

SPECIAL LEAVE POLICY

Date of issue: 01/04/2020

1. Purpose

- 1.1 The Trust recognises that there may be times when employees need to take additional time away from work and as such this policy outlines the arrangements to request discretionary special leave.
- 1.2 The decision whether to approve special leave requests resides with a Headteacher or a delegated member of the Senior Leadership Team. Where this policy makes reference to the Headteacher this should equally be taken to read the delegated member of the Senior Leadership Team.
- 1.3 Employees will be informed how they should submit a request for special leave. Forms are available from each school / academy for this purpose.
- 1.4 All employees who work less than full time are entitled to request a proportion of the full-time special leave shown within this policy, calculated in accordance with their fraction. For example, a member of support staff who works 18.5 hours per week year-round is 50% and is therefore entitled to request 2.5 days where the full time entitlement is 5 days.

2. Bereavement leave

- 2.1 In the event of the death of a parent, step-parent, spouse, partner, sibling, or where despite the lack of a direct family relationship, it is clear that the employee has a close personal relationship which extends beyond a friendship with the deceased, an employee may request up to 10 paid working days' leave. This period includes time for funeral arrangements, attendance at the funeral and dealing with associated affairs.
- 2.2 Parents and primary carers, including parents who adopt, foster parents, kinship carers and guardians who lose a child under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy have a right to 2 weeks paid parental bereavement leave. This leave may be taken as a single block of 2 weeks or as 2 separate 1 week blocks at different times within a 56 week window from the child's death. Notice arrangements for parental bereavement leave will be as flexible as possible to enable the leave to be taken.
- 2.3 Exceptionally, paid bereavement leave may be extended at the discretion of the Headteacher according to individual circumstances for up to a maximum of 15 working days.
- 2.4 The Headteacher may grant up to 1 day's paid leave to attend other funerals.

3. Dependant Leave

- 3.1 The Trust recognises that there will be times when employees may need to take urgent time off for dependants. A dependant is defined as:
 - a spouse;
 - a civil partner;
 - a child;
 - a parent;
 - a person who lives with the employee other than as their employee, tenant, lodger or border;
 - any other person who would reasonably rely on the employee for assistance if they fell ill or were injured or assaulted or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
 - in relation to the disruption or termination of care for a dependant, any other person who reasonably relies on the employee to make arrangements for the provision of care; or someone who depends on an employee for care.
- 3.2 The circumstances which give rise to the right to time off under these arrangements are:
 - to provide assistance where the dependent falls ill, gives birth, or is injured or assaulted;
 - to make arrangements for the provision of care when they are ill or injured;
 - as a result of the unexpected disruption or termination of care arrangements;
 - to deal with an incident involving an employee's child during a period where an educational establishment is responsible for them



- 3.3 In these circumstances, the Headteacher may grant a leave of absence with pay for periods of up to 5 working days in a rolling 12-month period.
- 3.4 Any requests granted for time off over and above 5 working days will be unpaid.
- 3.5 Employees must advise the Headteacher of the reason for the Dependant Leave absence as soon as practicable and confirm how long they expect to be off work (if more than 1 day).
- 3.6 Dependant Leave is a provision which enables an employee to make appropriate arrangements to allow them to fulfil their work commitments and is not for the employee to carry out any prolonged care themselves.
- 3.7 Dependant Leave is only to be used at times when employees need to take urgent time off for dependants as described above. If employees know beforehand that they need time off, they should take another form of leave such as annual leave, unpaid leave or time off in lieu with the agreement of the Headteacher.

4. Personal and urgent domestic business

- 4.1 The Headteacher may grant up to 5 days paid leave of absence in a rolling 12-month period for the reasons set out below. Decisions will be reached by taking account the prevailing circumstances of the employee within the context of maintaining the effective running of the school / academy.

Urgent domestic emergency.

Property damage due to fire, flood, storm, impact, structural damage or burglary.

Compassionate Leave.

Serious illness of a near relative with whom the employee has a close personal relationship, medical appointments with a dependent child which cannot be arranged outside of work time, hospital appointments for a partner or child.

Family reasons (up to 3 days in total).

- Employees should make their own arrangements for their own wedding or civil partnership arrangements outside normal working days. Leave of absence may be requested to attend a near relative's wedding taking place during working time.
- Employees should aim to make arrangements for moving house outside normal working hours unless it is impossible to do so. Where this is the case paid leave for family reasons can be requested if no other form of leave is available.
- This category also includes requests to attend special family events such as graduation ceremonies and so on where a near relative is involved.

Study and Examination Leave

Employees may request examination leave for final revision, study leave and to sit examinations which improve their qualifications as part of an approved course of study.

Interviews

Attendance at interviews in connection with an application for another post.

Attendance at meetings or training

Attendance at meetings or associated activities of examining bodies, participating in a county, regional, national or international sporting or cultural event, attendance at a meeting of a Diocesan Education Committee, training to become a foster carer.

Reservist training

Whilst there is no statutory requirement for employers to give paid or unpaid time for Reservist training, employees who are Reservists may request time under this section of the policy. This section does not apply to reservists who receive a call-out notice as separate arrangements apply

Local government elections

Taking part, as a candidate, in the proceedings of a Local Government election on the day of the election.



Religious festivals

Many religions have specific days or periods which involve additional religious observance for followers. The nature, duration and requirements vary depending on the holy day, religious festival and the personal religious beliefs of an individual.

TU conference

An employee who is nominated as an official delegate may request leave to attend TUC annual conference.

5. Public Duties

5.1 Employees who hold specified public positions have a statutory right to reasonable time off work to carry out their duties to be agreed with the Headteacher, namely:

- Justices of the Peace
- Local Authority Members
- Members of health bodies
- School and College Governors
- Members of Police Authorities

6. Medical Appointments

6.1 Where possible, employees should aim to make medical appointments outside of their normal working hours. Where this is not possible, employees will be granted a period of time off with pay during the working day in order to visit the doctor, dentist, clinic, optician or hospital as necessary and agreed in advance with their line manager. Appointments should be kept to a minimum and cause as little disruption as possible. Where an employee requests a considerable amount of time off to attend various medical appointments the school / academy has the right to inform the employee, in advance, that this time may be unpaid.

7. Jury service

- 7.1 If an employee is called for Jury Service they should inform their Headteacher at the earliest opportunity. Jury Service normally lasts for 10 days, but it may be longer.
- 7.2 The employee should provide a copy of the Jury Summons and all completed documentation to the school.
- 7.3 The Trust expects employees to seek reimbursement of earnings from the Courts Service wherever possible. To do this they should send the Certificate of Loss of Earnings to payroll and submit the Certificate to the Court Service to receive reimbursement for loss of earnings and provide the reimbursement receipt to payroll.
- 7.4 Employees will continue to be paid as normal whilst on jury service until the sum for reimbursement for loss of earnings is confirmed by the Court, at which point the Trust will make the appropriate deduction from the employee's pay in the next available payroll in consultation with the employee.
- 7.5 In cases where an employee's absence on Jury Service would be severely detrimental to the school / academy or Trust, the employee may be asked to make an application for excuse or deferral and they will be provided with a letter to support their application.
- 7.6 Paid leave will not be granted to answer civil or criminal charges and time must be taken from the annual leave entitlement or as unpaid leave.

8. Disrupted travel arrangements

- 8.1 Employees should make every effort to attend work; however, there may be occasions when it is impossible for the employee to get to work by any means. Time off in lieu or paid leave may be granted as a one-off due to an employee's inability to reach their place of work for reasons beyond their control. For example, serious adverse weather conditions (unless the school has announced it is closed), transport strike with no other alternative travel arrangements available or other unavoidable and unforeseeable crisis leading to the breakdown of travel to work arrangements which results in an inability to reach the place of work by any reasonable means.



9. Other arrangements

- 9.1 Any leave of absence requests which fall outside of the areas shown above may be made to the Headteacher who has the discretion to consider such requests with pay, without pay or under time off in lieu arrangements. Each case should be considered given the prevailing circumstances and in the context of maintaining effective and efficient running of the school/ academy.

10. General Data Protection Regulation

- 10.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation

