

POLICY SCS6: Leave Policy		Issued: July 2023
REVIEW: July 2026	Approved: Sue Holmes <i>Principal</i>	

Leave Policy



Help for non-English speakers

If you need help to understand the information in this policy please contact school reception on 03 97552007.

PURPOSE

The Principal has the responsibility for managing all leave and leave requests, as well as ensuring the smooth and efficient operation of the school. The purpose of this policy is to provide guidelines and processes to accommodate the leave requests of staff with minimum disruption to the daily organisation and administration of the school. It is also the aim to ensure discretionary leave is granted on a fair, reasonable and equitable basis.

SCOPE

This policy covers the following:

- overview
- granting leave without pay
- teaching whilst on leave without pay
- school vacation periods and public holidays
- early resumption
- superannuation
- resources

POLICY

1. Leave may be an entitlement (e.g. maternity leave), or may be awarded at the discretion of the Principal and may be paid or unpaid.
2. The Principal is responsible for managing a wide range of leave matters, whilst ensuring the smooth and efficient operation of the school as well as budgetary constraints.
3. Each form of leave is granted or denied subject to a variety of legislative requirements and school based matters
4. Information about leave entitlements can be obtained by staff through verbal requests to the business manager, or through the Department of Education and Training human resources website.
5. In determining whether leave may be granted, the Principal will consider:

- Whether the leave is discretionary or exceptional circumstances exist
- The impact of granting the leave and the effect it will have on the operations of the school
- The financial impact of the leave on the schools budgetary situation
- The entitlement of the staff member to the leave for which they have applied
- The order of leave application
- Availability of replacement staff
- Previous leave record

Processes:

- All staff are reminded that sick leave is for the purpose of supporting the staff member during times of illness or to receive medical treatment etc. It is not designed to be used as a form of paid flexi-leave from the school to carry out domestic or recreational pursuits.
- Staff taking sick leave are to notify the school as early as practicable. They should send a text to Jacqui by 7am on 0411696144. Jacqui will return a text to confirm receipt. Only emergency situations should require notification after 7am.
- The Assistant principal or daily org will make provision for replacement staff.

Staff responsibilities

- The teacher should log onto edupay and enter their own leave, attaching relevant documents or medical certificates.
- Personal leave without a Certificate will count as one of the five non-certificated personal days allowed each year.
- Personal leave lodged onto edupay as certificated leave must be supported by an approved certificate.
- If a staff member does not have any personal (sick) leave left, they may apply to the principal to utilise any long service leave owed to them. This is in extenuating circumstances and may not form part days.
- Staff members who have a medical certificate must not attend school/work while the medical certificate is active. You will be asked to return home, or you will be required to provide a medical clearance certificate before returning to duty.
- Staff members who are returning from extended sick leave may be required to provide a copy of medical clearance certificate.

Sick leave

Full time staff are credited with 15 days sick leave (personal leave) per year, pro rata for part time staff

- A medical certificate is required for;
 - Aggregate of greater than 5 days in a calendar year
 - More than 3 consecutive days
 - Immediately before/after a public holiday, school vacation
 - Sick leave taken on a stop work day

Carer's leave

- Is available where a staff member is required to provide care and support for one or more members of their immediate family or household
- An aggregate of 5 days sick leave and Carer's leave may be taken as part of the uncertificated leave without a medical certificate or other appropriate documentation
- Carers leave is deducted from personal leave credits
- The same requirements for carers certificates apply as per sick leave

Long Service Leave

- Long Service leave applications must be in writing at least 2 terms in advance or prior to the end of term 3 for the following year, whichever is earlier

- Eligibility for leave must be determined (Edupay absence balance and at the discretion of the principal)
- Applications will only be granted if a suitable replacement can be found
- School priorities may determine the granting of Long Service Leave
- Principal makes decision and applicants will be advised in writing
- Applications and response details will be attached to the staff members personal file

Leave without pay

- May be granted for up to 12 months and then may be extended at the discretion of the Principal
- Eligibility for all leave will need to be determined by prior arrangement with the Principal. Leave will be granted/denied by the Principal after consultation and having due regard of the effect on the school operations and the availability of replacement staff
- Leave without pay applications must be in writing and submitted at least 2 terms in advance or prior to the end of term 3 for the following year, whichever is earlier.

Bereavement Leave

- A staff member may be granted leave on full pay of up to 3 days on account of the death of a member of their immediate family or household for the purposes of making funeral arrangements and /or attending the funeral.
- Immediate family includes;
The spouse or domestic partner (including a former spouse or former domestic partner)
A child or an adult parent, grandparent grandchild or sibling of the employee or spouse of the employee.
- The principal may grant paid leave in other cases where in their opinion special circumstances exist.
- All staff are required to apply to the Principal via a note or email for Bereavement leave as soon as practical for staff replacement purposes. All Bereavement leave requests must include the funeral notice which will be submitted in lieu of a certificate.

Professional Development

- As staff replacement is a significant part of professional development, staff members who wish to attend professional development must have the activity approached by the Principal or the Assistant Principal well in advance, irrespective of whether or not a replacement staff member is required. Once approved, the PL must be recorded on compass and the Assistant Principals diary.

Professional Development

- If a staff member is unable to obtain a medical certificate they may provide a Statutory Declaration under the following conditions as per Department Policy.

A statutory declaration is a written statement that a person signs and declares to be true and correct before an authorised witness. By signing it, the person agrees that the information in it is true and the person can be charged with perjury if the information is false.

Statutory declarations do not need to be in a prescribed form. However, under the Evidence (Miscellaneous Provisions) Act 1958 (Vic), a statutory declaration must contain the following elements

1. It must contain an acknowledgement that is true and correct and is made in the belief that a person making a false declaration is liable to the penalties of perjury; and
2. It must be signed by the person making it in the presence of a person who is authorised to witness the signing of a statutory declaration.
3. The name and address of the person witnessing the declaration must appear on the declaration below the witness signature.

Within the department, statutory declarations are used for a number of purposes, such as supporting an application for personal leave.

The Evidence (Miscellaneous Provisions) Act 1958 (Vic) provides that statutory declarations may only be witnessed by certain categories of persons. A list of prescribed categories of witnesses is set out on the Department of Justice and Regulations website. Within the teaching service, only a principal may witness a statutory declaration. There are also specific Guidelines for Authorised Witnesses on how to appropriately witness a statutory declaration.

The authorised person, witnessing your signature on the Statutory Declaration, is purely witnessing your signature, not the content of your statement.

Appendix 1 is the current leave entitlement and allowed applications according to the current EBA

COMMUNICATION

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

- Included in staff induction processes and staff training
- Available publicly on our school's
- Included on compass under school documentation/policies
- Discussed at staff briefings/meetings as required
- Included in transition and enrolment packs
- Discussed at parent information nights/sessions
- Hard copy available from school administration upon request

POLICY REVIEW AND APPROVAL

Policy last reviewed	2020
Consultation:	
Approved by	Principal
Next scheduled review date June 2026	

Appendix 1: Table of leave entitlements and eligible for application according to current EBA. Please speak to the Principal for clarification concerning any of the leave types.

<i>Leave</i>	<i>Leave details</i>
<i>Annual Leave</i>	<i>152 hours (20 days) per year (within term breaks and Victorian holidays. ES staff are entitled to additional paid leave of (30 days) subject to leave purchase to be taken within term breaks and Victorian public holidays.</i>
<i>Personal Leave</i>	<i>114 hours (15 days) on commencement. Further 114hours accrues progressively each year.</i>
<i>Leave without pay</i>	<i>Subject to agreed local policy, in accordance with department policy and subject to principal agreement.</i>
<i>War service sick leave</i>	<i>15 days</i>
<i>Accident compensation leave</i>	<i>Leave for employee who sustains injury where entitled to receive payments under WIRC Act.</i>
<i>Infectious diseases leave</i>	<i>Employee MAY be granted up to 6 months leave with pay suggest to appropriate documentation and at Principals discretion</i>
<i>Bereavement Leave</i>	<i>Up to 3 days on full pay. Additional leave with or without pay may be granted if the principal is satisfied that 3 days is inadequate because of special circumstances.</i>
<i>Leave for Jury service</i>	<i>Leave with pay for a period of required court attendance</i>
<i>Absence for parental purpose (family leave)</i>	<i>Up to 7 years which may be a combination of paid and unpaid leave. Entitlement to return from parental leave at time fraction immediately prior to the commencement of the parental absence once youngest child reaches school age.</i>
<i>Pre natal leave</i>	<i>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.</i>
<i>Maternity leave</i>	<i>16 weeks full pay (can be taken on half pay for 32 weeks or a combination of both)</i>
<i>Other paid parental leave</i>	<i>The clause relates to a person granted parental responsibilities and is the primary caregiver such as adoption and surrogacy 16 weeks paid leave</i>
<i>Foster and kinship care</i>	<i>Up to 2 days pari leave on 5 occasions per child</i>
<i>Partner leave</i>	<i>152 hours paid (20 days) to be taken in the period 1 week prior to concluding 6 weeks after the birth of a child</i>
<i>Long service leave</i>	<i>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 absece of 6 weeks or more, apportion of LSL entitlement can be commuted to pay. Any length of time may be granted. LSL applications must be submitted 2 terms or by the end of term 3 for the following year whichever is earlier to the Principal in writing and are subject to the conditions in this policy.</i>
<i>Spouse leave</i>	<i>Leave without pay from 3 months to 12 months once every 3 years</i>
<i>Sabbatical leave</i>	<i>Leave paid at 80% of salary subject to employee having salary reduced by 20% for relevant work period</i>
<i>Cultural and ceremonial leave</i>	<i>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.</i>
<i>Public holidays</i>	<i>All members are entitled to public holidays</i>
<i>Release to attend an interview</i>	<i>Release from duty for the period required to attend an interview in a Victorian government school for all employees.</i>
<i>Family Violence Leave -an employee experiencing</i>	<i>20 days paid leave per year for medical appointments, legal proceedings and other activities related to family violence.</i>

<p><i>family violence</i> -employee supporting a person experiencing family violence</p>	<p><i>Personal/carers leave to accompany them to court, hospital or to care for children.</i></p>
<p><i>Release for union state councillors</i></p>	<p><i>Up to 2 days per term to attend union council meetings or alternative</i></p>
<p><i>Trade union training</i></p>	<p><i>Up to 5 days per year to attend trade union training, or in excess of five days and up to 10 days in any one. Calendar year, provided the total leave taken over two years does not exceed 10 days</i></p>