

**MIDLOTHIAN NEGOTIATING COMMITTEE FOR TEACHERS****OUTLINE OF LEAVE OF ABSENCE FOR TEACHERS AT ALL LEVELS OF POST AND  
MUSIC INSTRUCTORS**

Leave entitlements for teachers and music instructors differ in certain respects from leave entitlements of other employees.

The SNCT Handbook provides teachers and music instructors with leave as a right in certain circumstances. While such leave does not require 'approval' - that is, the granting of permission - it is important for the smooth running of schools that teachers discuss with HTs in advance any leave required and what type of leave it is (unless exceptional circumstances make this impossible). Music instructors will need to contact the Head of Instrumental Teaching instead of the Head Teacher/school.

One of two procedures will need to be adopted in relation to requests for leave. The asterisks indicate for teachers the appropriate one, namely for

- \* approval at school level is required
- \*\* approval at authority level is required

In most situations it will be necessary to complete paperwork before the leave can be taken, although it is accepted that in a few circumstances this will not be possible.

**Leave for the following comes under nationally agreed (SNCT) conditions, is paid, and while it is not subject to approval it should be discussed in advance with your HT/DHT/the Head of Instrumental Teaching so that practical cover arrangements can be made**

- Jury service (involves salary reimbursement)
- Witness for the school (seen as official school business)
- Witness for someone else (may have reimbursement of salary)
- Moving home as place of employment has had to change due to compulsory transfer - 2 days
- Preventative medical treatment is qualified by 'reasonable time off' – therefore taking leave every week for this reason might be seen as unreasonable unless the medical condition required this level of monitoring. It is anticipated that whenever possible medical and dental appointments will be made outwith class contact time.
- Serious illness of near relative, in-law, co-habitee or foster parent – up to 3 days
- Bereavement of near relative, in-law, co-habitee or foster parent – up to 5 days
- Sitting exams applicable to teaching service – the days/half days of the exams.

**Other SNCT agreed leave is automatic if conditions are met (as nationally agreed and paid at levels in line with legislation/SNCT conditions of service)**

Please refer to relevant MNCT agreements or the SNCT Handbook for the most up to date entitlements

- Maternity Leave (and Ante-Natal appointments) (see MNCT agreement)
- Adoption Leave
- Paternity Leave

- Maternity Support Leave
- Sickness Compensatory Leave - the amount of compensatory leave depends on the length and timing of the absence. (see SNCT Handbook and MNCT agreement). Such leave should be taken in the term in which a teacher/music instructor returns or the following term but is subject to agreement in respect of the timing.
- Parental Leave - is unpaid leave and allows parent/carer to take time off to look after or make arrangements for a child's welfare (where the child has not reached its 5<sup>th</sup> birthday or its 18<sup>th</sup> if disabled) – a maximum of 4 weeks in a calendar year is permitted; with a total of 13 weeks for each child/18 weeks for each disabled child but such leave can be delayed for up to 6 months if granting it at a particular time would cause disruption to the Service
- Special Leave - is unpaid leave which is defined as 'reasonable time off work' to deal with unexpected or sudden problems concerning a dependant and to make any necessary longer-term arrangements

**The SNCT recognises that LNCTs may agree additional arrangements for leave. The MNCT Leave agreement for teachers and music instructors provides–**

- a paid day for moving house \*
- paid day for wedding of close relative etc (no leave for own wedding)\*
- paid time-off for interview \*
- paid time-off for being a candidate in a local or national election \*\*
- paid time-off for public duties\*\*
- paid time-off for trade union duties\*\* (but reps in schools\*)
- paid time-off to participate in national sporting competitions\*\*
- leave (paid or unpaid) for revision before an exam may be granted, depending on circumstances. \* or \*\*

Additionally under the MNCT Leave agreement up to 2 days of paid leave can be granted by your HT/line manager for the reasons listed below in Section 1 and unpaid leave for 2 days in Section 2. If the leave is for more than two days it is at the Director's discretion. In all cases forms need to be signed by HTs/Head of Instrumental Teaching.

Also leave for urgent personal business, paid or unpaid, may be granted for an agreed period.

Section 1

- Illness of a dependant – up to 3 days' special paid leave and up to 10 days' unpaid special leave in any 12 month period
- Planned Health Care of a Young Child – up to 3 days' paid leave and up to 3 days' unpaid leave in the first five years of a child's life
- Leave for Foster Carers – up to 3 days' paid leave for each fostering application

Section 2

- Bereavement leave- in special circumstances where 5 paid days are not enough, longer can be granted but it will be unpaid after the paid 5 days
- Leave for making arrangements for a dependant – up to 3 days' unpaid leave in any 12 month period
- Serious illness of dependant – special unpaid leave for a year (up to two periods of extended unpaid leave can be granted, providing there is at least three years of service between the first and second block of leave.)
- Extended unpaid special leave

Other specific policies

Career Break (see separate MNCT Agreement) \*\*

Surrogacy Leave – a policy will be available in due course

A Policy on Flexible Working for all employees, including teachers and associated professionals (as defined by the SNCT)

The appropriate paperwork, where required to be completed and returned to Midlothian House, is attached. (Educational establishments also may have other forms which staff have to complete.)

An employee who is dissatisfied with the outcome of a leave request or about how a leave matter was dealt with should contact the appropriate union representative. In certain circumstances, a grievance may be pursued.
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