

PRINCES HILL PRIMARY SCHOOL LEAVE POLICY



Help for non-English speakers

If you need help to understand the information in this policy, please contact the school as follows: princes.hill.ps@education.vic.gov.au or 93895300

PURPOSE

An essential part of the school's workforce plan is forward planning to accommodate the leave requirements of staff. This policy is intended to offer school staff information about the processes associated with the application and granting of leave.

Staff leave will be considered in line with relevant legislation, DET guidelines and policy and the Victorian Government Schools Agreement 2022 (VGSA2022).

Detailed information for all Categories of Leave, including those not explicitly noted in this policy, is available via the link to the above legislation.

Victorian Government Schools Agreement 2022 (VGSA2022).
<https://www.education.vic.gov.au/hrweb/Documents/VGSA-2022.pdf>

POLICY

Princes Hill Primary School affirms the right of staff to access various forms of paid and unpaid leave.

The authority to grant leave rests with the Principal under delegation from the Department of Education, and under delegation from the School Council in the case of School Council employees.

The school affirms the rights of students to continued high quality educational programs.

TYPES OF LEAVE

Personal Leave

Personal Leave may be accessed in the event an employee is absent

- (a) Due to personal illness or injury; or
- (b) For the purpose of caring for an immediate family or household member who is sick or injured and requires the employee's care or support or who requires care or support due to an unexpected emergency.

Personal leave entitlement

Employees are credited with 114 hours (15 days for a full-time employee) personal leave on full pay on commencement of employment. and 114 hours (15 days for a full-time employee) personal leave on full pay for each year of service thereafter which accrues progressively from the commencement of employment and will be cumulative.

Part time employees accrue personal leave entitlements on a pro rata basis according to the time fraction worked.

Applications for personal leave

Applications for personal leave must be supported by a required document.

1. A required document in respect of personal leave for injury or illness must state that the employee is unfit for duty for the period of leave.
2. A required document in respect of personal leave for carer's purposes must state that the immediate family or household member requiring care or support is suffering from illness or injury which requires care or support by another or requires care or support due to an unexpected emergency.
3. Notwithstanding subclause (1) and unless otherwise approved by the principal:
 - (a) up to 38 hours (5 days for a fulltime employee) personal leave may be granted in any one year without production of a required document subject to any one continuous absence not exceeding three days
 - (b) notwithstanding subclause (a) The principal may require an application for personal leave to be supported by a required document where:
 - the absence occurs immediately before or after a school vacation period, a public holiday or Long Service Leave
 - the principal has occasion to doubt the authenticity of an illness or injury or the reason for absence.

Required document

In the case of an application for personal leave for illness or injury a required document is a medical certificate or, if it is not reasonably practicable to provide a medical certificate, a statutory declaration. The judgement as to whether it is practicable to provide a medical certificate is a matter for decision by the principal having regard to the circumstances of the individual case.

In respect of personal leave for carer's purposes a required document is a medical certificate or a statutory declaration, if it is not reasonably practicable to provide a medical certificate.

Long service leave

An employee is entitled to long service leave in accordance with the provisions of section 2.4.25 of the *Education and Training Reform Act 2006* (Vic) (or its successor) with long service leave accruing at the rate of 495.6967 hours (three months) after ten years full time service and at the rate of 247.84835 hours (one and a half months) for each completed five years of service thereafter.

Part-time employees accrue long service leave on a pro rata basis.

Applicants should confirm their long service leave entitlement on Edupay, prior to submitting an application for long service leave.

Granting long service leave

Whilst long service leave is an entitlement, the timing of the leave is discretionary.

Applications for long service leave should be submitted in writing to the principal. The closing date for leave applications will be the last day of term, one full term in advance of the leave required, e.g. by the end of Term 1 for leave required in Term 3.

The application should specify the exact dates of leave required and whether leave is required on full pay, half pay or a combination of the two. Applicants should know if their request has been granted within 4 weeks of the request being made.

If cancellation is required, six weeks' notice prior to the commencement of the leave date must be provided. If other staff have been appointed to cover the absence, staff taking leave will not be able to have it rescinded.

In considering applications for long service leave, the principal will have regard to the operational requirements of the school, taking into account the availability of replacement staff and the number of staff who wish to take leave at the same time.

If more than one application per term is received the principal will need to consider:

- The order in which they were received
- The teaching area of the school being affected
- The length of the leave being applied for
- Availability of a replacement
- The last time the applicant took leave.

Where long service leave is not granted, arrangements should be made with the employee to enable leave to be taken at an alternative date in the future. Any member whose application for service leave is refused has the right for appeal. Appeals must be in writing and must specify any particular circumstances that the member believes warrant consideration.

An employee may access some or all of their long service leave entitlement during a period of unpaid parental absence.

An employee may apply for payment in advance for long service leave.

Leave without pay

Employees may be granted leave without pay for periods of up to 12 months. This leave is used for extenuating circumstances and is taken on a case by case basis.

Leave without pay in excess of 12 months, including extending a period of leave, may be granted where the principal considers this is warranted.

Employees may also need to seek approval to engage in other employment during a period of leave without pay.

Granting leave without pay

Requests for leave without pay must be submitted to principal in writing.

The principal has the delegation to approve leave without pay in respect of all staff at the school.

In determining applications for leave without pay the following matters will be considered:

- the length of service of the employee
- the reason for leave
- the availability of suitable replacement staff
- any other factor considered relevant

Absence for Parental Purposes

An employee is entitled be absent from duty for a total of 7 years following or in conjunction with the birth, adoption or otherwise becoming the legal parent of one or more children.

Parental absence comprises one or more of the following forms of leave:

- Maternity leave
 - a continuous period of 16 weeks commencing from the date the employee commenced the absence or 6 weeks prior to the expected date of birth, whichever is the later.
- Partner leave
 - An employee who submits satisfactory evidence that they have accepted responsibility for the care of a child (or children in respect of a multiple birth) but is not the primary caregiver will be granted partner leave with pay for up to 152 hours (20 days in respect of a full-time employee) to care for such child (or children in respect of a multiple birth) and/or primary caregiver of the child
 - Leave must be taken within the period commencing one week before the expected date of birth of the child (or children in respect of a multiple birth), and 6 weeks after the actual date of birth or the date from which the employee accepts responsibility for the child. Leave can be taken in separate periods within this time frame.
 - The principal may approve an application for leave at another time if they have a reasonable belief that the employee was unable to take partner leave during the specified period.
- Other paid parental leave
 - An employee who is granted parental responsibility and is the primary caregiver of a child:
 - following the adoption of a child;
 - under a surrogacy arrangement;
 - through a permanent care order; or
 - in such other circumstances approved by the Employer where that employee is not otherwise entitled to paid parental leave under this clause will be entitled, on submitting evidence of the date of placement of the child or the date the employee is granted parental responsibility, to paid leave for sixteen weeks commencing not more than six weeks prior to that date.
- Long service leave

- An employee may access some or all of their long service leave entitlements during a period of unpaid parental absence.
- Annual leave and additional paid leave (education support class employees)
 - An education support class employee may, in lieu of the whole or part of their unpaid parental absence, use some or all of any annual leave or additional paid leave to which the employee is entitled.
- Family leave without pay (that portion of a parental absence not covered by paid leave)
 - Employees have access to up to 7 years' family leave without pay
 - Family leave without pay does not count as service for any purpose but does not break the continuity of an employee's service.

An application for parental absence must be lodged in writing in advance and accompanied by satisfactory supporting documentation relating to the birth, adoption or otherwise becoming the legal parent of a child.

Returning from Family Leave – requests in writing must be received by the end of Term 3 in the year prior to returning. No late requests can be taken as positions will be filled.

Bereavement Leave

An employee may be granted bereavement leave on full pay of up to 3 days on the occasion of the death of a member of their immediate family or household for the purposes of making funeral arrangements or attending the funeral.

Bereavement leave, with or without pay, in excess of that specified above may be granted if the principal is satisfied that 3 days is inadequate.

Sabbatical leave

Sabbatical leave is a professional renewal incentive scheme designed to provide employees with a flexible arrangement whereby they can fund a period of sabbatical leave to gain skills and experiences that they might otherwise not be able to access.

All sabbatical leave requests must be made to the principal in writing.

The principal may grant an employee sabbatical leave on 80% of salary subject to the employee agreeing to have his/her annual salary reduced by 20% for the relevant work period, and the employee entering an agreement with the principal covering the terms and conditions of the sabbatical leave.

Unless otherwise approved by the principal, sabbatical leave must be taken immediately following the completion of the relevant work period during which salary was reduced.

APPROVAL OF DISCRETIONARY LEAVE

In all matters associated with the consideration and granting of leave, there will be recognition of the interests and effective management of the school, taking into account staffing, school operations and the educational programs of students. This policy provides guidelines and processes to accommodate the leave requests of staff with minimal disruption to the daily organisation and administration of the school.

To facilitate effective planning, operations and financial management all requests for leave should be submitted with as much notice as possible other than in exceptional and unanticipated circumstances.

Where an entitlement exists and discretion is relevant, every effort shall be made to respond favourably to a staff member's request ensuring that discretionary leave is granted on a fair, reasonable and equitable basis.

All staff members are reminded that Personal Leave is for the purpose of supporting the staff member during times of illness or injury, or for caring for an immediate family or household member - it is not designed to be used as a form of paid flexileave from the school to carry out domestic or recreational pursuits.

FUNDING FOR RELIEF STAFFING

The school allocates a budget for relief staffing annually. CRT cover for staff absence is negotiated through the consultation committee to ensure that funding lasts for the year.

The school will be reimbursed for the cost of relief for the following types of leave:

- Sick leave of greater than 30 consecutive school days.
- Long Service Leave
- Paid parental absences, for example maternity, partner, other paid parental leave (over and under 30 days)
- Workers' Compensation absences after the first 10 days (WorkCover threshold)
- Transport Accident Commission Leave
- Major sporting competition leave.

There is no reimbursement for sick leave up to 30 days.

NOTIFICATION, RECORDING AND TRACKING OF LEAVE IN EDUPAY

- All staff members who are taking Personal Leave must advise the Daily Organiser as soon as possible (ideally the evening before but definitely before 7:30am on the morning of the absence).
- Staff are required to enter their leave into Edupay.
- Staff are required to upload medical certificates when entering leave into Edupay (if applicable)
- If a staff member has exhausted their Personal Leave entitlements, then the leave will be entered as unpaid leave.
- Business Manager tracks all staff leave and will follow up staff if they have not entered leave into EduPay upon their return.

With any approved extended leave of more than a term, you will be required to return any school keys and school mobile phones (if applicable) to the Business Manager with the exception of the Principal.

COMMUNICATION

This policy will be communicated to our school community in the following ways:

- Available publicly on our school's website

POLICY REVIEW AND APPROVAL

Policy last reviewed	16 August 2023
Approved by	Principal
Next scheduled review date	16 August 2026

Leave Overview

Leave	Details
Annual leave	152 hours (20 days) per year. ES staff entitled to additional paid leave of 228 hours (30 days) subject to leave purchase.
Personal leave	114 hours (15 days) on commencement. Further 114 hours accrues progressively each year.
Leave without pay	Subject to agreed local policy, in accordance with Department policy.
War service sick leave	114 hours (15 days).
Accident compensation leave	Leave for employee who sustains injury where entitled to receive payments under WIRC Act.
Infectious disease leave	Employee may be granted up to 6 months' leave with pay.
Bereavement leave	Up to 3 days on full pay. Additional leave with or without pay may be granted if the principal is satisfied that three days is inadequate because of special circumstances.
Leave for Jury Service	Leave with pay for period of required court attendance.
Absence for parental purposes (family leave)	Up to 7 years which may be a combination of paid and unpaid leave. Entitlement to return from parental absence at time fraction immediately prior to the commencement of the parental absence once youngest child has reached school age.
Pre-natal leave	38 hours for pregnant employee to attend routine medical appointments associated with the pregnancy. 15.2 hours for employee whose spouse is pregnant to attend routine medical appointments associated with the pregnancy.
Maternity leave	16 weeks full pay (can be taken on half-pay for 32 weeks or a combination of both).
Other paid parental leave	This clause relates to a person granted parental responsibilities and is the primary caregiver, such as adoption and surrogacy. 16 weeks' paid leave.
Foster and kinship care	Up to 2 days paid leave on 5 occasions per child.
Partner leave	152 hours paid (20 days) to be taken in the period 1 week prior and concluding 6 weeks after birth of child.
Long service leave	495.6967 hours (3 months) after 10 years full-time service. 247.84835 hours (11/2 months) for each completed 5 years of service thereafter. Can take pro rata after 7 years. Can be accessed on half pay. In conjunction with a LSL absence of 6 weeks or more, a portion of LSL entitlements can be commuted to pay. Any length of time may be granted.
Spouse leave	Leave without pay from 3 months to 12 months once every 3 years.
Sabbatical leave	Leave paid at 80% of salary subject to employee having salary reduced by 20% for relevant work period.
Cultural and ceremonial leave	Paid leave for Aboriginal and/or Torres Strait Islander members for attendance at NAIDOC week events, community meetings, ceremonial and cultural purposes, and to participate in the First Peoples' Assembly of Victoria.
Public holidays	All members are entitled to public holidays.
Release to attend interview	Release from duty for the period required to attend an interview in a Victorian government school for all employees.
Family violence leave	<ul style="list-style-type: none"> • - an employee experiencing family violence (26)(e)(i) • - employee supporting a person experiencing family violence (26)(e)(ii) 20 days paid leave per year for medical appointments, legal proceedings and other activities related to family violence. Personal/carer's leave to accompany them to court, hospital or to care for children.
Release for union state councillors	Up to 2 days per term to attend union council meetings or alternative.
Trade union training	Up to 5 days per year to attend trade union training, or in excess of five days and up to ten days in any one calendar year, provided the total leave taken over two years does not exceed ten days.