

**Leave Policy and Summary Charts**  
 (Please also refer to Leave Guidance)

Date of creation/review	Reason for review	Date of next review	Reviewer/Approval Body
March 2021	Adaptions to NYCC Academies leave policy		<b>Trustees</b> SILG FRAR LGB LGB-Finance CEO Headteacher
	YEAT Policy Cycle	Spring 2024	

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## **1.0 Scope**

- 1.1 This policy applies to all employees of Yorkshire Endeavour Academy Trust unless specifically stated otherwise in the summary chart.

## **2.0 Statement of commitment**

- 2.1 Yorkshire Endeavour Academy Trust expects all colleagues to work within a culture of mutual trust and respect and are committed to supporting the work life balance of its staff and provides a range of leave entitlements, which help accommodate individual needs and commitments outside work. These entitlements are in line with statutory entitlements, and entitlements arising from national and local collective agreements. In addition to the statutory and collective agreement entitlements, and in recognition of the professional generosity of all employees, Yorkshire Endeavour Academy Trust has enhanced this entitlement further, by offering colleagues an annual wellbeing day plus other enhancements indicated by \* in the table below.
- 2.2 Leave entitlement will accrue from the start date of the employment and will be calculated pro-rata to ensure compliance with the Working Time Regulations.
- 2.3 Whilst the entitlements set out in the charts are a guide, many types of leave are subject to manager approval. In considering such requests, the provision of education to the children attending the school is paramount and therefore it must be understood that requests for leave, where there is discretion of the timing of such leave, cannot be guaranteed.

## **3.0 Key Responsibilities**

- 3.1 The following is an outline of key responsibilities expected when following this policy & procedure:

### **Line Managers (including Headteachers and other school managers);**

- Should be supportive of individuals' needs and commitments outside of work, whilst balancing leave requests against the needs of the school.
- Encourage staff to plan to take their full allocation of annual leave within the year, ordinarily within school closure periods.
- Commit to forward planning of leave to ensure appropriate levels of cover for the effective running of the school and the education of pupils.
- Ensure that leave application processes are followed and the outcome of these are recorded.
- Ensure that leave requests are considered in line with statutory provisions and nationally and locally agreed collective agreements which form part of the terms and conditions of employment.

### **Employees;**

- Should consider the needs of the school in which you work when requesting leave.
- Should submit leave requests in accordance with the relevant process and timescales and only take leave when they have received the relevant approval.

- Leave should be requested and approved as far in advance as possible.
- Should request leave in line with relevant legal minimum periods of notice if applicable (please also see Leave Guidance).

**NOTE:** Any employee who absents him/herself without prior authorisation or fails to follow required procedures will be in breach of their contract of employment and may be subject to disciplinary action and a deduction from pay.

#### **4.0 Statutory entitlements to leave**

- 4.1 For certain types of leave, there is a statutory entitlement to take leave, as outlined in the statutory leave summary chart. Statutory leave and timescales must be adhered to.

#### **5.0 Contractual entitlements to leave**

- 5.1 Employees of Yorkshire Endeavour Academy Trust have a contractual entitlement to some categories of leave, as outlined in the contractual leave summary chart and the supporting guidance document. These contractual entitlements arise from either national or local collective agreements.

### Statutory leave entitlement summary chart

The leave outlined in this chart are statutory entitlements for employees. Please refer to the relevant section of the leave guidance for full details

<b>Leave category</b>	<b>Description</b>	<b>Entitlement for all employees</b>
<b>Adoption</b>	Applies to an adoptive parent who is the primary carer	Ordinary Adoption Leave of 26 weeks and Additional 26 weeks' adoption leave. Occupational and/or statutory pay applies, dependent on service.
<b>Antenatal for expectant mothers</b>	Care during pregnancy including relaxation and parenting classes.	Paid time off for antenatal care is given to all staff expecting a child. Managers can ask to see appointment cards.
<b>Dependants</b>	Available to all employees with dependants. A dependant is the husband, wife, or partner, child or parent of the employee and also includes someone who lives in the same household as a member of the family, but not tenant or boarder or live-in employees.	Up to 2 days paid leave when an emergency arises, upto 4 days unpaid leave at the discretion of headteacher. Policy based upon mutual trust and the expectation is that emergency dependents arrangements are shared between other members of the household
<b>*Gender reassignment</b>	Employees undergoing gender reassignment.	It is discriminatory to treat an employee, who is absent from work to undergo gender reassignment, worse than someone who is absent from work for another reason - for example, because they are ill, injured, recuperating, or having counselling or medical appointments.  To note, there is no statutory entitlement of leave for gender reassignment, the policy of this Trust is to allow credited medical leave for Hospital appointments up to a maximum of 10 visits per annum, with other treatment to be arranged in own time.  Pro-rata for part-time staff.
<b>Maternity</b>	Applies to women who are pregnant	Ordinary Maternity Leave of 26 weeks. 26 weeks additional leave. Occupational and/or statutory pay applies dependent on service.
<b>Parental</b>	Available to all with parental responsibilities	All employees with 26 weeks' continuous service are entitled to up to 18 weeks' unpaid leave for each child to be taken before the child's 18th birthday. Leave should be taken in blocks or multiples of one week (except for parents of children in receipt

		of disability living allowance, where leave can be taken in periods of one day or more), with a maximum four weeks leave in any year
<b>*Parental bereavement</b>	For parents who lose a child under the age of 18, or suffer a stillbirth from the 24th week of pregnancy	Statutory entitlement to two weeks' leave within the first year after the child's death.  To note, whilst the statutory entitlement is to pay for this period at statutory rates, this Trust's/school's collective agreement is to pay parental bereavement leave at <b>normal rate</b>
<b>Paternity</b>	Partner of expecting mother who have responsibility for the upbringing of a baby or adopted child,	Up to 2 weeks' Statutory Paternity Pay (SPP) after 26 weeks' continuous service. Alternatively, if eligible, 1 week Maternity Support Leave at normal pay plus 1 week Paternity Leave with SPP
<b>Shared parental</b>	Regulations allow for the sharing of maternity and adoption leave	This leave is paid at statutory rates

**Contractual and discretionary leave entitlements for Trust/ School staff arising from national and local collective agreements, and other agreements with recognised Unions) - summary chart;**

The leave outlined in this chart are both contractual entitlements for Trust/school employees in line with nationally or locally agreed collective agreements, and other agreements with recognised unions, and discretionary options for consideration. Please refer to the relevant section of the leave guidance for full details.

<b>Leave category</b>	<b>Description</b>	<b>Support staff entitlement</b>	<b>Teacher entitlement</b>
<b>Annual leave</b>	<p><b>Support staff</b> Entitlement to paid annual leave with leave year beginning on 1<sup>st</sup> April and ending on 31<sup>st</sup> March. Contractual entitlement exceeds statutory requirements.</p> <p><b>Teaching staff</b> Leave year for ensuring statutory leave requirements have been met is 1<sup>st</sup> September to</p>	<p><b>Green Book contractual entitlement;</b> 0-5 years continuous service – 22 days (pro-rata) 5+ years continuous service – 25 days (pro-rata) All employees entitled to 2 extra statutory days holiday, timing of which to be determined by the LA in consultation with TU's or added to annual leave by agreement</p> <p><b>NYCC NJC support staff contractual entitlement – retain or delete as appropriate</b> NYCC collective agreement to provide the following annual leave entitlements based on length of continuous service (pro-rata for part time</p>	<p>Full-time Teachers are required to work 195 days per school year (Sept-August) (pro-rata for part-time teachers). They do not have a specified contractual leave entitlement so it must be ensured that minimum statutory entitlements are met (usually only relevant when a teacher has been absent for a number of months e.g. maternity leave, sickness absence).</p>

	31 <sup>st</sup> August.	<p>staff);</p> <table border="0"> <thead> <tr> <th><b>Completed Continuous Service</b></th> <th><b>Days leave per year</b></th> </tr> </thead> <tbody> <tr> <td>Under 3 years</td> <td>24*</td> </tr> <tr> <td>3 years</td> <td>25</td> </tr> <tr> <td>4 years</td> <td>26</td> </tr> <tr> <td>5 years</td> <td>27</td> </tr> <tr> <td>10 years</td> <td>30</td> </tr> <tr> <td>15 years</td> <td>33</td> </tr> </tbody> </table> <p>Staff working term time only have pro-rata leave included in salary</p> <p>* This entitlement increased from 23 days from 1 April 2020 following the increase in the Green Book due to the 2020/2021 NJC pay award agreement.</p>	<b>Completed Continuous Service</b>	<b>Days leave per year</b>	Under 3 years	24*	3 years	25	4 years	26	5 years	27	10 years	30	15 years	33	
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Under 3 years	24*																
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<b>*Antenatal appointments for partners</b>	Care during pregnancy including relaxation and parenting classes.	<p>There is a statutory entitlement for partners to attend 2 antenatal appointments without pay.</p> <p>Fathers and partners are entitled to time off with pay to attend up to 2 antenatal appointments.</p>															
<b>Bad weather / emergency</b>	Leave for staff prevented from attending work by severe weather, epidemics, fuel shortages etc. All options should be explored and only in exceptional circumstances does the manager have discretion to authorise paid leave subject to approval as necessary.	<p>Please note; the entitlement to leave in relation to infectious diseases is outlined further in the Green book for NJC staff, and the Burgundy book for teachers.</p> <p>All options should be explored in order to maintain the service. These include (where applicable):</p> <ul style="list-style-type: none"> <li>• Working from home</li> <li>• Using remote technology to maintain service</li> <li>• Working at another school within Yorkshire Endeavour</li> <li>• Different working times</li> </ul>															

<p><b>*Compassionate leave</b></p>	<p>Bereavement ( this applies to family members, including in-laws, step families and grandparents. Attending seriously ill dependants. Dealing with challenging life events).</p>	<p>Up to 5 days paid leave may be approved for any instance of compassionate leave to deal with challenging life events such as the death of a family member, attending to dependants at a time of serious illness, relationship breakdowns resulting in distress and difficulties for the employee where they need to make alternative domestic and caring arrangements for dependants. Subject to discussion with manager.</p> <p>In unfortunate cases of multiple instance, this leave entitlement is not limited to once per year, and an additional 4 weeks of paid leave may be available at the discretion of the Headteacher</p> <p>Should further days be needed, special leave (unpaid) could be requested and the cost spread over the year. Alternatively, annual leave (and / or flexi leave and TOIL where applicable) could be used.</p>	
<p><b>Credited medical appointments</b></p>	<p>Hospital/Clinic Appts Doctor/Dental/ Opticians Appts Specific Medical Appts</p>	<p><b>Green Book entitlement</b> Paid time off for the purposes of cancer screening.</p> <p><b>All other</b></p> <p>Where possible appointments should be made outside working hours –</p>	
<p><b>Extended leave (unpaid)</b></p>	<p>Unpaid leave for a period of not more than 12 months.</p>	<p>Following a minimum of 6 months' service with the Trust/school, an employee may request a period of extended unpaid leave from their post for caring or personal reasons, including personal development. Agreement is at the discretion of the Headteacher / Governing Body</p>	
<p><b>Fertility treatment</b></p>	<p>Leave to attend hospital for treatment</p>	<p>Credited medical leave for hospital appointments up to a maximum of 10 visits per annum. Pro-rata for part-time staff.</p>	
<p><b>Flexi leave / Time off in lieu (TOIL)</b></p>	<p>If applicable to the school, leave taken with managers' approval using hours accrued under any</p>	<p>When applicable a maximum of 2 days per term may be used as flexible TOIL at the discretion of the HT</p>	

	local flexi-time or TOIL scheme.		
<b>Foster Carers' leave</b>	Applies to staff who have been granted foster carer approval.	Up to 5 days paid leave in the first year of foster caring, during the period when Carers are expected to complete the Training, Support and Development Standards. In subsequent years up to <b>2 days paid leave</b> to attend annual review, on-going training and other meetings relevant to the placement of the young person	
<b>Interview leave</b>	Leave to attend interviews	Leave with pay up to to attend interviews at the discretion of the headteacher.	Paid leave for interviews requiring more than one day at the discretion of the HT. May also include pre-interview visits to schools
<b>Leave for religious matters</b>	Employees whose religious beliefs require the observance of festivals which fall on their work days and employees who wish to travel to attend religious gathering	Leave to be requested from Headteacher and is agreed at their discretion.  Such leave would usually comprise annual leave, unpaid special leave or flexi leave / TOIL (where applicable).	Leave to be requested from Headteacher and is agreed at their discretion. Such leave would usually equate to no more than 3 working days per annum, and if pay is agreed for such leave it would usually be expected that equivalent time should be worked in lieu. Where this is not possible it would usually be expected that leave would be without pay.
<b>Maternity support leave</b>	An employee chosen by the expectant parent to be the primary carer when the child arrives.	1 weeks' paid leave. Pro rata for part time staff.	Teaching staff excluded via burgundy book but have Paternity Leave provision
<b>Pre-adoption</b>	Applies to staff applying to be adoptive parents	Paid leave of up to 5 days to attend sessions as part of the adoptive process that cannot be held outside of work time. Pro-rata for part-time staff.	
<b>Public / bank holiday</b>	Entitlement to the following public holidays from the commencement of employment.	<ul style="list-style-type: none"> <li>• New Year's Day</li> <li>• Good Friday</li> <li>• Easter Monday</li> <li>• May Day (first Monday in May)</li> <li>• Spring / Whitsuntide Bank Holiday (last Monday in May) August Bank Holiday (last Monday in August)</li> <li>• Christmas Day</li> </ul>	



		<ul style="list-style-type: none"> <li>• Boxing Day (Where Christmas Day, Boxing Day or New Year's Day fall on a Saturday or Sunday the official Public Holiday is normally moved to the following Monday (or Monday and Tuesday, if both Christmas Day and Boxing Day fall at a weekend). Pro rata entitlement for part-time staff</li> </ul>	
<b>Public Service</b>	Paid leave for specific public duties, up to 12 days per annum (pro-rata for part time staff), which can be extended at the discretion of the manager	<p><b>Green book entitlement:</b> Paid leave for jury service, serving on public bodies or undertaking public duties. Allowance to be repaid to the employer where this can be claimed.</p> <p>Public service leave allows employees to serve on a public body, or to undertake public duties, for example, a magistrate, a Justice of the Peace, member of a LA (Parish or District Council), statutory tribunal, NHS Trust, Health Authority, Prison Board of Visitor, school governor, election duties, jury service, Territorial Army Service or non-regular forces; and attending relevant training. Staff should give as much notice as possible of requests of absence.</p>	<p><b>Burgundy book entitlement;</b> Entitled to paid and unpaid leave comparable with those of local authority officers for jury and other public service.</p> <p>Public service leave allows employees to serve on a public body, or to undertake public duties, for example, a magistrate, a Justice of the Peace, member of a LA (Parish or District Council), statutory tribunal, NHS Trust, Health Authority, Prison Board of Visitor, school governor, election duties, jury service, Territorial Army Service or non-regular forces; and attending relevant training. Staff should give as much notice as possible of requests of absence.</p>
<b>Special leave (unpaid)</b>	A number of days (a short period) of unpaid leave may be requested to deal with personal or domestic issues	Agreement is at the discretion of the Headteacher / Governing Body. Staff need to tell their Line manager the reason for the request and their proposed return date as soon as reasonably practicable. It is intended that this scheme allows enough time for the employee to cope with the immediate crisis.	
<b>Study leave</b>	Paid leave for work-related study as approved.	Up to 1 day's paid leave per exam to a maximum of 5 days.	As support
<b>Time off for trade union duties</b>	Trade Union representatives entitled to reasonable release from duties (paid) to undertake trade union duties	As set out in the Trade Union Recognition Agreement and local facilities agreement	<b>Burgundy book entitlement;</b> Teachers who are accredited representatives of recognised teachers' organisations shall be afforded union facilities and rights in consequence of their position as outlined in

			appendix III of the Burgundy book.
<b>Wellbeing day</b>	Paid leave to support wellbeing	Upto 1 days paid leave to support wellbeing – employees must agree the date with their line manager giving as much notice as possible.	As support