



## STAFF LEAVE POLICY

### RATIONALE:

Belmore School's leave policy is intended to promote an engaging, innovative and caring teaching and learning environment. This policy aims to assist Belmore School to meet its obligations to support employees to access their leave entitlements and assists the school to do so in a context of providing continuity of the educational program for our students. The procedures outlined apply to Belmore School staff including both teachers and education support staff.

Procedures for application for leave and the school protocol for handling applications for leave are set out below. Any decision with regard to the granting of leave will be made in line with relevant industrial agreements and legislative obligations and the agreed leave policy developed by the school.

### GUIDELINES:

#### Long Service Leave & Leave Without Pay

The Principal is responsible for making decisions relating to Long Service Leave (LSL) and Leave Without Pay (LWOP). Applications for LSL and LWOP should be submitted, where possible, at least two full terms ahead of the term in which the leave is requested to commence. Staff on Central Payroll applying for leave should do this online using Edupay. Teachers and Educational Support Staff will also be asked to foreshadow intention to apply for leave to take place the following year during October of the ensuing year. To facilitate the school workforce planning arrangements, it is preferable that staff indicate requests for leave as soon as possible. All applicants will be given due and proper consideration. Whilst LSL is an entitlement, the timing of the leave is discretionary. If a teacher disagrees with the final decision of the Principal they can appeal to the Merit Protection Board.

In considering leave requests, the Principal will take into account a number of factors, including;

- How the absence will affect the delivery of services and programs at the school.
- Whether the staff member can be replaced or duties can be reorganised to ensure the absence will be covered.
- The reason(s) for application for leave, for example, compassionate reasons.
- The applicant's leave history e.g. whether this is their first application for extended leave.
- The period and timing of the leave.
- The number of staff members who have also submitted applications for leave at this time.

#### **Procedure for Application for Long Service Leave & Leave Without Pay**

1. Staff should request leave in writing, by way of letter or email to the Principal at least two terms in advance.
2. The Principal will consider each application and respond in writing.
3. The staff member should complete the required online details on Edupay.

All staff shall be entitled to the full leave entitlements as may be determined from time to time by the Teaching Service Act, Government Regulations, Industrial Awards or other Statewide Policies. *However, it may not be possible to grant all requests for discretionary leave (Long Service Leave and Leave Without Pay).*

## Leave For Other Purposes

In addition to Long Service Leave and Leave Without Pay teaching service employees may access other leave as per entitlements in the Victorian Government Schools Agreement 2017 and Ministerial Order 1038. Detailed information about leave is available on HR Web at <http://www.education.vic.gov.au/hrweb/aztopic/Pages/l.aspx>

Leave categories marked with an asterisk have very specific conditions attached to them and further information about the requirements are available on HR Web. Therefore it is important that applications of this nature are discussed with the Principal.

Various forms of leave include:

- Personal Leave (Sick Leave for Illness or Injury or Carer's Leave for carer purposes)
- Other Leave relating to Ill Health: Accident Compensation, WorkCover, War Service Sick Leave and Infectious Disease Leave
- Training Leave: Transport Accidents Commission Leave, Trade Union Training Leave, Occupational Health and Safety Training Leave
- Sabbatical Leave
- Absence for Parental Purposes: Maternity Leave, partner leave, other paid parental leave,
- Leave for Special Purposes: Bereavement Leave, Spouse Leave\* (including Spouses of Members of Parliament Leave and Spouses of State Government Officers Leave), Study Leave, Jury Service Leave, Court Attendance Leave, Bail Justice Duties Leave, Honorary Probation Officer Leave
- Defence Reserve Service Leave, Emergency Services Leave
- Sporting Competitions Leave
- Councillors, Mayors and Shire Presidents Leave
- Cultural and Ceremonial Leave
- Contesting State Elections Leave
- Family Violence Leave
- Flexible Leave Arrangements Leave
- Pressing Necessity Leave\*

Staff may also seek leave for special unforeseen circumstances

Staff members requiring any of the above categories of leave should, where possible, give maximum notice of their requirement for such leave. All applications should be supported by appropriate documentary evidence, that are outlined in the relevant leave policy on HR Web

### **Procedure for Leave for Other Purposes**

The staff member should:

1. Email a letter explaining the circumstances leading to the application for leave
2. Email appropriate documentary evidence
3. Lodge application with the Principal as soon as possible

The Principal will consider the application and respond in writing as soon as possible or, where very early application is made, one full term ahead of the requested date for the commencement of leave.



## Extenuating Circumstances

Whilst it is expected that staff at Belmore School will operate within the leave policy guidelines, it is recognised that some circumstances will prevent the time-lines of the policy being adhered to. In these instances, the Principal will use discretion, compassion and expediency to consider the application for leave.

## Resumption of Leave

To resume duty early from any form of leave, a staff member must seek approval first from the Principal. Approval of early resumption is dependent upon suitable staffing arrangements being made to accommodate the return to duty.

## RELEVANT RESOURCES

### Department of Education and Training – Human Resources

Contains information regarding leave entitlements and requirements

[http://www.education.vic.gov.au/hrweb/employcond/Pages/default\\_leave.aspx](http://www.education.vic.gov.au/hrweb/employcond/Pages/default_leave.aspx)

### Education and Training Reform Act 2006 Ministerial Orders 2017 Order No. 1038

Outlines the Employment Conditions for teachers as mandated by the Victorian State Government

<http://www.education.vic.gov.au/hrweb/Documents/Ministerial-Order-1038.pdf>

## EVALUATION:

This policy will be reviewed as part of the school's three-year review cycle or in the event of significant legislative or policy change.

This policy was last updated on 7 September 2020 and is scheduled for review in September 2023

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| Approved by Principal              | 7 September 2020 |
| Ratified by Belmore School Council | N/A              |
| Ratification Date                  | N/A              |
| Review Date                        | 7 September 2023 |