

# Perth & Kinross Local Agreements : **Absence Leave** [ January 1996 ]

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## **TAYSIDE REGIONAL COUNCIL EDUCATION DEPARTMENT**

### **CONDITIONS OF SERVICE OF TEACHERS - REQUESTS FOR LEAVE OF ABSENCE - GUIDELINES**

The following guidelines are for use by Head Teachers and members of the Directorate in determining their response to requests for leave of absence from teachers. Details are also provided of the circumstances under which Head Teachers may grant up to 2 days paid leave.

Firstly, the following general points should be noted.

1.1 Teachers should avoid making personal arrangements which conflict with contractual obligations to the education authority.

1.2 School holidays are notified well in advance and every effort should be made to restrict personal business to non school days.

1.3 Some leave is given as an entitlement. However, in the majority of cases it is discretionary and requests may be refused. A teacher's willingness to forego salary does not make the granting of leave more likely. The teacher's absence inevitably disrupts pupils' education, and the effect could be exacerbated if no replacement teacher were available.

1.4 Unpaid leave constitutes a break in service, which can effect superannuation payments and pension. If unpaid leave includes a Friday followed by a Monday deduction of salary will also be made for the weekend. No deduction of salary would be made for mid term or public holidays.

1.5 All absences should be recorded on the absence slips which are sent from the school to the Payroll Section. The section, 'Reason for Absence' should be completed with a brief description, and a statement as to whether the absence has been authorised by the Head Teacher or by the Area Director, and whether paid or unpaid.

1.6 The following guidelines apply to teachers and music instructors on permanent and fixed term contracts, but not to supply teachers/instructors. Supply teachers/instructors can decide for themselves whether or not to work, and are paid only for the time they do work.

1.7 The numbers in brackets refer to the appropriate Paragraph of the Scheme of Conditions of Service. Part 11 of this (pages 39-45) deals with leave.

2 Some leave of absence is given to teachers as an entitlement to paid leave ie:

2.1 Jury Service (para 11.10)

- attendance compulsory, but loss of earnings must be claimed by teacher from Court and notified to Salaries Section for deduction from normal pay.

2. Court Witness (Para 11.10)

- paid leave, on condition that any available loss of earnings allowance is claimed by the teacher and notified to Salaries Section for deduction from normal pay.

### 2.3 Examination Leave (para 8.3)

- paid leave on the days or half days of the examinations, if applicable to their teaching service.

### 2.4 Preventative Medical Examinations [para 11.11 )

- reasonable time off with pay.

### 2.5 Serious Family Illness (para 11.12)

- ("serious' does not refer to normal childhood illness).
- Family includes spouse, partner, son, daughter, parent, mother/father in-law, guardian, brother, sister. In some circumstances it may include others, for instance, where the teacher is closest relative and responsible for managing affairs - eg aunt, grandparent.  
paid leave for up to three school days.

### 2.6 Family Bereavement(para 11.12)

- Family includes spouse, partner, son, daughter, parent, mother/father in-law, guardian, brother, sister, in some circumstances it may include others where the teacher is closest relative and responsible for managing affairs- eg aunt, grandparent.
- paid leave for up to five school days.

Head Teachers may grant the leave described above. Reference should be made to the Area Director only where the amount of leave requested is greater than the above, or where a different family member is involved in 2.5 or 2.6. Head Teachers themselves who wish to have leave of absence should also contact their Area Director

3 Other leave of absence may be granted to teachers at the discretion of the Head Teacher, or of the Area Director.

#### 3.1 At the Discretion of the Head Teacher

Provided arrangements suitable to the authority can be made to cover the duties of the absent teacher, Head Teachers may grant paid leave of absence for up to two days for inescapable personal commitments, eg funerals, weddings within the family circle, or commitments on compassionate grounds. Further examples may be found in 4 below.

Supply cover would not normally be provided, although it is accepted that by covering for the agreed leave schools may be brought closer to being eligible for supply cover for other absences. Head Teachers of small schools would automatically be given cover.

#### 3.2 At the Discretion of the Area Director

Other requests, and requests for unpaid leave, should be referred to the Area Director. In accordance with the Conditions of Service, the teacher should write the Head Teacher in the first instance. The Head Teacher should then pass that letter to the Area Director, together with a covering letter giving his/her comments. At least two weeks notice would normally be expected.

If a Head Teacher wishes to have leave of absence, the request should be made to the Area Director.

4 The following guidelines are intended to assist members of the Directorate in making consistent and equitable decisions in refusing or granting paid or unpaid leave. There may on occasions be exceptional circumstances which should be referred to the Area Director.

	<b>Reason for Request</b>	<b>At Discretion of Head Teacher or Entitlement</b>	<b>At Discretion of Area Director</b>
4.1	Personal Business		
	<ul style="list-style-type: none"> <li>• medical appointment/driving test etc</li> </ul>	up to 1 day paid	remainder unpaid
	<ul style="list-style-type: none"> <li>• accompany spouse/partner on business trip</li> </ul>	N/A	refuse, unless "chance in a lifetime" in which case unpaid
	<ul style="list-style-type: none"> <li>• attend to illness of own children (if serious illness, see 2.5 and 4.2)</li> </ul>	up to 1 day paid	remainder unpaid
4.2	Serious illness of a Near Relative	up to 3 days paid, as entitlement	remainder unpaid
4.4	Funerals		
	<ul style="list-style-type: none"> <li>• family</li> </ul>	see 2.6	
	<ul style="list-style-type: none"> <li>• other</li> </ul>	up to 1 day paid	
4.5	Birth of Child		
	<ul style="list-style-type: none"> <li>• birth</li> </ul>	up to 1 day paid for male teacher to be present at birth	N/A
		up to 1 day paid for return home of mother and child if required	

	<ul style="list-style-type: none"> <li>arrangements for care of other children</li> </ul>	up to 1 day paid if inescapable commitment	up to 1 day unpaid
4.6	Job Interview	up to 1 day paid	remainder paid, in exceptional circumstances
4.7	House Removal	up to 1 day paid	remainder unpaid
4.8	Graduation/Passing Out Parades		
	<ul style="list-style-type: none"> <li>own</li> </ul>	up to 1 day if relevant to teaching	up to 1 day unpaid if not relevant to teaching
	<ul style="list-style-type: none"> <li>family</li> </ul>	up to 1 day unpaid	N/A
	<ul style="list-style-type: none"> <li>other</li> </ul>	N/A	refuse
4.9	Court Appearance		
	<ul style="list-style-type: none"> <li>jury service</li> </ul>	see 2.1	N/A
	<ul style="list-style-type: none"> <li>Court witness</li> </ul>	see 2.2	
4.10	National Educational Duties e.g. Examination Board work, working parties	N/A	
4.11	Public Duties		
	e.g. justice of the peace, member of statutory tribunal (including children's panel) or health board or governing body of a central institution or of a college of education, or river purification board.	N/A	reasonable paid leave

	eg member of a local authority or community council	N/A	up to 208 hours paid leave in any financial year (blanket approval given on appointment; remainder unpaid
4.12	Party Political Activities eg election candidates, election agents, representatives at Party Conferences	N/A	unpaid leave
4.13	Trade Union and Professional Association Duties	N/A	paid leave, subject to the exigencies of the service
4.14	Volunteer Forces	N/A	paid leave, less payment received from Forces
4.15	Examinations		
	<ul style="list-style-type: none"> <li>day examination</li> </ul>	see 2.3	N/A
	<ul style="list-style-type: none"> <li>study leave</li> </ul>	N/A	up to 2 days paid for each diet
4.16	Sporting/Cultural Activities		
	<ul style="list-style-type: none"> <li>if representing County or Region as player/performer or official</li> </ul>	N/A	up to 3 weeks paid leave in one session, remainder unpaid
	<ul style="list-style-type: none"> <li>National Mod for competitors or adjudicators</li> </ul>	N/A	up to 2 days paid
	<ul style="list-style-type: none"> <li>other festivals/competitions</li> </ul>	N/A	unpaid leave or refused
4.17	Church Representation/Religious Practice		

	<ul style="list-style-type: none"> <li>Lay Commissioners to the General Assembly of the church of Scotland</li> </ul>	N/A	up to 5 days unpaid leave
	<ul style="list-style-type: none"> <li>attending special religious ceremonies</li> </ul>	up to 2 days paid leave in any session	remainder unpaid
4.18	Royal Gatherings		
	<ul style="list-style-type: none"> <li>e.g. Investiture, Garden Party</li> </ul>	up to 1 day paid for event and up to 1 day for travel	N/A
	<ul style="list-style-type: none"> <li>invitation to teacher's spouse/partner, child, parent or mother/father</li> </ul>	N/A	up to 1 day paid for event and up to 1 day for travel
4.19	Additional Holidays		
	<ul style="list-style-type: none"> <li>just before or after school holiday periods</li> </ul>	N/A	refused unless last minute change by travel operator, or medical reasons exist, in which case unpaid
	<ul style="list-style-type: none"> <li>other times</li> </ul>	N/A	refused, unless medical reasons exist, in which case unpaid
	<ul style="list-style-type: none"> <li>visiting relatives abroad</li> </ul>	N/A	refused, unless medical reasons exist, in which case see 2.5
	<ul style="list-style-type: none"> <li>special occasions, e.g. own or relatives' wedding anniversaries, birthdays</li> </ul>	N/A	refuse
	<ul style="list-style-type: none"> <li>"chance of a lifetime" trip</li> </ul>	N/A	unpaid leave