

Time off for Public Duties Policy

1.0 Introduction

1.1 The Trust is required to grant time off to employees undertaking certain public duties as set out in Section 29 of the Employment Protection (Consolidation) Act 1978 see (Appendix 1). The conditions of service for teachers supplement these provisions and encourage the consideration of reasonable time off with pay. The time off requested must be of a reasonable amount with regard to the duties and at a time when the school or establishment is able to cover the absence without detriment to its efficient operation.

1.2 To enable the Trust to grant reasonable time off with pay for these duties, in most circumstances, a contingency sum of money will be made available to provide temporary cover for the absence of employees undertaking those duties according to the provision set out below, with the exception of those situations described below.

1.3 Time off for Statutorily Defined Purposes,
Employees who are:

- Justice of the Peace;
- a member of a District or County Council, or the Broads Authority;
- member of a statutory tribunal or a board of prison visitors;
- the National Rivers Authority;
 - > Will be entitled in anyone year commencing at 1st September, to a maximum of 18 paid and 12 unpaid days leave. In the case of employees who do not normally work during school closure periods the maximum entitlement will be 85% of the above i.e. 15½ paid days leave and 10 unpaid days.

Employees who are a member of:

- a National Health Service Trust;
- a Regional or District Health Authority;
- a Family Practitioner Committee;
 - > Will be entitled to the same period of time off. Where membership entitles the employee to a salary, honorarium or remuneration other than out of pocket expenses, all time off will be unpaid.

Employees undertaking duties as a school or college governor which qualify for time off under the statutory provisions are entitled to the necessary time off for attendance at meetings of a governing body or its committees, or other qualifying duties. Payment is at the discretion of the Academy Head or Manager of the school or establishment at which they work.

1.4 The Chief Executive Officer may, at their discretion, consider applications for time off for public duties which do not ordinarily qualify under this policy or statutory provisions up to the maximum allowance set out in this policy.

1.5 Part time employees will be given consideration for an allowance of unpaid time off, bearing in mind the provisions of Section 29 (4) of the Employment Protection (Consolidation) Act 1978 set out in Appendix 1.

- 1.6 Allowances of time off for all duties, public duties or trade union duties and activities may be subject to an overall limit, having regard to operational requirements and the maintenance of the service, and to Section 29(4) of the Employment Protection (Consolidation) Act 1978.

2.0 Time Off for Other Public or Similar Duties

- 2.1 By custom or Trust policy, employees have been granted time off with pay for the following duties. In these cases, except for the exclusions mentioned, additional funding for cover will be made available to the school or establishment concerned.

Non-Regular Forces of the Crown

- The Trust allows paid leave of absence for the two weeks of Summer Camp for all employees serving in non-regular forces of the Crown. This leave must be taken during school closure periods. Additional funding will only be available to the school if the employees concerned are employed on APT & C or Manual conditions of service, on a "full year" basis.

Teacher Representatives on the Schools Forum

- Teacher Representatives serving on the School Forum and other recognised bodies will be allowed paid time off to attend meetings of the Committee and its Sub-Committees and meetings of any other bodies to which the Committee may appoint them. Any travel or other expenses connected with this must be claimed through the normal channels for members of the Trust.

3.0 Witness or Jury Service

- 3.1 Employees required to attend court for jury service or who are summoned to appear as witnesses will be granted paid leave for this purpose. Loss of earnings claims must be made by employees from the Court, and these are offset against salary/wage.

4.0 The Operation of Provisions for Time Off

- 4.1 Employees who know they will require time off for public duties in the next financial year must submit an estimate of the time off they are likely to require to their Academy Head or Manager as soon as possible and in any case not later than the last working day of June each year. This should include dates of meetings wherever known. Where such dates are not known, at least two weeks' notice of any proposed absence must be given to the Academy Head or Manager.
- 4.2 The Academy Head or Manager will transmit the request to the Chief Executive Officer for consideration or clarification, and an allowance will be made to the delegated budget to cover the time taken. This will be at the current insurance cover rate for sickness applicable in schools for the particular employee - up to the maximum paid allowance. Where eligible, employees will be required to claim any appropriate loss of earnings allowances.

In the following cases any necessary funding for cover to meet a school or establishment needs is deemed to be included in its overall delegated budget and no additional funding will be made available:

- All employees undertaking duties as school or college governors.

- 4.3 Where an employee takes up such duties during the course of the financial year, they should inform the Academy Head or Manager as soon as this is known so that arrangements may be made. Employees relinquishing such duties must immediately inform their Academy Head or Manager.
- 4.4 The Academy Head or Manager must maintain a current record for the purposes of control and audit, of all time taken, the date, stated purpose and duration of absence and location where the duties are carried out, whether paid or unpaid.
- 5.0 Leave for Personal or Private Purposes**
- 5.1 Duties and commitments other than those described may be considered by the school and/or Trust and time off granted with or without pay at the discretion of the Academy Head or Manager. The necessary funding to provide any cover required is deemed to be included within the delegated budget.
- 6.0 Complaints**
- 6.1 Any complaints about a refusal to grant reasonable time off for public duties should be addressed to the Chief Executive Officer.

APPENDIX 1

STATUTORY PROVISION

The right to time off to carry out certain public duties is contained in Section 29 of the Employment Protection (Consolidation) Act 1978 (as amended).

- 29(1) "An employer shall permit an employee of theirs who is
- (a) a Justice of the Peace;
 - (b) a member of a local authority;
 - (c) a member of the Broads Authority;
 - (d) a member of any statutory tribunal;
 - (e) a member of a board of prison visitors (in England and Wales) or a visiting Committee (in Scotland);
 - (c)(f) a member of a National Health Service Trust or, in England and Wales, a Regional Health Authority (Area or District), or Family Practitioner Committee or, in Scotland a Health Board;
 - (g) a member of the managing or governing body of an educational establishment maintained by a local authority (in England and Wales), or a school or college council or governing body of a central institution or a college of education (in Scotland);
 - (h) a member of the governing body of a grant maintained school;
 - (i) a member of the governing body of a higher education corporation (in England and Wales); or a member of a school board or the board of management of a self-governing school (in Scotland);
 - (j) a member of the National Rivers Authority or, in Scotland, a river purification board. To take time off, subject to, and in accordance with subsection (4), during the employee's working hours for the purposes of performing any of the duties of his office or, as the case may be, his duties as such a member."
- 29(3) "For the purposes of subsection (1) the duties of a member of a body referred to in paragraphs (b) to (f) of that subsection are:
- a) attendance at a meeting of the body or any of its committees or sub-committees;
 - b) the doing of any other thing approved by the body, or anything of a class so approved, for the purpose of the discharge of the functions of the body or of any of its committees or sub-committees."
- 29(4) The amount of time off which an employee is to be permitted to take under this section and the occasions on which and any conditions subject to which time off may be taken are those that are reasonable in all the circumstances having regard, in particular, to the following:
- a) how much time off is required for the performance of the duties of the office or as a member of the body in question, and how much time off is required for the performance of the particular duty;
 - b) how much time off the employee has already been permitted under this section or sections 27 and 28 (carrying out duties as an official of a trade union, or taking part in union activities);
 - c) the circumstances of the employer's business and the effect of the employee's absence on the running of that business.

Document Control

Changes History

Version	Date	Amended By	Details of Change
V2	02/04/2020	Principal/CEO	Routine review, updating terminology Amended dates to reflect Trust's accounting period
V3	21/01/2024	E Frere-Smith	Routine review, updating gender specific references, general formatting

Approval

This policy will be reviewed every 4 years by Head of Service People or as required by changes in legislation.

At every review, this policy will be approved by the Executive Committee.

The policy was last approved by the Executive Committee on 24/02/2024.

END OF DOCUMENT