

Derbyshire County Council

WORKING FOR US

What You Need to
Know

A Handbook for
School Support Employees
March 2014

WORKING FOR US

What You Need to Know

This booklet provides the information required by S1 Employment Rights Act 1996

CONTENTS

| | |
|---|-----------|
| 1. Your Pay and Grade..... | 5 |
| 2. Travel and Expenses..... | 6 |
| Travel | 6 |
| Expenses | 6 |
| Excess Travel | 6 |
| 3. Overtime and Allowances | 7 |
| Overtime | 7 |
| Weekend work and enhanced hours | 7 |
| Rest day payments for shift workers | 7 |
| Bank holidays | 7 |
| Standby duty | 8 |
| Recall to work | 8 |
| Sleep-in duty | 9 |
| Waking duty..... | 9 |
| Lettings (School Caretakers) | 9 |
| First Aid | 9 |
| Residential Accommodation | 9 |
| 4. Other Pay Matters | 10 |
| Payment of additional duties | 10 |
| Pay protection | 10 |
| Overpayments | 11 |
| 5. Your Pension | 11 |
| 6. Flexitime, Time Off and Leave | 13 |
| Working week | 13 |
| Flexitime | 13 |
| Payment during absences | 13 |
| Time off in lieu (TOIL) | 13 |
| Annual Leave | 14 |
| Sick Leave | 14 |
| Continuity of service for sick pay | 14 |
| Authorised Leave of Absence..... | 14 |
| Parental Leave | 15 |
| Adoption Leave | 15 |
| Maternity Leave | 15 |
| Paternity Leave | 15 |
| Leave for public duties | 15 |
| Trade Union time off | 15 |
| Jury Service and attendance at court | 15 |
| Time off to attend interviews | 16 |
| Medical appointments | 16 |

7. Our Working Relationship 16

Governing Bodies have agreed written policies and procedures which help us to make sure that all their staff are treated fairly, consistently and equally.

The County Council has agreed a number of policies and procedures with the recognised Trade Unions which the County Council and the Trade Unions recommend Governing Bodies to adopt. Governing Bodies may choose not to adopt the agreed policies in which case they will have negotiated and agreed their own.

Your Headteacher/Principal will provide you with access to copies of the School's/College's agreed procedures.

8. Colleague Benefits 20

Derbyshire County Council is a great employer and there are many benefits you can enjoy throughout your career. Included on pages 20-22 are a list of current benefits in addition to your pay and pension. If you would like more information about any of these, please speak to your Headteacher/Principal or Line Manager or visit www.derbyshire.gov.uk/working_for_us

Due to the legislation and regulatory requirements of Local Management of Schools, the funding for all employee costs, including pay and benefits is delegated to Schools. Governing Bodies are responsible for deciding how they spend their delegated budget. Access to some employee benefits is through the County Council's Traded Services to Schools. Governing Bodies may decide to buy some/all or none of these services. They may also decide to purchase some or all from other providers or not at all.

Appendices:

1. List of Policies the Council has agreed with Trade Unions and recommends Governing Bodies adopt.....**22**
2. Authorised Leave of Absence – Policy agreed between the Council and representative Trade Unions for Governing Bodies to adopt.....**23**
3. Flexible Working and Flexitime Scheme – Guidance.....**36**
4. Adverse Weather Policy – Guidance.....**40**

This booklet will normally be updated in April each year.

Your Pay and Grade

To check the current pay for your job go to www.derbyshire.gov.uk/working_for_us or call 01629 535118 (Contracts Team Option 4).

Every job has a grade which has up to four pay points. Please see the table below.

| Grade & Hay Points Range | Pay Point | Current £ |
|-----------------------------|-----------|-----------|
| Grades 1 & 2 (63-84 pts) | 1 | - |
| | 2 | - |
| | 3 | £12,681 |
| | 4 | £12,936 |
| Grade 3 (85-97 pts) | 5 | £13,192 |
| | 6 | £13,447 |
| | 7 | £13,703 |
| Grade 4 (98-113 pts) | 8 | £14,026 |
| | 9 | £14,349 |
| | 10 | £14,672 |
| | 11 | £14,995 |
| Grade 5 (114-134 pts) | 12 | £15,327 |
| | 13 | £15,658 |
| | 14 | £15,989 |
| | 15 | £16,321 |
| Grade 6 (135-160 pts) | 16 | £16,754 |
| | 17 | £17,187 |
| | 18 | £17,620 |
| | 19 | £18,054 |
| Grade 7 (161-191 pts) | 20 | £18,615 |
| | 21 | £19,177 |
| | 22 | £19,738 |
| | 23 | £20,300 |
| Grade 8 (192-227 pts) | 24 | £20,862 |
| | 25 | £21,423 |
| | 26 | £21,985 |
| | 27 | £22,546 |
| Grade 9 (228-268 pts) | 28 | £23,108 |
| | 29 | £23,669 |
| | 30 | £24,231 |
| | 31 | £24,792 |

| Grade & Hay Points Range | Pay Point | Current £ |
|---------------------------|-----------|-----------|
| Grade 10 (269-313 pts) | 32 | £25,735 |
| | 33 | £26,677 |
| | 34 | £27,619 |
| | 35 | £28,562 |
| Grade 11 (314-370 pts) | 36 | £29,531 |
| | 37 | £30,501 |
| | 38 | £31,471 |
| | 39 | £32,440 |
| Grade 12 (371-438 pts) | 40 | £33,435 |
| | 41 | £34,430 |
| | 42 | £35,425 |
| | 43 | £36,420 |
| Grade 13 (439-518 pts) | 44 | £37,490 |
| | 45 | £38,561 |
| | 46 | £39,631 |
| | 47 | £40,702 |
| Grade 14 (519-613 pts) | 48 | £42,334 |
| | 49 | £43,966 |
| | 50 | £45,598 |
| | 51 | £47,231 |
| Grade 15 (614-734 pts) | 52 | £48,863 |
| | 53 | £50,495 |
| | 54 | £52,127 |
| | 55 | £53,759 |
| Grade 16 (735-879 pts) | 56 | £55,443 |
| | 57 | £57,127 |
| | 58 | £58,810 |
| | 59 | £60,494 |

You will go up one pay point when you have worked for us for 12 months and every 12 months after that until you reach the top of your grade. These pay increases are called increments.

For example, if you start a job at grade 5 on pay point 12, you will go up to pay point 13 on the first anniversary of your starting date. A year later your pay will rise to pay point 14 and a year later to point 15. You will then stay on point 15 whilst you are in the same job because it is the top point of grade 5.

All employees employed by Derbyshire County Council are paid monthly on 25th of each month. Any pay awards, for example for a cost of living increase, will normally be added to all pay points from 1 April each year.

These pay scales apply to Local Government Service employees.

Travel and Expenses

Travel

We will reimburse you if you use your own car for your job. The current rates are as follows and will increase in line with the HRMC recommended rates:-

| | |
|---------------------------------|-----|
| Per mile first 10,000 | 45p |
| Per mile after 10,000 | 25p |
| Per mile per approved passenger | 5p |

You cannot claim mileage to and from your home.

If you do not have a nominated work base and are required to work from various locations, claims from home to your first point of call and from your last point of call to home are limited to the following:-

- Time in excess of 30 minutes in a single journey.
- Mileage in excess of 5 miles in a single journey.

It is your responsibility to make sure your vehicle insurance covers you for business use, including the carrying of passengers, that you hold the appropriate driving licence and MOT certificate where appropriate and that your car has up-to-date car tax.

Expenses

As a general rule we do not pay meal costs, whether you are at your normal workplace or working away. There are some exceptions and where this applies employees may be entitled to claim an amount up to a limit. You will need to obtain the prior approval of your Headteacher/Principal or Line Manager and produce valid receipts.

Excess Travel

If your work base is changed to somewhere more than five miles away from your current one and which is further from home, excess travel time allowance and

expenses will be payable and the duration of which will be at the discretion of the Governing Body.

If the Governing Body has agreed to pay the allowances, excess travel expenses will be paid for all additional miles if the 5 mile radius criterion is met. Time allowances are shown below. If you are part time they are reduced according to the number of hours you work (pro rata to 37 hours per week).

Time allowances are:-

| Excess Travel Time per day | Annual Allowance |
|-----------------------------------|-------------------------|
| Up to half an hour | Nil |
| Over half an hour up to 1 hour | £336 |
| Over 1 hour up to 1 ½ hours | £467 |
| Over 1 ½ hours | £583 |

Overtime and Allowances

The following allowances – except for bank holidays and sleep-in duties – only apply if you are on Grade 13 or below.

Overtime

After 37 hours per week you will be paid at time and a third and double time for bank holidays. There are different arrangements if you work banked or average hours.

Overtime arrangements must be agreed in advance with your Headteacher/Principal or Line Manager.

Weekend Work and Enhanced Hours

If you normally work Monday to Friday (or a proportion if you are part-time):-

- Monday to Friday – 7pm – 7am – plain time plus one third
- Saturday and Sunday – all hours – plain time plus one third

If you normally work Monday – Sunday (or a proportion if you are part-time).

- Monday to Sunday – 7pm – 7am – plain time plus one third

Rest Day Payments for Shift Workers

If you work extra hours on your rest days (having already worked 5 days that week) you will get plain time plus one third. This applies whatever day of the week you work.

Bank Holidays

There are eight statutory bank holidays: New Year's Day, Good Friday, Easter Monday, May Day, Spring Bank Holiday, August Bank Holiday Monday, Christmas Day, Boxing Day.

The two extra statutory and two concessionary days are now included in the Annual Leave entitlement.

If you work on a bank holiday you will be paid double time unless you choose to have a substitute bank holiday off. If you have a substitute day you will be paid plain time for the hours you work on the bank holiday.

Sometimes statutory bank holidays fall on weekends. If this is the case, normally the following Monday or Tuesday becomes a “designated bank holiday” for Monday to Friday workers. If you work 5 in 7 days (or a proportion if you are part-time) and you work on both the statutory bank holidays and the designated holiday both days will qualify for bank holiday payments as set out in this section.

If you do not work on a bank holiday you will be paid the usual rate for the hours you normally do on that day, for example normally worked after 7pm will be paid at time and a third.

If a bank holiday falls on your rest day, the following options may apply:-

- If you do not work on the bank holiday you will be paid at a normal rate and you will receive an unpaid substitute rest day.

If you work on the bank holiday you will be paid either:-

1. Double time for the hours you worked and an unpaid substitute rest day or
2. Normal pay for the bank holiday and a substitute bank holiday to be paid at normal time.

You must agree bank holiday working arrangements in advance with your Headteacher/Principal or Line Manager.

If you work part-time your bank holiday entitlement reduces according to the number of hours you work (pro rata).

Standby Duty

If your job means that you have to be available for contact or response outside normal hours you will be paid a set amount (currently £24) which includes the first half hour of work. After that normal pay rates or overtime/bank holiday rates will be paid.

Two standby payments of £24 will be made for 24 hour cover on a Saturday or Sunday.

Recall to Work

If you are called into work more than half an hour after finishing work, you will be paid a set amount (£24) which includes the first half hour of work. Any extra hours will be at plain time up to 37 hours and overtime rates after that.

Sleep-in Duty

If your job means you have to sleep in, you will be paid a set amount (£24) which includes the first half hour of work. If you are on grade 14 or above any extra hours will be paid at plain time rates or taken as time off in lieu (TOIL).

This excludes residential trips/visits in/out of term time.

Waking Duty

For disturbed time of more than 30 minutes in total you will be paid normal pay rates up to 37 hours or overtime/bank holiday rates for time you work above 37 hours.

Lettings (School Caretakers)

If you are a Caretaker who opens or closes School property for lettings you will be paid for a minimum of one and a half hours at plain time rates between 7am and 7pm and time and a third between 7pm and 7am. Hours worked on bank holidays will be paid at double time.

If you are required to open up and close up, you will be paid for a minimum of one and a half hours. Where the letting commences before 7pm the first 45 minutes will be paid at plain time and the remainder at time and a third. If you are required to attend during the letting, you will be paid for the actual hours you work at the appropriate rate.

First Aid

If you are a designated First Aider for employees you will receive an allowance of £12.50 per month. The specific duties and responsibilities and level of First Aid certification is set out in the Schools' or DCC agreed First Aid Policy.

Residential Accommodation

If you live in a Council building, your rent and any other charges are set by the County Council's valuer according to the size of the property, facilities, standards and services. Rent and other charges, for example laundry or meals, will be deducted from your salary and reviewed in line with the Retail Price Index.

Your meals will be free if you are **required** to dine with Service Users as part of your job. You will need to obtain the prior approval for this from your Headteacher/Principal or Line Manager.

Please note:-

- You can only get allowances and enhancements when you actually do the activity (for example sleeping in) or you work the hours. Allowances and enhancements are not paid if you are off sick or for other absences except for annual leave and bank holidays when they are paid according to your normal work pattern. If you are on maternity leave, your occupational maternity pay will include an average of allowances and enhancements paid to you in the three months prior to you commencing maternity leave.
- As a general rule you get only one enhanced rate for the hours you work. We do not pay multiple enhancements for the same hour worked. So, for example,

overtime between 7pm and 7am is paid at time and a third, not time and two thirds.

Other Pay Matters

Payment for Additional Duties

Temporary payments may be made for covering part of another job or taking on extra responsibilities. It will be based on a formal job evaluation and has a minimum qualifying period of 28 days. Payment will be backdated to the start date if the arrangements last longer than 28 days.

Pay Protection

If your basic pay goes down after Single Status, we will protect it for two years from 1 March 2014 – 29 February 2016.

Your basic pay will be protected if it is reduced because of:-

- A new pay and grading scheme.
- A restructuring.
- Redeployment where there is a risk of individual redundancy or on ill-health grounds.

Pay Protection is for a minimum of two years.

These parts of your pay are protected:-

- Basic salary or hourly rate of pay.
- Basic contract hours including contracted overtime.
- Basic hourly rate for hours actually worked (this applies to relief employees only).

There is no protection for:-

- Additional hours worked over your minimum contracted hours.
- All pay-related allowances (for example stand-by) and enhancements (for example unsocial hours).
- Allowances that do not change your pay, for example annual leave.
- Changes to the hourly rate because of the standardisation of the working week or the number of working weeks per year.
- Market supplements, acting up payments and payments for additional duties.

Pay protection does not apply:-

- If any employee voluntarily moves to another job (unless redeployed, see above).
- Where the decrease in pay is because of a fall in hours.

Pay protection will not increase to cover extra hours or increases in contractual hours. Protected pay will be adjusted if an employee chooses to reduce their hours.

If your new grade is lower than your current one, we will protect your basic pay for two years. After that you will go to the top point of your new grade.

If your new grade is higher than your protected grade after Single Status you will transfer to your new grade.

Overpayments

In the event of Derbyshire County Council making an overpayment of wages or other expenses to you, Derbyshire County Council will seek reimbursement of that overpayment by way of deducting the amount of the overpayment from the next salary payment(s) due to you in accordance with agreed procedures.

Your Pension

You can find more detailed information about pensions at www.derbyshire.gov.uk/pensions

You can join the Local Government Pension Scheme (LGPS) if you are under 75 and:-

- Contracted to work a specific number of hours (that is not a casual or relief employee) and
- Contracted to work for three months or more.

You will be asked to fill in a form telling us whether you wish to join the scheme. You will however, automatically be put into the Local Authority pension scheme unless you tell us that you do not wish to join. If you decide not to join when you first start working for us, you can join later, but you are unable to backdate entry.

If you join the pension scheme the amount you pay (your contribution rate) is shown in the table below. The calculation uses the whole-time equivalent pensionable pay including pensionable allowances.

| Band | Whole –time pay range | Contribution rate for |
|-------------|------------------------------|------------------------------|
| 1 | Up to £13,500 | 5.5% |
| 2 | £13,501 - £15,800 | 5.8% |
| 3 | £15,801 - £20,400 | 5.9% |
| 4 | £20,401 - £34,000 | 6.5% |
| 5 | £34,001 - £45,500 | 6.8% |
| 6 | £45,501 - £85,300 | 7.2% |
| 7 | More than £85,300 | 7.5% |

Your contribution rate will be shown on your payslip. If you believe you are paying the wrong amount or have a query, please use the contact number given on your payslip. You can also appeal under the Local Government Pension Scheme (LGPA) disputes procedure.

Alternatives to our pension scheme are a personal pension or stakeholder pension or the second state pension.

If you are joining our pension scheme and you have previous Local Authority or Club Scheme membership, you may wish to consider transferring-in those benefits. Your

previous pension provider will be able to advise you if they participate in the club arrangements where reciprocal transfer arrangements apply. If so, please give the relevant details to the Pensions Section on a transfer-in request form available from the Shared Service Centre (HR) on 01629 535118 (Contracts Team Option 4). It is important to note that the option to transfer-in is only available in the first 12 months of membership of the Local Government Pension Scheme (LGPS).

Please note that any previous local government pensionable employment must be notified to the Pensions Section on the transfer-in request for whether or not you wish to transfer-in this membership.

The Local Government Pension Scheme will change on 1 April 2014 to a career average scheme based on 1/49th of pensionable pay for each year of contributory service. Protection arrangements have not yet been agreed for the new scheme.

The changes to the Local Government Pension Scheme from 1 April 2014 will affect all local government employees. The implementation of single status for school support staff will have different effects and implications dependent on individual circumstances including, length of service, age, and outcomes of job evaluation. There is pay protection for pensions in the current scheme but not in the Regulations in the new scheme as they stand from 1 April 2014. The general implications for employees' pension benefits accrued before April 2014 are:

If an employee has a reduction in pensionable pay BEFORE 1 April 2014, and they complete the protection form, and they leave within 10 years of the reduction, they do qualify for pay protection for pensions. This allows pensions to use the best average 3 years' salary in the last 13 years of service.

If an employee has a reduction in pensionable pay AFTER 31/3/2014 they do not qualify for pay protection for pensions. Employees who will have salary protection until March 2016 because their grade is less than before will not qualify for pay protection for pensions after that date. From 1 March 2016 their pre 1 April 2014 pension benefits will be based on their final salary during their last year of service.

If an employee has no change in pensionable pay following the implementation of Single Status their pre April 2014 pension benefits will be based on their final salary during their last year of service.

The Council will ensure that all appropriate employees have and are advised to complete a protection form before 31 March 2014 when the scheme changes.

If you are a member of the pension scheme and want to preserve your "final" pay for pension purposes within the current scheme, you will need to confirm this to the Pension Section between 1 March 2014 (when your pay changes) and 31 March 2014 (the last day before the new pension scheme is introduced).

Flexitime, Time Off and Leave

Flexible working between 7am and 7pm, flexitime and time off are flexibilities available to your employer to ensure effective and efficient service delivery. They are not entitlements. It is recognised they are not appropriate for some jobs in some settings or context and all are subject to prior agreement with your Headteacher/Principal/Line Manager.

All leave, including flexi leave, must be approved in advance with your Headteacher/Principal or Line Manager

All of the leave allowances shown below are based on a full-time work of 37 hours a week. If you are part-time your leave allowance will be reduced according to the hours you work (pro rata).

All schools will have an agreed policy on other time off for various purposes which will be available from your Headteacher/Principal or Line Manager.

The Policy on Authorised Leave of Absence which the Council has agreed with the representative Trade Unions and recommended to Governing Bodies to adopt is included as an appendix to this document.

Working Week

The standard working arrangements in respect of all full time employees from 1 March 2014 is 37 hours and 52 weeks per annum or pro rata equivalent. The actual hours/weeks you work will depend on the needs of your School/College.

Flexitime

Some jobs are suitable for flexitime working. Flexitime means that you can work your hours between 7am and 7pm. If you work enough hours over an 8 week period you may take up to two full days or four half days flexi leave. Please note that the needs of your School/College always comes first and you should agree the time you work and flexi leave with your Headteacher/Principal or Line Manager.

A guide to Flexible Working and Flexitime is included as an Appendix to this document.

Payment During Absences

Except for annual leave, bank holidays and maternity leave, your pay during an absence will be at plain time rates. You will not be paid enhancements such as allowances for unsocial hours or a sleep-in duty or standby.

Time off in Lieu (TOIL)

TOIL is time off for additional hours not "payment for".

TOIL is subject to your Headteacher/Principal or Line Manager's approval on an hour-for-hour basis.

Annual Leave

Your annual leave allowance starts on April 1 each year and will be:-

| | |
|---------------------|--|
| Grades 1 to 9 | 25 days rising to 30 after five years continuous service |
| Grades 10 to 13 | 27 days rising to 32 after five years continuous service |
| Grades 14 and above | 34 days with no increase |

The two statutory and two concessionary days are now included in the Annual Leave entitlement.

If you are on annualised hours, your annual leave entitlement will be specified in your contract.

You may carry over up to 5 days annual leave to the next leave year with the approval of your Headteacher/Principal or Line Manager. In exceptional circumstances you may carry forward up to 10 days annual leave with the permission of your Governing Body/Headteacher/Principal.

Sick Leave

If you have time off for illness you will be paid at plain time rates, including on bank holidays.

How long you get sick pay depends on your length of service:-

| | |
|----------------------------------|---|
| First year of service | 1 month on full pay and after 4 months service 2 months on half pay |
| Second year of service | 2 months on full pay and 2 months on half pay |
| Third year of service | 4 months on full pay and 4 months on half pay |
| Fourth and Fifth year of service | 5 months on full pay and 5 months on half pay |
| After five years' service | 6 months on full pay and 6 months on half pay |

If you earn below the minimum earnings level for National Insurance contributions you will be paid sick pay where applicable.

Continuity of Service for Sick Pay

If you have less than a six week break from your last job with Derbyshire County Council, this is counted as continuous service for sick pay calculations.

Authorised Leave of Absence (School Policy)

All Schools will have agreed a policy for Authorised Leave of Absence which is available from your Headteacher/Principal or Line Manager.

The policy for Schools, agreed with the representative Trade Unions, is included as an appendix to this document.

Up to five days paid and five days unpaid leave – covering bereavement, urgent domestic, dependent and foster care leave – is available in a rolling 12 month period. All authorised leave of absence must be approved by your Headteacher/Principal or Line Manager in accordance with the School's/College's agreed policy. Any additional unpaid leave must be approved by the Governing Body.

Parental Leave

If you have one or more years' service and are the parent of a child under the age of five you are entitled to take a total of 18 weeks unpaid leave (pro rata if part time) before the child's 5th birthday for each child. If the child is adopted, until the 5th anniversary of their placement with you or until their 18th birthday, whichever comes first. For a disabled child, 18 weeks unpaid parental leave (pro rata if part time) until their 18th birthday).

If you have an adopted child, you have a right to 13 unpaid weeks in total for the first five years after the child was adopted up to the age of 18. Parents with a disabled child have the right to up to 18 weeks unpaid leave in total during the first 18 years of the child's life.

Adoption Leave

If you adopt a child, subject to some conditions, you are entitled to up to 52 weeks adoption leave.

For more details, please see the Employee Leave Schemes and Flexible Working document which is available from your Headteacher/Principal or Line Manager or from our website www.derbyshire.gov.uk/working_for_us/employment_policies.

Maternity Leave

Maternity leave rights and pay are covered in detail in the Employee Leave Schemes and Flexible Working document which is available from your Headteacher/Principal or Line Manager or from our website www.derbyshire.gov.uk/working-for_us/employment_policies.

Paternity Leave

Paternity leave rights and pay are covered in details in the Employee Leave Schemes and Flexible Working document which is available from your manager or from our website www.derbyshire.gov.uk/working_for_us/employment_policies.

Leave for Public Duties (School Policy)

The Council encourages you to play an active part in the life of your community. Paid time off for public service is available in certain circumstances. Details are available from your Headteacher/Principal or Line Manager or from our website www.derbyshire.gov.uk/working_for_us/employment_policies.

Trade Union Time Off (School Policy)

We have arrangements for paid time off for trade union duties and unpaid release for certain trade union activities. A copy of the Trade Union Time Off and Facilities Agreement for Schools is available from your Headteacher /Principal or Line Manager or the Shared Services Centre (HR) on 01629 535118 (Contracts Team Option 4).

Jury Service and Attendance at Court (School Policy)

If you are called for jury service you are allowed unpaid time off. You will receive details from the Court of how to claim for the pay you lose.

If you are a witness or subpoenaed, any loss of earnings can be claimed from the Court. You should take unpaid leave.

Time off to Attend Interviews (School Policy)

If you are attending an interview for a job with Derbyshire County Council, you are entitled to take time off with pay. For all other interviews time off will be in accordance with the Governing Body's agreed policy.

Medical Appointments (School Policy)

You should, where practicable, take medical appointments in your own time. Where this is not practicable appointments in school time will need to be agreed with your Headteacher/Principal or Line Manager in advance. The only exceptions are appointments for Occupational Health, Antenatal and for conditions covered by the Equality Act for which you are entitled to paid time off.

Our Working Relationship

Governing Bodies have agreed written policies and procedures which help us to make sure that all their staff are treated fairly, consistently and equally.

The County Council has agreed a number of policies and procedures with the recognised Trade Unions which the County Council and the Trade Unions recommend Governing Bodies to adopt. Governing Bodies may choose not to adopt the agreed policies, in which case they will have negotiated and agreed their own. A list of policies the Local Authority has recommended Governing Bodies to adopt is included as an appendix to this document.

Your Headteacher/Principal or Line Manager will provide you with access to copies of the School's/College's agreed procedures.

Disciplinary

If your conduct should ever fall below the standards we expect, it may be necessary for the School's Disciplinary procedure to be used. This ensures that matters are dealt with fairly, consistently and systematically.

Grievance

If you have concerns about your job, usually they can be resolved quickly by talking to your Headteacher/Principal/Line Manager. Where this is not the case, the formal grievance procedure can be used.

Harassment and Bullying

Harassment, victimisation or bullying is wrong and the Council and your School/College is committed to eliminating it. The School/College will deal with complaints fairly and quickly.

Attendance

The Council and your School/College aim to deliver the best possible service to local people, families and young people. To do this it is essential that all our staff maintain high levels of attendance.

The School/College and the Council have policies to help employees to manage their home and working lives, for example part-time and reduced hours, flexible working, term-time contracts and annualised (or term-time) hours which may be available to you depending upon the needs of your School/College.

There are attendance management procedures which provide a fair and consistent way of managing employee sickness absence.

The School's agreed Adverse Weather Policy is available from your Headteacher/Principal or Line Manager and gives details of what to do when the weather is bad and might prevent you from attending your normal work place.

Guidance is included as an appendix to this document.

Capability

Where an employee fails consistently to carry out his or her responsibilities to an acceptable standard (either because of performance or attendance issues) the School's/Colleges capability procedures may be used.

This is a fair and consistent way of taking action to assist an employee to improve their performance or attendance. There are several stages all designed to give an employee the appropriate support they need to improve.

Notice

If you want to leave your job you must give us the following notice:-

| Grade | Notice |
|--------------|---------------|
| 1 to 9 | 1 month |
| 10 to 13 | 2 months |
| 14 & above | 3 months |

If the School/College and/or the Council gives you notice, the minimum period of notice you are entitled to receive is as detailed above or one week for each year of continuous service, up to a maximum of 12 weeks, whichever is the greater.

If your employment is terminated because of gross misconduct this would normally result in dismissal without notice.

Equalities

The Council and the School/College are committed to advancing equality of opportunity and providing fair access and treatment in employment. All policies aim to ensure that no member of the public, employee or job applicant receives less favourable treatment because of their age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief or sexual orientation.

Development and Training

The School/College is committed to ensuring that all employees develop to their full potential and are fully qualified to provide the best service to local people. Your Headteacher/Principal or Line Manager will agree with you what's expected of you in your role and the development and training you need, and this will be reviewed at regular interviews in accordance with Appraisal/Supervision Sessions.

The School/College will have a policy for time off for approved qualification courses/training and study leave and funding for certain course fees and expenses. Part time employees on training courses outside their normal hours will be paid on the same basis as full time employees or given time off in lieu.

The Governing Body will consider requests from employees to attend approved qualification courses/training.

If the School/College pays for an approved qualification training course, you may be required to repay fees and expenses if you leave within 2 years (in respect of job related qualifications) or 3 years (in respect of personal development training). This will be made clear to you before you commit to any approved training course.

See our website for information about learning and development, careers and our job families.

Find out about the financial regulations at: www.derbyshire.gov.uk/financialregulations

Health and Safety

The School/College and the Council aim for the highest standards of Health and Safety for employees, service users, contractors and members of the public. To do this there are regular reviews of our Health and Safety policy and seek to involve all staff in the promotion of a safe and healthy working environment. All staff are expected to work to the highest safety standards.

No Strike Clause

This only applies to Grade 14 and above.

In the event of any industrial action (taken directly or indirectly) against the employer, their representatives of HM Government, emergency or similar situation, you will be expected to continue to discharge your managerial duties on behalf of the Authority.

Confidentiality and Information Security

If you are given, collect or hold personal or confidential information it is your responsibility to protect it. Don't give it out to others unless they are authorised to receive it. You should make yourself aware of the policies on information security, especially the School's Disaster Recovery Plan, ICT Security Policy and the Internet and E-mail Acceptable Use Policy.

Gifts & Hospitality

You should not accept gifts from suppliers – it could be seen as a bribe. You can keep promotional gifts that are worth less than £25 such as calendars or diaries but

you must tell your Headteacher/Principal/Line Manager. Gifts over £25 cannot be accepted and you must report the offer to your Headteacher/Principal/Line Manager.

You can accept a meal if it is part of a formal meeting. However, invitations to social, sporting or leisure events – unconnected to your work – cannot be accepted.

Buying Goods or Services

If your job involves buying goods or ordering services you will need to be aware and understand the Local Management of Schools – Financial Regulations. For most goods or services you will have to get three quotes and/or use an approved supplier. You may need to get approval from your Headteacher/Principal and/or Governing Body before you buy them.

You should tell your Headteacher/Principal/Line Manager about any personal relationship you have with a current or potential supplier. You must not give your friends or family any special information or favours.

Secondary Employment/Conflict of Interest

You should not take another job – paid or unpaid – if you think it could put you in an awkward position or compromise the European Working Time Directive. You may need to discuss this with your Headteacher/Principal or Line Manager for their approval before starting a second job. A second job may cause a conflict of interest if it:-

- Overlaps with your work with the Authority/School/College.
- Uses material or information to which you have access at the School/College.
- Weakens public confidence in the Authority/School/College.

If you are considering a second job which may cause a conflict of interest you should always play safe and tell your Headteacher/Principal or Line Manager. You may be required to seek the agreement of the Headteacher/Principal or Line Manager.

If an additional job with another employer could increase your working hours to more than 37 hours per week, you must gain the prior approval of your Headteacher/Principal or Line Manager.

Even if you are not seeking a second job, be careful that your own interests do not conflict with your job. You must not use your job or the information you gain from it for your own advantage.

Personal use of Derbyshire County Council facilities/equipment

You cannot use Council and/or School/College owned property for your own personal use unless it is agreed in advance.

You can use the internet and e-mail for personal use at work but only in your own time. Be careful – you are responsible for the websites you visit and the e-mails you receive and send. For more information please see the School's/College's Internet and E-mail Use policy including the use of social networks available on the School/College website or from your Headteacher/Principal or Line Manager.

You should keep your personal phone calls in your own time to a minimum both incoming and outgoing – and use your own mobile phone when you need to make them.

Contact with the Media

If you have an enquiry from the media, you must refer them to the Headteacher/Principal.

Don't agree to interviews, answer questions or write books, articles or letters about work-related issues without getting approval first from your Headteacher/Principal/Line Manager or the Local Authority Press Office.

8. Colleague Benefits

The benefits available are detailed below, those which are traded are identified as such.

Eye Tests

If you regularly use a computer or other display screen equipment then the School/College will provide, on request, an eye test voucher (currently up to the value of £19.95) and if, as a result of the test, an employee requires glasses for use with the PC they can receive a £55 voucher as a contribution under the Health and Safety Display Screen Equipment (DSE) Regulations.

If, however, an employee has already paid for a test and/or glasses upon the production of a receipt, School Support Finance can arrange to credit their salary with the above amounts.

Child Care Vouchers

Recognising the costs that many working parents face when making childcare arrangements, the Local Authority offers a Child Care Voucher scheme which is currently provided by Busy Bees which offers financial savings and makes payment to carers easier.

For more details please see the Derbyshire Schools Extranet.

Car Parking

Free car parking, where available, is provided at a number of work locations throughout Derbyshire.

Cycle to Work Scheme

If you have a contract for a minimum of a year, you can sign up to the Cycle to Work Scheme, and get yourself a brand new bike and safety equipment up to the value of £1,000. Repayments are taken directly from your salary each month so you save between 30% to 40% on Income Tax and National Insurance.

Long Service Awards

Our 25 and 40 years long service award scheme is designed to express appreciation for loyalty and long service.

Occupational Health Services – (TRADED)

We have an Occupational Health Service which can provide support and advice to help staff cope with difficult times. If an employee becomes ill or disabled affecting their long-term ability to do their job, we will do our best to ensure the person can return to or remain in their job or a suitable alternative role.

Counselling Service – (TRADED)

We also provide a Counselling Service which offers confidential help and support to employees in times of work or personal difficulties. This may be because of relationship difficulties, bereavement or other trauma, stress, anxiety or depression, redundancy, retirement or other difficult circumstances. Up to six free counselling sessions are available.

Physiotherapy – (TRADED)

We offer a Physiotherapy service that gives employees access to a certain number of sessions with a trained physiotherapist. These can be provided for School/College employees with the Headteacher's/Principal's permission as the sessions will be re-charged to the School's budget.

Workforce Extra – (TRADED)

This is an employee discount scheme which offers shopping discounts to employees for a range of products and services. For more details, including costs, please see the Derbyshire Schools (Extranet). **PLEASE NOTE THAT WORKFORCE EXTRA IS ONLY AVAILABLE TO SCHOOLS THAT PURCHASE THE COUNCIL'S PAYROLL SERVICE.**

Give as you Earn Scheme

The Give as you Earn Scheme allows you to make regular payments to charity directly from your pay before it is taxed.

Foster Caring

If you pass on to us the details of a contact which leads to the approval of a foster carer, you will be paid £100.

More details are available from the Shared Services Centre (HR) on 01629 535118 (Contracts Team Option 4) or on www.derbyshire.gov.uk/working_for_us.

SCHOOL POLICIES LIST

The County Council has agreed a number of policies and procedures with the recognised Trade Unions which the County Council and the Trade Unions recommend Governing Bodies to adopt. Governing Bodies may choose not to adopt the agreed policies, in which case they will have negotiated and agreed their own with recognised Trade Unions.

Document Title

Authorised Leave of Absence
Contracts of Employment
Disability Discrimination Act
Facilities Agreement
Maternity Paternity Adoption and Parental Leave Policy
Confidential Reporting Code
Dealing with Complaints of Harassment
Disciplinary Procedure for School Staff
Equal Opportunities
Grievance Procedure
Use of Internet and Electronic Communication
Management of Allegations of Abuse Against School Staff
Management of Stress
Recruitment and Selection Policy
Redundancy Procedure
Sickness Absence
Guidance & Procedure for the Termination of Fixed Term Contracts
Agency Workers Regulations Guidance
Asylum, Immigration and Nationality Act 2006
Complaints Procedure
Complaints Procedure for External Complaints about the action of school staff.
CRB Policy
Guidance on Physical Intervention (Restraint) in Schools
Physical Intervention (Restraint) Guidelines
School Support Staff Review & Development Guidance

DERBYSHIRE LA

AUTHORISED LEAVE OF ABSENCE

[*NAME OF*] SCHOOL

AUTHORISED LEAVE OF ABSENCE

CONTENTS

| | <u>Page Number</u> |
|--|--------------------|
| 1. Introduction | 3 |
| 2. Statutory Leave | 4 |
| 2.1 Public Duties | 4 |
| 2.2 Parental Leave | 5 |
| 2.3 Paternity Leave | 6 |
| 2.4 Adoptive Parents Leave | 7 |
| 2.5 Sick Leave | 9 |
| 2.6 Flexible Working | 12 13 |
| Appendix 1 – Application to Work Flexibly | |
| 3. Discretionary Leave of Absence | 14 |

1. INTRODUCTION

All employees within schools have a basic entitlement to leave of absence within their contracts of employment. These basic entitlements are detailed within their contracts of employment and are supplemented by jointly agreed local arrangements. Subject to both local and national conditions of service the granting and authorisation of leave is a matter to be determined by the Governing Body. However, in addition to their entitlement to leave of absence under their contract of employment, employees also have a statutory entitlement to leave of absence for the following reasons:

1.1 Purpose

This document provides guidance to Governing Bodies on current legislation and local and national conditions affecting leave of absence, and the extent of their discretionary powers. It has been discussed and agreed with all the teachers' associations and Unison.

1.2 Public Duties

Under the Employment Protection Act 1978, employees have the right to reasonable time off to carry out a number of public duties.

1.3 Parental Leave

Under the Employment Rights Act (1996), Maternity and Parental Leave etc. Regulations 1999 which entitles employees with parental responsibility to take 13 weeks unpaid leave for any purpose connected with the care of that child.

1.4 Paternity Leave

Under the Employment Bill 2001 and with effect from April 2003, which entitles employees to take 2 weeks' leave within 56 days of the birth of a child.

1.5 Adoption Leave

Under the Employment Act 2002 an adoptee will be entitled to 26 weeks' ordinary adoption leave, followed by 26 weeks' additional adoption leave – a total of 52 weeks.

1.6 Flexible Working

Under the Employment Rights Act (1996) – Flexible Working (Procedural Requirements Regulations 2002) employees will have the right to apply to work flexibly. Employers have a statutory duty to consider their applications seriously.

2. STATUTORY LEAVE

2.1 PUBLIC DUTIES

The Employment Protection (Consolidation) Act 1978 gives statutory rights to reasonable time off for the following purposes:

- Justice of the Peace.
- Local Councillor.
- Member of statutory tribunal.
- Governor of state school.
- Member of National Rivers Authority.
- If declared redundant, time off to look for a new job or to arrange training for a new job.
- Specified Trade Union duties.
- Board of Visitors for Prisons, Remand Centres and Young Offenders.

Leave arrangements for all staff to carry out recognised public duties have been agreed on the basis of up to 18 days paid leave per year.

Although there is no statutory requirement to do so the same leave arrangements have been agreed for:

- Meetings of the Whitley Council.
- National or Provincial Council affairs.
- To undertake duties consequent upon membership of public bodies.
- School Governors appointed by the LEA.
- Parent Governors of Special Schools & Colleges of Further or Higher Education.

Other Special Leave arrangements have also been agreed and should be granted on the following basis:

- Jury Service – leave of absence with pay minus the loss of earnings allowance paid under the Jurors' Allowance Regulations.
- Parliamentary Elections – Up to four weeks unpaid leave of absence is granted to candidates standing in Council, European or Parliamentary elections or acting as agents thereof.
- Elected member duties with other Local Authorities up to 208 hours per year.
- Trade Union Duties – These are set out in the Authority's Facilities Time Agreement which is included in the LEA's Personnel Handbook.

The Authority has retained funds centrally to cover the staff replacement costs for those employees granted leave of absence up to the maximum specified levels for those employees undertaking Public Duties and Trade Union activities on the basis outlined above.

2.2 PARENTAL LEAVE

Parental Leave is a statutory requirement available to all parents or those with parental responsibilities.

Entitlement

Employees who are parents, foster parents, adoptive parents prior to placement, grandparents with a significant parenting role and step-parents are entitled to parental leave in the following circumstances:

- 13 weeks in total is available to employees having or expecting to have responsibility for a child.
- An additional 5 weeks is available to employees who have responsibility for a child for whom Disability Living Allowance has been awarded.

Parental Leave is available to all employees for the purpose of caring for a child:

- Up to the age of 8 years.
- For up to 8 years following the adoption of a child or up to the age of 18 whichever is sooner.
- Up to the age of 18 for a child for whom Disability Living Allowance has been awarded.

Parental Leave may be taken as:

- A single block of 13 weeks (18 weeks for a disabled child).
- As a number of shorter periods of a minimum of half a day.
- In patterns which provide a part-time or reduced hours working arrangement for a period of time equivalent to taking 13 weeks leave as a single block (18 weeks for a disabled child).

Pay

- Parental Leave is an unpaid entitlement.

2.3 PATERNITY LEAVE

Paternity Leave is a statutory entitlement available to individuals who have a parenting responsibility for a child. It does not require biological paternity and may be taken by an individual nominated by the mother to assist in the care of the child and provide support at or around the time of the birth. Employees may take either one or two weeks' leave. If two weeks are taken, they must be consecutive weeks.

Entitlement

Employees who have 26 weeks continuous service by the 15th week before the expected week of childbirth are entitled to Paternity Leave on the following basis:

Pay

Paternity Leave is a paid entitlement for which the statutory minimum is £112.75 per week (2007/08).

Before Statutory Paternity Leave was introduced the Authority agreed the following leave arrangements for parental responsibilities as part of its locally agreed conditions of service. The local agreement enhances to the statutory minimum.

- Employees on Teachers' Conditions of Service - 3 days Full Pay, 7 days at the statutory minimum.

- Employees on other Conditions of Service - A maximum of 10 days Full Pay.
- Within 56 days from the birth of the child, or placement in the case of a child being adopted.

Employees should notify their Headteacher or Line Manager of the proposed dates of absence and provide a copy of the mother's maternity certificate, medical appointment card/letter, or in the case of adoptive parents, the Matching Certificate.

2.4 ADOPTIVE PARENTS LEAVE

Adoptive Parents Leave is a statutory entitlement available to couples or individuals intending to adopt children.

Entitlement

Adoptive Parents Leave is available:

- To employees who have 26 weeks continuous service as at the date of placement of the child by the adoption agency.
- To individuals who adopt.
- To one member of a couple where a couple jointly adopt (the couple may choose which partner takes adoption leave).
- For adoptions from overseas.
- Only where the child is newly placed with an adoptive parent. It does not apply to step-family adoptions or adoptions by the child's existing foster parents.

Adoptive Parents Leave may be taken:

- From the date the child is placed with the adopter for the purpose of adoption.
- From a date which is no more than 14 days before the expected date of placement.
- Ordinary Adoption Leave is for a period of 26 weeks.
- At the end of this period Additional Adoption Leave may be taken, for a further period of 26 weeks.
- Employees must give notice of their intention to take adoption leave within 7 days of being notified that they have been matched with a child for the purpose of adoption. Where this is not reasonably practical the Headteacher/Manager should be notified as soon as possible.
- The Headteacher/Manager should be provided with a copy of the 'Matching Certificate', which is issued by the adoption agency. This includes:
 - Name and address
 - Details of the adoption agency
 - Date the employee was notified of having been matched
 - Expected date of placement
- The Headteacher/Manager should be given 28 days notice of the date the employee wishes to start their adoption leave and 28 days notice of their intention to return to work if it is earlier than the Ordinary Adoption Leave period of 26 weeks.

Pay

Statutory Adoption Leave is a paid entitlement:

- Provided the employee has been continuously employed for 26 weeks ending with the matching week.
- Provided the employee has paid National Insurance Contributions in the eight weeks prior to the matching week.
- Statutory Adoption Pay is payable during the first 39 weeks of Ordinary Adoption Leave.
 - 6 weeks @ 9/10 average earnings*
 - 12 weeks @ half pay in addition to statutory adoption pay
 - a further 21 weeks statutory adoption pay
- * 4 weeks at full pay and 2 weeks at 9/10 pay for teachers
- If the placement breaks down, employees will be able to remain on adoption leave for up to 8 weeks after the end of the placement.

2.5 SICK LEAVE

This section covers sick leave and sick pay entitlements. Provided the following conditions are met, an employee who is absent from duty due to illness, which includes injury or other disability, is entitled to receive sick pay.

- The absence is reported to the Headteacher/Line Manager on the first day of absence and a self-certification report is submitted for up to 7 days absence.
- A doctor's statement is submitted not later than the eighth day of absence.
- Subsequent doctor's statements are submitted at the same intervals as they are required for DSS (N.I) purposes and on return to duty and in those cases where the absence extends beyond the period covered by the initial statement and at similar intervals during a period of entitlement to Statutory Sick Pay.
- In the case of prolonged or frequent absence, the employee undertakes any examination that the employer may require by an approved medical practitioner nominated by them, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. The cost of the examination shall not be met by the employee. The employee's own doctor may be present at such an examination at the employee's request.
- The employee declares to the satisfaction of the employer any entitlement to benefits under the relevant Acts as well as any alternative in the entitlement to such benefits.

Employees on Teachers' Conditions of Service

The entitlement to sick pay for employees on teachers' conditions of service is:

| | |
|-----------------------------------|--|
| During the first year of service | Full pay for 25 working days and after completing four calendar months' service, half pay for 50 working days. |
| During the second year of service | Full pay for 50 working days and then half pay for 50 working days. |
| During the third year of service | Full pay for 75 working days and then half pay for 75 working days. |
| During the fourth and successive | Full pay for 100 working days and then half pay for 100 working days. |

The above entitlement is regarded as a minimum and the entitlement for employees on teachers' conditions of service with long service is:

- 10 years total service but less than 20 years an additional 23 working days at full pay
- 20 years total service but less than 30 years an additional 46 working days at full pay
- 30 years total service and over an additional 69 working days at full pay

For the purpose of the sick pay service, "service" includes all aggregated teaching service with one or more local education authorities.

For the purpose of this scheme, "working days" means teaching and non-teaching days within "directed time", as specified in the most recent School Teachers' Pay & Conditions Document .

For the purpose of calculating a teacher's entitlement a year is defined as beginning on 1 April and ending on 31 March of the following year. If a teacher's service begins after 1 April in any year, the full entitlement for that year will be applicable. Where a teacher is on sick leave on 31 March in any year, no new entitlements shall begin until the teacher has resumed duty. In these circumstances the period from 1 April until the return to duty is regarded as part of the preceding year's entitlement for the purpose of this scheme.

Where a teacher moves to another employer, any sick pay paid during the current year by the previous employer shall be taken into account in calculating the amount and duration of sick pay payable by the new employer.

Sick pay includes where appropriate Statutory Sick Pay and shall not exceed the full normal contractual pay of the teacher.

Employees on other Conditions of Service

The entitlement to sick pay for employees on other conditions of service is:

| | |
|---|--|
| During the first year of service | 1 month's full pay and (after 4 months' service) 2 months' half pay |
| During the second year of service | 2 months' full pay and 2 months' half pay |
| During the third year of service | 4 months' full pay and 4 months' half pay |
| During the fourth and fifth year of service | 5 months' full pay and 5 months' half pay |
| More than 5 years' service | 6 months' full pay and 6 months' half pay |

If there is less than a 6-week break from a previous employment with Derbyshire County Council this shall be counted as continuous service.

The payment of sick pay to those below the minimum earnings level for National Insurance Contributions will be made where applicable.

The amount of sick pay due to an employee will be determined by aggregating the periods of absence due to illness during the twelve months immediately preceding the first day of absence.

2.6 FLEXIBLE WORKING

From 6 April 2003, **parents** have a statutory right to request a **permanent** variation to their contract in order that they can work more flexibly.

Entitlement

The right to request flexible working is available to parents:

- Who have 26 weeks continuous service at the 6 April 2003;
- Who have a child under the age of 6 years or under 18 years if the child has been awarded a disability living allowance;
- Who are responsible for the upbringing of the child;
- Who are the biological parent, guardian or foster carer of the child;
- Who are married to or the partner of the child's mother or father;
- Who expect to have responsibility for the upbringing of the child.

To apply for a variation to their working pattern the employee must:

- Submit a formal application requesting a change to their contract of employment (see Appendix).
- The Headteacher/Line Manager will hold a meeting to discuss the application within 28 days.
- Give notice of the decision reached, within 14 days of the meeting, setting out the grounds for the decision.
- If the application is refused the employee has the right of appeal.

- The grounds for appeal should be submitted in writing within 14 days of receiving notification that the application has been refused.
- The appeal hearing will be heard within 14 days of an appeal being registered.
- The decision of the appeals panel will be given in writing, setting out the reasons for the panel's decision within 14 days of the hearing.
- Employees have the right to be accompanied at the appeal hearing.

SINGLE STATUS

APPLICATION TO WORK FLEXIBLY

| | |
|---|---|
| Name | |
| Employee Number | |
| School/Department | |
| Current hours and pattern worked | |
| New hours and pattern of work applied for | |
| Date you require new hours to start | |
| Relationship to child | |
| Child's date of birth | |
| Have you previously applied to work flexibly? | <p>Yes If Yes, please state date (you can only make one application in any 12 month period)</p> <p>No</p> |
| Signature | |
| Date | |

3. DISCRETIONARY LEAVE OF ABSENCE

Leave of Absence With Pay

Introduction

The types of leave of absence outlined below provide details of the circumstances where it is considered reasonable for Governing Bodies to grant leave of absence with pay. It is also the responsibility of the Headteacher and Governing Body to ensure that the number and pattern of absences do not individually or collectively adversely affect the smooth-running of the school or the education of its pupils.

For the purposes of leave of absence with or without pay the definition of a near relative will be relationships outlined in the kinship regulations i.e. father, mother, step-father, step-mother, husband, wife, son, daughter, step-son, step-daughter, adopted son or daughter, sister, brother, father-in-law, mother-in-law, brother-in-law, sister-in-law. In addition, there are occasions when despite the lack of a direct family relationship, it is clear that the member of staff concerned should be regarded as a near relative. Thus, the term "near relative" shall include any other person with whom the member of staff has a close personal relationship which, in the opinion of governors or managers, justifies leave of absence with pay.

If managers or governors have any serious doubt as to the reasonableness of requests or as to the interpretation of the scheme, advice may be obtained from your designated Personnel Patch Officer. The categories outlined are not necessarily exhaustive and advice will be available on requests not mentioned specifically within the scheme where managers and governors consider these to be proper and reasonable.

The scheme for leave of absence with pay for employees has been agreed between recognised professional associations and the LEA.

Entitlement

- Urgent personal and domestic leave up to 5 working days for:
 - Urgent personal or domestic emergency e.g. property damage due to fire, flood, storm, impact, subsidence or burglary.
 - Serious illness of a near relative.
 - To attend to the care of a dependant where no other care is immediately available and to make arrangements for alternative care.
 - Some foreseen events e.g. hospital appointment or planned operation for a child or partner, meetings relating to the adoption of a child.
- Up to three days for family reasons. This category includes moving house, illness of husband, wife, children, or other near relatives which is not serious illness and weddings of near relatives.
- Bereavement Leave
 - ½ or 1 day where only attendance at a local funeral is required.
 - 3 days for funeral arrangements and attendance.
 - 5 days for funeral arrangements, attendance at funeral and dealing with affairs of deceased.

- Medical or dental appointments which cannot be made outside school hours.
- Inability to reach school because of weather conditions, transport strike or other such unavoidable crises.
- Driving Test
Part day – where these cannot be arranged outside school hours.
- Attendance at Conferences or Training Courses organised by an approved educational body.
- Sitting examinations to improve qualifications.
- Interviews in connection with an application for another post.
- Absence from last day of Spring Term until 30 April (retiring teachers only).
- Attendance at meetings or associated activities of examining bodies.
- Attendance at ceremonies such as graduation, Duke of Edinburgh's award, presentations, investitures, etc. where employee or a near relative is involved.
- Participating in County, Regional, National or International sporting or cultural event.
- Attendance at meeting of a Diocesan Education Committee.
- Training and associated activities with any branch of HM Forces.
- Taking part, as a candidate, in the proceedings of a Local Government election on the day of the election.
- Attendance at any court as a witness or as a jury member.
- Service as a member of the National Executive of a professional association (as per Facilities Agreement).

This list is not prescriptive nor comprehensive. It may be appropriate to agree leave of absence with pay for other reasons and such cases should be considered on their own merits and in the context of maintaining effective and efficient smooth running of the school.

Leave of Absence Without Pay

Requests for leave of absence without pay for up to 5 days shall be determined by Governing Bodies. As the agreements for leave of absence with pay cover most contingencies, it is not expected that Governing Bodies will have to consider many requests of leave of absence without pay.

In considering such requests, Governing Bodies will wish to take into account the nature of the request and the effect on the effective and efficient smooth running of the school. Leave of absence without pay should not be granted to enable employees to pursue private interests or to extend periods of holiday. But, governors may wish to grant up to 5 days unpaid leave following a period of paid leave granted for an urgent or domestic situation which is ongoing.

Flexible Working and Flexitime Scheme

Please note: where hours or other amounts are shown below, if you are part time these will be reduced according to the hours you work ('pro rata').

Introduction

We operate a flexitime scheme and encourage all employees to take part as far as they are able. However the needs of the service come first at all times. The main limitation of the scheme is that it should not impact on the needs of the job and that when you take time off there is adequate cover for your absence. Flexi working hours should have no adverse effect on efficient service provision.

Certain employees because of the nature of their job may not be able to operate with full flexibility within the scheme. Others, for example shift workers, may have to be excluded altogether. However it is the spirit and intention of the scheme that flexi working hours should be available to as many staff as possible.

If your job is appropriate for flexi working hours, you are contracted as such and you are obliged to record your time.

Any arrangements for Flexible Working or Flexitime must be agreed in advance by the Governing Body, Headteacher/ Principal and your Line Manager.

Bandwidth

The earliest starting time is 7am and the latest finishing time is 7pm Monday to Friday.

Hours worked outside this should be recorded under the flexi-time scheme but will not be counted under the scheme. Where employees are contracted to work on the basis of five working days (including Saturday and/or Sundays) the core principles of the scheme should be applied.

School Opening Times

Schools/Colleges will decide when they are open to children and young people, 'The School Day', and what other times it is open or accessible to parents, careers and the public. This would normally be between 7am – 7pm and employees may work hours according to the needs of the School during 'The School Day' and other opening times.

Flexitime

Subject to satisfactory cover, you can start and finish work at any time in the working day between 7am and 7pm. You must agree your normal regular working patterns with your Headteacher/Principal or Line Manager.

You must work a minimum of four hours a day (or pro rata for part-time employees). There is no designated "core time". You may also have as many breaks during the day as you like providing these have been agreed in advance with your manager. All breaks must be recorded.

Lunch Break

You must take a minimum of 30 minutes break if you work longer than six hours.

Standard week/settlement period

The standard week for all full time employees is 37 hours.

The settlement period is eight working weeks (296 hours). You must work the required number of hours in each settlement period subject to the debit and credit rules below.

Debit

A debit means hours worked below the required number in an eight weeks' settlement period.

Up to eight debit hours may be carried forward from one settlement period to the next.

Annual leave may not be used to cancel out debit hours built up.

Credit

A credit means hours worked on top of the required number in an eight weeks' settlement period.

Up to 30 credit hours may be carried forward from one settlement period to the next.

Credit hours may be used, subject to approval, to take flexi-leave of up to four days, or combinations of that in multiples of half days and/or to supplement hours in the next settlement period.

Flexi-leave is based on credit hours carried forward from the previous settlement period. You cannot anticipate credit hours in the current settlement period in order to take flexi-leave. A minimum of four hours credit must have been carried forward before one day's flexi-leave can be requested (two hours credit in respect of one half day's flexi-leave) and eight hours for two days flexi-leave.

You cannot carry more than 30 hours over to the next settlement period. Credit hours over 30 at the end of a settlement period will be lost.

Absence Recording

A full or half day's absence is to be credited as follows:-

| | |
|----------|---|
| | 296 hour settlement period (all employees) |
| Full Day | 7 hours 24 minutes |
| Half Day | 3 hours 42 minutes |

The figure for half day absences are not exact. Any shortfall at the end of the settlement period due solely to such absences should be disregarded.

These figures are to be used for all absences including leave, sickness, public holidays and day release (including post entry training). They should also be used

for work carried out away from your normal base, including conferences, unless approval has been given to record additional time worked within the bandwidth on that day.

Where a Headteacher/Principal or Line Manager requests an employee to attend a course or conference that involves excessive travelling time, the actual hours involved up to a maximum of 11 hours 30 minutes (based on the maximum bandwidth time of 7am to 7pm less a 30 minutes lunch break) can be approved by the manager.

Overtime

Any overtime you do must have been authorised in advance and should not be recorded under the scheme of flexible working hours. No overtime will normally be allowed during the 7am to 7pm bandwidth hours.

Time taken in lieu of authorised overtime should be recorded under the scheme as an authorised absence and the appropriate number of hours credited.

Medical Absences

You should where practicable take medical appointments in your own time

Appointments in School/College time will need to be agreed with your Headteacher/Principal or Line Manager in advance.

The only exceptions are appointments for occupational health, antenatal and for conditions covered by the Equality Act for which you need time off for assessment, treatment, rehabilitation or training for the condition covered by the Act. For these you are entitled to paid time off.

If you fall sick after starting work on a particular day you will be credited with having worked a full day.

Recording/Monitoring

You are responsible for recording your starting and finishing times (including breaks) on a daily basis.

In recording your hours you should abide by the following:-

- Times recorded should be when you actually start and finish work.
- Subject to agreement with your Headteacher/Principal or Line Manager, outside visits at the beginning or end of the day should be recorded as follows:-
 - If you travel directly from your home to a place of duty which is nearer to your home than your work base, your start time will be your time of arrival.
 - If your travel is longer than the time it normally takes you to get to your work base, you can record your excess travelling time.
- Where flexi-leave is taken this should be entered on the record as an authorised absence but the hours taken should be credited. The total hours shown for the day should be those actually worked.

- Headteachers/Principals and Line Managers have responsibility for ensuring that time recording is accurately completed and may carry out random spot-checks and all members of staff are expected to co-operate.

Part-time Employees

As with full time staff, the intention is that the scheme should be available to as many part time employees as possible on a pro rata basis.

Abuse of the Scheme

Any abuse of the scheme will be dealt with under the disciplinary procedure.

Leavers

If you are leaving your employment, all debit hours must be cleared before you leave. You cannot be paid for outstanding credit hours.

SINGLE STATUS

POLICY ON ADVERSE WEATHER CONDITIONS

Introduction

The Council recognises that adverse weather conditions may occasionally make travel to and from work difficult. However the priority of all employees when this happens should be to maintain services wherever possible, whilst taking into account their own personal safety. Mutually agreed arrangements and the flexibility and co-operation of managers and employees will help to achieve this.

This policy provides guidance to Headteachers/Principals and Line Managers and employees on the considerations to be taken into account and the options available when adverse weather occurs.

A Headteacher/Principal or Line Manager should be nominated for each establishment to take overall responsibility for implementing this policy in the event of adverse weather

Scope

These guidelines apply to all County Council employees and are recommended to those schools where the Governing Body performs the function of the employer.

Weather Deterioration During the Day – Leaving Work

The decision to close the school rests with the Headteacher/Principal.

Headteacher/Principal Guidance

You should monitor adverse weather conditions and availability of transport during the day and ensure that all employees are kept informed of decisions made. Up to date information on road conditions will be made available on Dnet.

You should allow employees who are likely to face particular difficulties in getting home to leave work early, taking into account their personal safety.

You should have contingency plans in place to maintain the standard and level of your service wherever possible including:

- Ensuring the safeguarding, health, safety and welfare of young people.
- Minimum cover arrangements provided by employees who do not have a particularly long or difficult journey home to ensure continuity of service
- Provision to divert services elsewhere as necessary
- Arrangements for employees to take work home, taking into account issues relating to access, security and confidentiality of data
- Arrangements for employees to report to work at an alternative workplace where practicable.

Ensuring employees are aware of contact arrangements. Where employees remain at work, health and safety requirements must continue to be met. Further guidance on health and safety issues relating to extremes of temperature can be found in the Extreme Temperature Policy and Guidance document on DNet.

In exceptional circumstances Headteachers/Principals may consider it necessary to close an establishment. If this becomes necessary, inform all affected staff and appropriate services and agencies. You should also ensure that suitable notices are displayed at the entrance of premises to inform the public of the closure and how

they may obtain emergency assistance if needed. Answering machine messages with appropriate details should be used where available.

Employee Guidance

You should keep yourself informed of the developing situation and make any decision about leaving work early with your Headteacher/Principal or Line Manager, taking into account the need to maintain services and your own personal safety. Where possible you should take work home for that day and for following days if the weather conditions are expected to persist. You should take security and confidentiality of data into account in doing this.

Failure to Report for Work/Late Arrival

Headteacher/Principal Guidance

You should put contingency plans into operation where adverse weather conditions are predicted or where they occur unexpectedly overnight. The contingency plans should cater for the situation where you may not be able to get into work. You should assess the situation and the location of individual employees and impact of staffing levels on service provision. Where you decide it is necessary to close your service, you should obtain authorisation as appropriate and inform all affected staff.

Employee Guidance

Where adverse weather conditions cause you delays or difficulties in travelling to work, you should take all reasonable steps to attend your normal place of work as soon as you possibly can, taking into account your personal safety.

If you are unable to get into work, you should telephone your School/College, Headteacher or Principal, at the earliest possible opportunity to explain the situation and agree what to do. You should continue to monitor the weather conditions during the day to see if you can attend work later, for example the afternoon.

Where you have agreed to work at an alternative base, you should report there and inform your Headteacher/Principal or Line Manager of your arrival.

Where you have agreed to work at home, normal recording arrangements will apply for hours worked.

Time Recording

Employees on Flexitime

Where you leave early or arrive late because of adverse weather, hours worked should be recorded as normal under the flexi-time scheme i.e. actual departure and arrival times. The same recording arrangements will apply where your Headteacher/Principal or Line Manager advises that you can leave early because of deteriorating weather conditions and local circumstances. An exception to this is where the closure of a building is authorised during the working day because of the adverse weather conditions. In this case a standard day should be recorded.

Where you attempt to attend work but are unable to do so because of adverse weather conditions and where no alternative arrangements, e.g. working from home or from an alternative work base, can or have been made, the work time lost should be recorded as flexi-leave, within the terms of the scheme. Alternatively you should book annual or unpaid leave.

Employees on Fixed Working Hours

Working time owed because of early departure (where your Headteacher/Principal or Line Manager advises that you can leave early because of deteriorating weather conditions and local circumstances) or late or non-arrival should be made up through discussion and agreement with your Headteacher/Principal or Line Manager. This should be by balancing the time off against additional hours, overtime hours or use of annual or unpaid leave. Again an exception to this is where the closure of a building is authorised because of the adverse weather conditions. In this case there will be no working time owed.

For all employees - where normal dependent care arrangements break down at short notice e.g. school closures or unavailability of day care for older or disabled dependents, up to one day's leave may be requested under the Authorised Leave of Absence Policy.

Payment

Employees should be paid normally in the event of absence from work because of adverse weather conditions when:

- Time has been recorded appropriately and any absence has been covered by the provisions set out in the previous section (except unpaid leave).
- Absence is due to the workplace being closed due to the weather conditions and no alternative working arrangements are available.

Where employees have a complaint about the implementation of this policy, they may have recourse to the School's/College's Grievance Procedure.

WORKING FOR US

What You Need to Know

WORKING FOR US

Published by
Derbyshire County Council
County Hall, Matlock, DE4 3AG