

STAFF DISCRETIONARY LEAVE POLICY

PURPOSE:

- It is envisaged that as an employer, the Board of Trustees will, on occasion, have cause to be required to consider requests for leave by employees. The Board may, where there are special circumstances, grant discretionary leave with or without pay to any employees during periods when the school is officially open for instruction, provided such leave does not impinge upon the operational requirements of the school.
- To provide guidelines for the Board and employees as to the situation where it may be appropriate for discretionary leave to be considered.
- To ensure employees and the Board are aware of the process for applying for/considering requests for leave.
- To ensure that employees are aware that unless otherwise covered in current Employment Contracts, the Board of Trustees is the body responsible for deciding whether to grant discretionary leave and whether it will be with or without pay.

OBJECTIVES:

- The Principal will consider each written application in the first instance and refer to
- The Board of Trustees any situation, which does not fall within the guidelines outlines, or where a Board decision is deemed preferable.
- All applications should be made in writing on the school's leave application form (Appendix 1).
- In reviewing an application for discretionary leave, the Board of Trustees will consider:
 - The nature of the request and its potential impact.
 - Previous leave taken under this policy
 - The duration of the leave requested
 - The number of staff on leave during any one period
 - The availability of a suitable replacement
 - Length of service at the school.
 - Whether the leave asked for would ultimately benefit the school.
 - The wider contribution the staff member has made to the school.
- Wherever possible, requests for leave should be lodged with the Principal at least 3 months in advance.
- The Principal has authority to approve leave applications either with or without pay up to a duration of one week. The Board of Trustees will consider applications for longer periods.
- Except in cases of sudden illness, or accident, no teacher shall be absent for longer than 5 days without the authority of the Principal or Board of Trustees. After 3 days of sick leave a medical certificate must be produced.
- The Principal or designated Deputy Principal, retains the sole right of appointment of the required relievers. Relieving positions for one year or longer will be advertised nationally.
- An employee, granted special long term leave is expected to confirm in writing, three months before anticipated resumption of duties, his/her intention of doing so.
- Support staff may be granted special leave without pay, for any period during the school year, as specified in the Support Staff C.E.C.

- Some of the situations where discretionary leave would be considered are:
 - 1) Upon occurrence of an accident or illness of a family member. A family member is as defined as: spouse, partner, child, sister, brother, parent, grandparent, grandchild, kaumatua, mokopuna, tamaiti, whangai, matua whangai, near relative, near relative-in-law, a member of the household or a person dependent on the employee [leave with pay].
 - 2) **Attending educational appointments and interviews** [these include attending appointments, inservice training courses and conferences, family group conferences]. [leave with pay] NB: Paid period dependent on employees sick leave entitlement.
 - 3) **Civil Defence and Search and Rescue Duties** - written evidence of the employees participation from the appropriate authority is to be submitted to the principal or BOT. [leave with pay]
 - 4) **Court Proceedings** - an employee when required by subpoena to attend court proceedings as a witness or serve on a jury. [leave with pay]
 - 5) **Cultural Activities** - employees participating in recognised cultural activities within New Zealand. For leave to attend cultural activities outside New Zealand, the employee shall be a member of a nationally recognized cultural group participating in an international activity. [leave with pay after MOE approval]
 - 6) **Disciplinary, Grievance and / or Dispute Hearings** - leave shall be granted to an employee who is required to attend a meeting as described above or where it is deemed appropriate. [leave with pay]
 - 7) **Educational Activities** - leave may be granted for pre-examination study or the sitting of examinations directly related to the employees employment. Leave may also be granted for an employee taking part in a study award or other educational project. [Leave with pay for study awards or other educational activity will only be granted after MOE approval.]
 - 8) **Meeting of Statutory Local and Other Authorities** - employees who are members of these bodies will be declined leave to attend meetings during school hours. Leave for annual conferences of a local body, service organisation such as Lions, Rotary or political nature provided the employee is selected as a delegate or spouse of a delegate. [leave without pay]
 - 9) **Outward Bound Courses** - employees selected for outward bound courses should take the course during a vacation period. If this overlaps with term time an employee may be granted leave with pay in special circumstances.
 - 10) **Religious Observances** - leave may be granted for Religious Observances where the employee is of the faith concerned, provided however, such leave does not extend beyond a period of one day at a time. For religious conferences and seminars - leave of up to one week in any one year may be approved. [leave without pay]
 - 11) **Sporting Activities** - leave may be granted to employees participating in sporting competitions or managing a group or team, or for attending to the administration of a particular sporting activity. Such participation shall be at a provincial, national or international level. For employees seeking extended leave for sports tours overseas, such participation must be at a

recognized international level. Leave without pay up to one week may be granted for participation at sporting competitions, at provincial, national representative. [leave without pay]

- 12) **Children's Activities** - leave may be granted for employees to attend the capping of their children or awarding of Dux or similar types of awards. [leave with pay].
- 13) **Personal Reasons** - other requests for leave will be given due consideration. The Board must address requests for leave for periods longer than a working week. *** All responses to requests for leave will be made in writing to the applicant immediately a decision has been reached.
 - a) As a guide, staff should have worked at the school for a minimum of 5 years, prior to lodging an application for leave of a term or more, for personal reasons.
 - b) One request of leave over a week for personal reasons in every 5 years is deemed reasonable.
 - c) When lodging a request for personal leave, staff must supply reason/s so that the BOT is able to make a considered decision.

Leave for personal reasons may include:

- Family reasons
 - farewelling and meeting relatives or partners departing for or returning from overseas. [leave up to two days without pay]
- Long term travel overseas
 - [leave up to one year without pay]
- Short term travel overseas
 - [leave up to one week without pay]
- Personal business
 - [leave up to three days without pay]
- Stress Leave -
 - [leave with pay once supported by a medical certificate]
- Attending a wedding of a family member
 - [paid leave up to two days. Leave without pay thereafter]

- 14) **Sabbatical Leave** - Refer to the Teachers' Collective Agreement.

N.B.

In its consideration of any request for discretionary leave, the Board will determine the likely impact such leave will have on the school and its students.

It is anticipated that teachers requesting long term leave up to one year will also have considered the impact of their request on students' learning. As a result, requests for a years' leave should be made for the school year ie: January to December and lodged by the end of Term 2 the previous year.

In granting discretionary leave, the Board reserves its right to rescind the leave in circumstances where recruitment of a replacement employee is difficult, or the leave has resulted in a unfavourable impact on students learning in the school.

If the Board exercises its right to rescind a teacher's leave, the employee will be given one month's notice to return to their position at Otumoetai Intermediate School.

15). **Shared Teaching Positions** - Teachers may be engaged in shared teaching positions under the following circumstances:

- a) *It can be established that there will not be any detrimental effect on the education programme for the children in that class or in the school as a whole.*
- b) *That the teachers concerned have shown that they can work satisfactorily and co-operatively in this school.*
- c) *That the Board of Trustees and the Principal are in full agreement with the proposal.*
- d) *That there be no more than one such shared position in any year.*
- e) *That the ministry has authorised the establishment of a shared teaching position.*

16) **In-school cover**

On occasions when circumstances are out of an employee's control, leave with pay for part of a day will be granted provided:

The leave does not disrupt the operations of the school. Other staff are able to and are prepared to cover the employee taking leave.

Examples of such leave are:

- 1) *attending a specialist medical appointment where no other time outside school hours is available within an appropriate period of time. This must be requested in advance on the appropriate leave form.*
- 2) *attending to family matters or personal affairs as a result of an extraordinary event or occurrence and no alternative time is available.*

Requests for leave to depart school early or for social reasons will be declined unless there are exceptional circumstances and no other arrangements can be made.

N.B.

1. All teachers are required to remain on school site during the school day unless the Principal has agreed otherwise. Where a teacher has been given approval to leave the school site, the office staff need to be notified of the absence at the time of leaving school grounds. Lunch breaks are deemed to be an employees own time unless on duty. If teachers leave the school site, however, they are asked to notify the office to save time in trying to locate them in special circumstances.
2. Ministry of Education requirements are that all school employees must remain on school site in cases of emergency until given approval to leave by the Principal. This is to ensure all students are provided with the appropriate care and protection during the period of emergency. In these circumstances, a state of emergency will be signaled by the Principal or Acting Principal and the school will move to emergency procedures.
School employees have the role of "Loco Parentus" and will be required to supervise and care for students until other arrangements are made with families or civil defence personnel/authorities.

SELF REVIEW:

1. This policy will be reviewed annually along with all other school policies.
2. Responsibility for review of this policy will be held by the Board of Trustees, and Senior Management Staff.