



STAFF LEAVE POLICY

Policy Classification		
Policy Number: , 2016	Date of Origin: July, 2016	Modification History: March 2017 July 2018
Date of most recent review: July 2018	By Whom & Position: Origin: A Hickey (GC) Review: Policy Committee	Commencement Date: July, 2016
Policy Audience: Public Domain	Policy Status: Current	Policy Review Date: 2020
Policy Approval: This Policy was approved by the Senior Leadership Team on		
This policy supersedes all previous policies relating to matters contained herein.		

1.0 RATIONALE

- 1.1 The aim of this policy is to outline the procedures for staff in regards to notifying the College when they are absent and also to inform staff of the timeline and the procedures to follow when applying for Leave.
- 1.2 Clear procedures for the communication of a staff members absence in addition to a clear understanding of the responsibilities of the absent staff will enable the ongoing provision of quality teaching and learning and associated procedure.
- 1.3 By having clear procedures to apply for Part Day or Whole Day Leave, staff will have a clear understanding of the type of Leave they are eligible for and the responsibilities and protocols to be followed. This will allow for clear lines of communication between all involved parties and will enable appropriate cover to be arranged for staff on Leave.

2.0 GUIDING PRINCIPLES

- 2.1 In a Lasallian community such as Oakhill College, due concern is shown for the students entrusted to our care and their learning, and the health and well-being of staff members. When staff are required to be absent from school, whether it be for unforeseen circumstances or for known approved Leave, having clear guidelines understood and communicated to staff will allow for staff to be absent knowing classes will receive quality instruction and care. This policy is intended to support absent staff by (a) providing a clear process to apply for Leave; (b) providing a set of procedures to communicate the duration of the Leave and the reasons for the Leave; (c) allowing for appropriate arrangements to be made in replacing the absent staff member.
- 2.2 It is vital that our students are recipients of quality learning opportunities to meet their educational needs, even when their regular teacher is absent. As the absence of a regular teacher can be disruptive to College routines and student learning, it is vital that detailed quality lesson plans or appropriate learning activities are arranged for the replacement teacher. Quality lesson plans, complete with clear instructions and resources, help to provide meaningful and engaging learning opportunities for the students of the College but also reduce the potential for disruption in the College.
- 2.3 The **Staff Code of Conduct** states that staff are to: (a) conduct themselves, personally and professionally in a manner that upholds the ethos and reputation of the College; (b) comply with the College's policies and procedures; (c) act ethically and responsibly; and to be accountable for their actions and decisions. Staff following protocol in applying for Leave, communicating their absence as per the set guidelines and preparing quality lesson plans or instructions to the best of their ability (allowing for the circumstances of their absence) will meet the **Code of Conduct** for staff at the College.

3.0 POLICY GUIDELINES FOR TEACHER ABSENCES

3.1 Unforeseen Absence

3.1.1 Communication of the Unforeseen Absence

When the unforeseen need for an absence arises, staff are required to call the “**Staff Absentee Line**” on **9634 0893** as soon as the teacher knows they will be absent or by 6:30 am on the day of the absence. When leaving a message, it is essential that the teacher clarifies the day and date of the absence and also provides the nature of the absence (E.g. Sick Leave, Carer's Leave, or Unexpected Emergency). It is **not** appropriate to **only** email or text the absence as this is unreliable and the message is not always seen by the General Coordinator in a timely manner. An email is appropriate when provided in conjunction with a call to the Staff Absentee Line.

Note that according to the NSW Catholic Independent Schools (Teachers) Multi-Enterprise Agreement (2017), a teacher is not entitled to paid Sick Leave unless he or she notifies the Principal, or such deputised person (E.g. the General Coordinator), prior to the commencement of the first organised activity at the school on the day of the absence, provided that the teacher

took all reasonable steps to notify the General Coordinator. This reinforces the importance of adequately communicating a teacher's absence to the College.

3.1.2 Providing Instructions for the Unforeseen Absence

Lesson plans and instructions for replacement teachers are to be emailed to: replacements@oakhill.nsw.edu.au. It is important that work is not emailed to a person as the work needs to be accessible to anyone acting as the General Coordinator at any given point in time. When sending an email, teachers are to include the Academic Head so they too are aware of the absence and the work provided.

Verbal instructions for lesson plans over the phone are **only** to be provided in exceptional circumstances when teachers do not have access to email or they do not have the time to detail their plans due to the nature of their exceptional circumstances.

In regards to the instructions left for replacement teachers, it needs to be detailed and of the quality and quantity to allow for students to be engaged for the entire duration of a 65-minute lesson. For teachers of a practical subject (E.g. Food Technology, Construction or Physical Education classes), it must be assumed that a specialist teacher of this subject will not be available to lead the practical lesson in your absence. For this reason, instructions for a theory lesson **must** be provided. Practical instructions can be provided **but** detailed theory instructions **must** also be provided.

3.1.3 Evidence of Absence

According to Part D of the NSW Catholic Independent Schools (Teachers) Multi-Enterprise Agreement (2017) with the exception of the first three days in any one year, in cases of absence due to illness or personal injury or an unexpected emergency, a teacher shall, upon the Employer's request, provide a certificate from a medical practitioner or other evidence from a registered health practitioner or other evidence concerning personal illness or personal injury or an unexpected emergency or domestic violence which is satisfactory to the Employer (from the MEA 2017). In practice, if a teacher is away for more than **three** days within a school year due to illness, injury or emergency, the teacher needs to provide a medical certificate or other evidence (as above) to the General Coordinator. It needs to be stated that the three days of Leave do not need to be successive. This requirement to provide evidence also applies to situations where a teacher has taken Carer's Leave for more than two days.

Also according to the NSW Catholic Independent Schools (Teachers) Multi-Enterprise Agreement (2017), where a teacher has taken frequent single days of Personal/Carers Leave or has taken extended Personal/Carer's Leave such that the Employer, authorised by the Principal of the school, requires additional information in relation to the absence from work, then the Employer may take further action in accordance with these measures which could include: a meeting or further evidence or a second opinion from another doctor or health practitioner at the Employer's cost; or a more detailed estimation of the likely length of Leave; or obtaining a medical report re the likely length of Leave (at the Employer's cost); or a further discussion with the teacher.

3.2 Approved Leave and Known Absences

3.2.1 Providing Instructions for Approved Leave and Known Absences for up to 10 days

In the circumstance where a teacher has been approved for Leave by the Principal or they are absent for a known reason (E.g. Professional Development, Sport, Excursions, etc.), teachers are expected to prepare lessons on the orange sheets found in the General Coordinator's office or in the Print Room. The lesson plans are to be submitted to the General Coordinator's office before 4:00 pm of the last working day before the Leave begins. Lesson plans are not to be left on the desk of the absent teacher or elsewhere as this can lead to confusion about the location of the lesson plans.

Unless there is a **known specialist teacher** replacing the absent teacher for the period of Leave, the work should be detailed in a manner that would allow a non-specialist teacher to be able to deliver each lesson effectively. In the case where a known specialist teacher is replacing the absent teacher, lessons of a practical nature can be left for the replacement specialist teacher.

In all cases of Known Leave, it is recommended that teachers communicate and confirm their Leave with the General Coordinator and the Academic Head prior to the Leave being taken to ensure appropriate steps to cover the Leave are made.

3.2.2 Providing Instructions for Approved Leave and Known Absences longer than 10 work days

In circumstances where the approved Leave exceeds two working weeks, the College will attempt to ensure a known specialist Teacher is able to replace the absent Teacher for the duration of the absence or Leave. For this reason, detailed lesson plans will **not** be required to be written on the orange instructional sheets or delivered to the General Coordinator. On these occasions, the absent Teacher should provide a copy of curriculum programs and scope and sequence statements for each class taken, with some indication of timing for completion of required course outcomes. It is also recommended that the absent teacher communicates and confirms the Leave with the General Coordinator up to two weeks before the extended Leave takes place to ensure an adequate replacement teacher is secured.

3.3 Communication of Daily Allocations and Lessons

3.3.1 Daily Allocations and Distribution of Lesson Material

It is the intention of the General Coordinator to communicate any Daily Allocations to staff by 8:00am (with the exception of the occasional emergency situation). This is communicated to staff digitally through the Notices on the College's Learning Management System (LMS) and by paper on the notice board by the staff pigeon holes. Staff receiving a cover lesson should have the lesson provided for them in their pigeon hole by 8:00am.

3.3.2 Returning of Lesson Material to the Absent Teacher

It is expected that absent teachers should receive appropriate feedback from the replacement teachers. The orange communication sheets are to be returned to the pigeon hole of the absent teacher and it is expected that the replacement teacher provides appropriate feedback on how the students performed and what work was completed or assigned for homework. It is important to note that the replacement teacher is to follow the necessary instructions of the absent teacher and not deviate from the work set. It is also essential that the replacement teacher completes the class attendance roll.

3.4 Applying for Leave

3.4.1 Applying for Part Day Leave

In this policy, Part Day Leave is regarded as up to three periods in length. Longer leave on the same day is regarded as Whole Day Leave. Occasionally a teacher will request Leave for part of a day for reasons such as: attending a funeral, carer's leave, family leave, or a specialist medical appointment. A teacher will need to complete the Part Day Leave Form if they are absent from the College for a duration up to three periods, but not for a full day, even if they do not normally teach during the period(s) in which they will be absent from the College. In this situation, the teacher is required to complete the Part Day Leave Form which can be found under "Forms" and "Leave Forms" on the College's intranet **or** collected in paper form from the General Coordinator's Office. This form must be completed as soon as is practicable and submitted to the General Coordinator for approval. Upon approval, the teacher will receive a copy of their signed form and another copy will be provided to the Payroll Officer.

Where a staff member applies for Leave of less than two periods, the General Coordinator will enter that into the timetable as Period Leave. This will indicate that the staff member is not onsite or is not available for work duties for that period of time. Furthermore, Half Day Leave payment will not be taken from the staff member for the Period Leave approved.

3.4.2 Applying for Whole Day Leave (or longer)

When a teacher requests a full day of Leave or a Block of Leave (e.g. one week or more, or long service leave), a Leave Form which can be found under "Forms" and "Leave Forms" on the College's intranet **or** collected in paper form from the General Coordinator's Office, is to be completed as soon as is practicable and submitted to the Principal for approval.

If the application for Leave form is approved by the Principal, the Principal's Secretary prepares an Approval to Take Leave letter which is emailed to the applicant and others as is required (E.g.

the General Coordinator). The Principal's Secretary will then pass the original Application for Leave form with a copy of the Approval to Take Leave letter to the Payroll Officer for entry into the Payroll system. The teacher will then be referred to the steps for Approved Leave and Known Absences for instructions on leaving appropriate lesson material for their absence from the College.

3.4.3 Factors in Considering a Leave Request (Whole Day or longer)

In making the decision to grant Leave, the Principal will consider a range of factors including, but not limited to:

- Whether the Leave requested accords with the types of Leave included in the NSW Catholic Independent Schools (Teachers) MEA (2017);
- Whether the Leave requested is reasonable;
- Whether the Leave requested fits in with the operational needs of the College, including the financial impact of the Leave;
- Whether the Leave requested adversely influences the needs of the students affected;
- Whether the Leave requested can be accommodated by the College- for instance, the difficulty of finding a specialist HSC teacher mid-year.

In every circumstance the Principal will use his discretion to consider and/ or grant a request for Leave which is Whole Day or longer.

3.4.4 Types of Leave

Teachers are encouraged to read Part D of the NSW Catholic Independent Schools (Teachers) Multi-Enterprise Agreement (2017) for a more detailed description of the types of Leave and their specific conditions.

Personal Leave (Sick, Carers, Emergency) – Personal Leave is taken when a teacher is not fit to work because of illness, personal injury, unexpected personal emergency, or domestic violence. Carer's Leave is taken to provide care to a member of the teacher's immediate family, or a member of the teacher's household who requires support because of illness, personal injury, an unexpected emergency affecting the member, or domestic violence. Personal/Carer's Leave can accumulate to a maximum of 150 days of full pay.

Long Service Leave – A teacher is entitled to take Long Service Leave (LSL) on the completion of 10 years of service with an Employer. At the discretion of the Employer LSL may be approved after 7 years of service for study or for significant family events. A fulltime teacher of less than 10 years of service will accrue 6.5 days per year of service, while those with 10 or more years of service will accrue 10 days per year of service. Where a teacher has become entitled to LSL, the teacher will take the Leave as soon as practicable, having regard to the needs of the Employer, and the teacher will give not less than two school terms notice of their wish to take Leave, and further the Employer will give the teacher not less than two school terms notice of any requirement that such Leave be taken. The Employer may permit teachers to take LSL in short blocks. Teachers taking Year 12 classes will not normally be granted LSL for the period in which they teach Year 12 in any given year (i.e. Term 4 through to the end of Term 3 the following year).

Parental Leave (Primary Caregiver) – A teacher is entitled to 14 weeks of paid Parental Leave if they are the primary carer of the child from the date of birth, or in the case of adoption from the child's date of placement with the teacher. The Leave shall commence no earlier than one term prior to the expected date of birth or date of placement for the adopted child. All periods of paid Parental Leave count as service while periods of unpaid Parental Leave do not count.

Parental Leave (Not Primary Caregiver) – A teacher is entitled to one day's paid Leave on the date of their child's birth, or on the date in which the child or the primary caregiver leaves hospital, or in the case of adoption, the date of the child's placement. In addition, the teacher is entitled to take paid Parental Leave in one continuous period not exceeding two weeks, with the first week paid by the Employer and the second week deducted from the teacher's Personal/Carers Leave. This teacher is entitled to this Leave four weeks before the expected date of birth or not later than four weeks after the date of birth or placement of the child. This teacher must give written notice of the dates of intended Parental Leave at least four weeks before proceeding on the Leave.

Compassionate Leave – On the death of an immediate family or household member a teacher is entitled to up to three working days of paid Leave up to and including the day of the funeral. On an occasion where an immediate family or house hold member has developed a serious illness or injury that poses a threat to their life, a teacher is entitled to paid Leave of up to two working days. Additional Leave without pay, Compassionate Leave with pay, or Personal/Carer's Leave can be granted at the Employers discretion depending on the circumstances of the teacher and the reasonable operational requirements of the College. A teacher must notify the Employer as soon as practicable of their intention to take Leave and the expected period of Leave. In the case where a teacher requests to attend a funeral for a person that is not an immediate family or household member, the Employer at their discretion may grant Leave without pay or Leave with pay to be deducted from their Personal/Carer's Leave.

Military Reserve Leave – A teacher who is a member of the Australian Military Reserve or other Australian Military Force will be granted unpaid Leave for the purpose of attending any compulsory camp or posting.

Examination Study Leave – A teacher, for the purpose of further teacher training, will be granted Leave with pay on the day of any examination in the course of a recognised higher education institution. They will be granted Leave without pay to attend the course.

NESA Leave – Teachers who are successful in their application for NESA marking or other duties are to inform the Principal of their successful appointment at the earliest possible convenience so this information can be communicated to the General Coordinator and Director of Professional Learning in a timely manner. Teachers are required to remain on site until 3:15pm and all obligations to work at Oakhill College such as teaching, marking, reporting and faculty/school meetings have priority. Replacement teachers will be organized where these are covered by NESA. Teachers are also expected to inform their Academic Head to assist their planning.

Jury Service – Teachers required to attend jury service will be provided paid leave. Any money payable to the teacher for attending the jury service will be reimbursed to the Employer. The teacher will notify the Employer as soon as possible of the date(s) required for the jury service and provide the Employer with a copy of the summons and any record of payments received. While respecting civil duty, from time to time the College may seek exemption from such duty where such duty may negatively impact on student learning and/or well-being.

Community Service Leave – Upon approval from the Employer, a teacher is entitled to paid leave of no more than five days in any school year for emergency leave for service to the community (E.g. to work in the State Emergency Service or Volunteer Fire Brigade).

Overseas Volunteer Programs – Teachers who have completed five years of continuous employment are entitled to leave without pay for up to one year to work in a recognised overseas volunteer program. This leave will not count as service.

4.0 POLICY GUIDELINES FOR NON-TEACHER ABSENCES

5.0 POLICY REVIEW

- 5.1** The Principal is to ensure that this policy is regularly monitored and revised in the light of requirements related to section 47 of the Education Act 1990 (NSW); NESA requirements for the registration and accreditation of the school; and the MEA.
- 5.2** This Policy on Teachers' Leave is to be reviewed every two years.

6.0 SUPPORTING DOCUMENTS, PROCEDURES AND GUIDELINES

- 6.1** NSW Catholic Independent Schools (Teachers) Multi-Enterprise Agreement (2017)
- 6.2** Oakhill Code of Conduct Booklet