

# STAFF LEAVE POLICY



## Help for non-English speakers

If you need help to understand the information in this policy, please contact the school office.

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## PURPOSE

The purpose of this policy is to provide guidelines and processes to accommodate the leave requests of staff with minimum disruption to the delivery of teaching services, administration and operation of the school, and to ensure discretionary leave is granted on a fair, reasonable and equitable basis.

## SCOPE

This policy applies to all staff, including Education Support staff.

## POLICY IMPLEMENTATION

Seaholme Primary School's leave policy is intended to promote an engaging, innovative and caring teaching and learning environment. This policy should be read in conjunction with Department guidelines and the relevant workplace legislation.

The Principal is responsible for managing leave, giving due consideration to the smooth and efficient operation of the school in accordance with DET Policies and budgetary constraints.

Employees should not consider periods of non-face to face teaching as periods of leave. Non-face to face teaching is an entitlement to carry out teaching and administrative responsibilities without student supervision. It is not time for employees to carry out personal business, unless previously approved by the Principal.

### Planned Leave

- Staff seeking approval for planned leave must apply using EDUPAY and seek approval from the Principal as soon as practical to assist with planning;
- Applications for planned, extended (greater than 2 weeks) Long Service Leave or Leave Without Pay or similar discretionary leave must be entered on the EDUPAY system and the matter discussed with the Principal;
- As a general guide, the Principal requires **one full school terms' notice** in advance of staff intending to take planned leave. If extenuating circumstances exist whereby this advance notice cannot be given, the Principal will consider on a case by case basis.

### Unplanned Leave

- Employees taking unplanned leave (typically sick leave or carer's leave) must notify the Principal, Assistant Principal or other delegated authority as soon as practicable, so as to maximise the opportunity to engage a suitable replacement;
- Employees seeking approval for unplanned leave that they have already taken (typically sick leave) are to apply for the leave using the EDUPAY system within 5 working days of return to work and provide a medical certificate as required in accordance with DET guidelines;
- Employees who do not comply with these requirements will have their leave entered into EDUPAY as 'Leave Without Pay' which will result in the loss of pay for the relevant period.

### Leave without pay

Employees may be granted leave without pay for periods of up to twelve months for a range of reasons including:

- Family reasons
- Study or training

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- Employment, including self-employment
- Travel
- Participate in, officiate at and/or train for sporting events
- Pursuing the development of personal interests
- Undertaking voluntary work, including participation in community and international aid programs
- Campaigning for public office (other than an employee standing for a federal election who is required to resign)
- Any other reason considered appropriate by the delegate.

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

Employees may also need to seek approval to engage in [other employment](#) during a period of leave without pay.

## Time in Lieu

Time in lieu refers to periods of time when staff may work outside their normal working hours in compensation for time during their normal working hours that were (or are to be) taken as leave. All time in lieu arrangements must be approved by the Principal prior to any implementation.

## Parental Absence

Parental absence enables an employee who is a parent to be absent from duty for a total of seven 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;
- Partner leave;
- Other paid parental leave;
- Long service leave;
- Annual leave and additional paid leave (education support class employees);
- Family leave without pay.

## Jury Duty

- Leave with pay shall be granted to an employee required under the Juries Act 2000 to appear and serve as a juror in any court for the period that their attendance is required;
- Any fees received for jury service may be retained by the employee;
- Proof of attendance must be submitted following the completion of service.

## Cultural and Ceremonial leave

Ceremonial leave is in addition to leave granted under the compassionate or bereavement leave provisions. Leave may be granted to an employee of Aboriginal or Torres Strait Islander descent for ceremonial purposes:

- connected with the death of a member of the immediate family or extended family (provided that no employee will have an existing entitlement reduced as a result of this provision), or
- for other ceremonial obligations under Aboriginal and Torres Strait Islander law

Where a Victorian Public Service (VPS) employee of Aboriginal or Torres Strait Islander descent takes ceremonial leave for the purposes outlined above, up to 3 days in each year of employment will be with pay. Such leave will not accrue from year to year and will not be paid out on termination. For all other employees, ceremonial leave will be without pay.

A public service or education support class employee of Aboriginal or Torres Strait Islander descent may be given approval for attendance during working hours at any Aboriginal community meetings, except the Annual General Meetings of Aboriginal community organisations at which the election of office bearers will occur.

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Employees of Aboriginal or Torres Strait Islander descent may be granted access to accrued long service leave or such other leave approved by the Secretary (or delegate) to attend Annual General Meetings of Aboriginal community organisations at which the election of office bearers will occur.

VPS employees of Aboriginal or Torres Strait Islander descent are also entitled under the Victorian Public Service Enterprise Agreement 2016 to 1 day of paid leave per year to participate in National Aboriginal and Islander Day Observance Committee (NAIDOC) week activities and events. See [Cultural and Ceremonial Leave](#) for more information.

## Professional Development

Employees who are attending professional development must have the activity approved by the Principal, Assistant Principal or other delegated authority in advance, irrespective of whether or not a replacement staff member is required.

The Principal or Assistant Principal will make provision for replacement of staff. In determining whether leave may be granted, the Principal will consider:

- Whether the leave is discretionary or an entitlement;
- Whether or not exceptional circumstances exist;
- The adverse implication granting of the leave will have on the operations of the school;
- The financial impact of the leave and the school's budgetary situation;
- The entitlement of the staff member to the leave for which they have applied;
- The order of leave applications;
- Availability of replacement staff;
- The staff member's previous leave record.

Teachers seeking extended leave may not be appointed to teach a Preparatory class or Year 6 during the year of extended leave.

## COMMUNICATION

This policy will be communicated to staff in the following ways:

- Included in staff induction processes and staff training
- Included in staff handbook/manual
- Discussed at staff briefings/meetings as required

## FURTHER INFORMATION AND RESOURCES

### Related School Policies

- Complaints Policy
- Code of Conduct

### Related DET Resources

The Department's Policy and Advisory Library:

- [Annual Leave](#)
- [Bereavement Leave](#)
- [Cultural and Ceremonial Leave](#)
- [Personal Leave – Teaching Service](#)

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## Relevant legislation

- Delegations
- Industrial Agreements
- Industrial Awards
- Legislation — Employment Topics
- Ministerial Orders — Employment

## POLICY REVIEW AND APPROVAL

This policy will be reviewed as part of the school's review cycle or if policy guidelines change.

Policy last reviewed	October 2022
Approved by	Principal
Consultation	School Council noting October 2022
Next scheduled review date	October 2026