manager to make the lost time up at a later point).
<p>19. Weddings</p> <p>a) Own</p> <p>b) Immediate Family</p> <p>c) Others</p> <p>d) Preparing for Daughter's Wedding</p>	<p>(see sub paragraph)</p> <p>Grant day of wedding with salary.</p> <p>Grant one day without salary.</p> <p>Refuse leave of absence.</p>
20. Obligatory Attendance at Court	As for jury service (se sub-paragraph above) (SJNC (TSSE) sub-paragraphs 11.10.3-4)

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<p>21. Public Duties</p> <p>a) Justice of the Peace</p> <p>b) Members of Other Local Authorities</p> <p>c) Members of Other Public Bodies (e.g. Children’s Panels, Health Board, Health Council, Social Security Tribunals)</p>	<p>Grant leave of absence with salary.</p> <p>Grant time off up to the equivalent of 208 hours with a choice of the following alternatives:</p> <ol style="list-style-type: none"> 1. Leave of absence <u>without pay</u> on the understanding that the necessary deductions from pay would be made on an hourly basis. In accordance with the Salaries memorandum, salary will be deducted at a daily rate of 1/365th of annual salary. The hourly rate in respect of day schools will be based on a 5 hour 30 minute day. 2. Leave of absence with pay (a) on the understanding that the appropriate attendance, etc. allowances are not claimed from the Local Authority (b) where the net amount of the appropriate allowances (i.e. after allowing for income tax and national insurance contributions) claimed by and paid to such staff are declared and paid to the Council. 3. Where a councillor feels that he/she cannot fulfil his/her duties within the terms of this agreement he/she may request special leave in a written submission to the Director of Education. <p>Similar to Local Authority membership (sub-paragraph (b) above) except where the leave of absence is granted with pay and the Public Body pays an annual allowance. In such cases the employee would require to repay to the Council the proportion of the allowance based on the number of working days in the service.</p>
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