



**British Academy**  
School Marrakech  
— Belong Achieve Become —

## **STAFF ABSENCE POLICY**

# **BASM 10**

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THE BRITISH ACADEMY SCHOOL  
MARRAKECH

## **1. INTRODUCTION**

With the exception of leave which is a legal entitlement\* by Moroccan law, it is for the Governing Body to decide when to grant leave of absence and whether this shall be with pay or not. This responsibility has been delegated to the Head for teaching staff and Bursar for non-teaching staff. (Where the Head or Bursar requires leave of absence, this will be considered by the Chairman or Deputy Chair of Governors). Each case will be considered taking into account the needs of the School and individually approved if appropriate. *\*See Appendix 1 - Parental Leave guidance notes and Appendix 2 - Unpaid Emergency Dependents Care Leave guidance notes*

## **2. COMPASSIONATE, EMERGENCY OR EXCEPTIONAL LEAVE**

This is normally paid leave and is at the discretion of the Head or Bursar who would normally follow these guidelines:

- Serious illness or emergency including near or dependent relative. (Not exceeding 5 days at a time)
- Death of a near relative, defined as mother, father, brother, sister, husband, wife, partner, son, daughter or dependant domiciled with you. (Not exceeding 5 days at a time). Father-in-law, mother-in-law, son-in-law, daughter-in-law: not exceeding 3 days at full salary.
- Variables in the consideration of exceptional circumstances, including distance (local or requiring a flight), travel problems because of weather, public crisis, legal restrictions, including in relation to the covid self-isolation which would necessitate an employee being absent for a prolonged period.

## **3. Time Off for a Sick Child**

Absence for a sick child is normally unpaid except in exceptional circumstances where Compassionate, Emergency or Exceptional leave may be used (see 1).

## **4. Other Absence**

This is normally unpaid leave and given at the discretion of the Head or Bursar who will be mindful of the following circumstances and general guidance:

- Wedding of a close family member
- Attending significant events connected with children i.e. Graduation etc
- Removal of household effects
- Seeking another appointment
- Unapproved vocational examinations & courses

Normally not exceeding 1 day at a time or three days per annum. It is possible for additional unpaid days to be requested in some circumstances, but approval will be influenced by length of tenure and the amount of unforced absences in the last two/three years.

## **5. Leave for paid employment and Other Leave during the School Day**

Requests by employees to take paid employment or other leave during the school day (for example as a trainer) can only be approved at the discretion of the Head or Bursar who will consider the benefit to BASM and to the continuing professional development of the individual concerned. For paid employment, any net benefit will be shared equitably by the individual and the School. In cases of disagreement the Head will refer the matter to the Chair or Deputy Chair of Advisory Board of Governors. In any case not exceeding 3 days per annum.

## **APPENDIX 1 PARENTAL LEAVE GUIDANCE NOTES**

With the exception of Parental Leave which is a legal entitlement\*, the following sets out BASM's requirements in respect of parental leave rights which applicable to all employees. The rights are in respect of each parent and each child for whom they are responsible.

### **Eligibility**

The employee must:

- Have at least one year's continuous service with BASM; and
- Have responsibility for the child in question; and
- Be taking the leave to spend time with or otherwise care for the child
- Give a minimum of 21 days' notice, (unless this is not reasonably practicable) specifying when the leave is to begin and end. Expectant parents who wish to take leave immediately after the birth of a child must specify the expected week of childbirth.

The employee has responsibility for the child for the purposes of this paragraph if the employee is:

- The child's biological mother or father (whether or not living with the child);
- The child's adoptive parent; or
- Otherwise has legal responsibility for the child i.e. guardian.

## **The Entitlement and how it can be taken**

The entitlement is to eighteen weeks unpaid leave in order to care for a child. Leave must be taken in blocks or multiples of one week, however if the child has a disability it can be taken in week blocks or multiples of a single day. A maximum of four weeks may be taken in any one year. **The year begins on the date that the employee becomes entitled to the leave.** This is either the date of the child's birth, or, in the case of a new employee, after completion of the one year qualification period. For part time employees who have a child with a disability and who can use their entitlement a day at a time, their parental leave must be in proportion to the hours that they work.

### **Deferral by BASM**

The employer can postpone the period of leave only if the operation of the business would be unduly disrupted.

However, if the leave is to be taken immediately after a child is born or placed for adoption BASM may not postpone the leave. BASM may determine that, since there are already significant closure periods, pupils' education will be unduly disrupted by allowing parental leave in term time.

If BASM wishes to postpone a period of leave it should consult with the employee over the date to which the leave should be postponed and must notify the employee, in writing, within seven days of the request for leave, stating the reason for the postponement. However, BASM must then grant the leave within six months, and specify, in writing the date upon which the leave may be taken, after consulting with the employee.

### **Record Keeping and Proof**

It is good practice for a school to keep a record of an employee's absence and parental leave and BASM does so. When an employee changes jobs, prospective employers may ask a current employer about absence or any parental leave taken. The employer may request to see reasonable evidence of the child's date of birth, of the employee's responsibility or expected responsibility for the child.

### **Pension and employment rights during leave.**

The employee's contractual provisions relating to pay and benefits are suspended during parental leave. The employee is entitled to benefit from any contractual terms in relation to being given notice, redundancy compensation and disciplinary and grievance procedures. During parental leave the employee remains bound by his/her obligations of good faith, as well as any contractual terms relating to the giving of notice, disclosure of

confidential information, BASM Code of Conduct and freedom to participate in another business/work elsewhere.

## **APPENDIX 2 TIME OFF FOR DEPENDANTS GUIDANCE NOTES**

BASM respects that there may be occasions when an employee will need to take time off work to deal with unexpected events involving one of their dependants.

This time off for dependants' guidance notes gives all employees the right to take a reasonable amount of unpaid time off work to deal with certain exceptional situations affecting their dependants. By definition these are exceptional situations.

This policy does not form part of any employee's contract of employment and it may be amended by the BASM Board of Governors at any time. No-one who takes time off in accordance with this policy will be subjected to any detriment.

Typical examples of reasonable unpaid time off.

- provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
- make longer-term care arrangements for a dependant who is ill or injured;
- take action required in consequence of the death of a dependant;
- deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant (as a child-minder falling ill); and/or
- deal with an unexpected incident involving the employee's child while a school or another educational establishment is responsible for them.

A **dependant** for the purposes of this policy is:

The employee's spouse, civil partner, parent or child;

A person who lives in the same household as the employee, but who is not the employee's tenant, lodger, boarder or employee; or anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to above.

This policy applies to time off to take action which is necessary because of an immediate or unexpected crisis. This policy does not apply where the employee needs to take planned time off or provide longer-term care for a dependant.

Whether action is considered necessary will depend on the circumstances, including nature of the problem, the closeness of the relationship between the employee and the dependant, and whether anyone else is available to assist. Action is unlikely to be considered necessary if the employee knew of a problem in advance but did not try to make alternative care arrangements.

Reasonable time off in relation to a particular problem will not normally be more than one or two days. However, BASM will consider each set of circumstances on their facts.

**Exercising the right to time off**

The employee will only be entitled to time off under this policy if, as soon as is reasonably practicable, they inform the Head of:

- the reason for their absence; and
- how long they expect to be away from work.

If the employee fails to notify the School as set out above, the employee may be subject to disciplinary proceedings under our Disciplinary Procedures. The School may in some cases ask the employee to provide evidence for their reasons for taking the time off, either in advance or on their return to work. Suspected abuse of this policy will be dealt with as a disciplinary issue under the Disciplinary Procedure.

SIGNED BY: HEAD

Head's Signature ..... *N. Bussetti* .....

RATIFIED BY: ADVISORY BOARD OF GOVERNORS

Board Member's Signature..... *[Signature]* .....

REVIEWED: SEPTEMBER 2021 REVIEWED: SEPTEMBER 2022 NEXT REVIEW DATE: SEPTEMBER 2023

## RETURN TO WORK INTERVIEW

The aim of this return to work interview is to identify the reason for the staff member's absence and to establish how we can help to prevent a recurrence of the illness or absence. **To be completed by the Head / Bursar within 24 hrs of the return to work**

Name:

Date of 1<sup>st</sup> day of absence Date of return to work: No of working days absent:

Reason for absence with details given: Illness	All Leave of Absence not previously agreed will be classed as unauthorised and this absence will be with pay without pay
Other	
Was medical advice sought? Yes No	Was advice followed? Yes No Details of advice given:
Was the absence related to an accident at work? Yes No	Was it reported? Yes No Details and date of report:
Is the member of staff fit to return to work? Yes No	If no -detail reasons why.
Details of anything which may be affecting recovery or the likelihood of this absence happening again?	
Is there any support the school could provide?	
Further action required – additional meeting / referral / targets to be set / Fit Note to be followed	
Signature of employee Date: Name of person conducting the interview Date:	

**This will be printed and filed on the staff member's personnel file**