



# **Special Leave of Absence Policy**

<b>Adopted On:</b>	November 2019
<b>Review Date:</b>	November 2022
<b>Review Frequency:</b>	Every 3 Years
<b>Approved By:</b>	Headteacher

## **1. Statement of intent**

The Governors of Moss Lane School recognise the importance of consistency, openness and equality in responding to requests from staff for special leave of absence for family and personal reasons.

This policy recognises:

- the statutory entitlement to unpaid time off to attend to urgent matters related to dependants
- national and local agreements
- best practice which seeks to maintain good working relationships between staff and management
- the operational needs of the school

It is intended that this policy will provide a clear and workable framework to enable requests for leave of absence for staff working in schools to be reasonably and fairly handled. This policy recognises that the operational needs of the school are a priority and there may be times when the Headteacher has to refuse a request for leave.

It should be noted that there might be occasions when circumstances arise not identified in this policy. In such circumstances the decision regarding leave of absence remains within the discretion of the Headteacher or Chair of Governors.

## **2. Time off for dependants**

The Employment Relations Act 1999 provides all employees with the right to take reasonable **unpaid** time off to deal with certain unexpected or sudden emergencies relating to dependants.

Staff taking time off under this right are requested to notify the Headteacher of their absence on the day they take time off and if possible to give notification in advance.

Circumstances when an employee may take time off are:

- If a dependant falls ill, or has been injured or assaulted
- When a dependant is having a baby
- To make longer term care arrangements for a dependant who is ill or injured
- To deal with a death of a dependant
- To deal with unexpected disruption or breakdown of care arrangements for a dependant
- To deal with an incident involving the employee's child during school hours

### **3. Compassionate leave**

There is no specific statutory right to claim time off work, whether paid or unpaid, on compassionate grounds (except in those circumstances covered by 'Time Off for Dependents', Section 2). The Headteacher, or Chair of Governors in the case of the Head teacher's own circumstances, may, at their discretion, grant special leave of absence (with or without pay) depending on the circumstances of the case.

In considering requests, the Headteacher will take account of the reason for the request, the likely duration of absence, the employee's length of service, the impact of refusing a request and what cover arrangements can be made for the absence. The following will be used as a guideline, but is not intended to represent a minimum or maximum contractual entitlement:

Paid compassionate leave is granted in the following circumstances:

Sudden, serious illness of near relative, spouse or child	Up to 5 days' paid leave
Death of a near relative, spouse, partner or child	Up to 3 days' paid leave
Funeral of a relative, spouse, partner or child	1 day of paid leave
Funeral of friends or colleagues	1 day of unpaid leave

### **4. Care of sick children**

The Governing Body recognises that it can be difficult for working parents and guardians to respond to the need to care for their own children when they become unwell during working hours. Members of staff have a statutory right to unpaid time off to make arrangements for the care of a dependant. It is important, however, to understand that this entitlement is only to take time off to make arrangements for the care of a child, not to provide that care personally. It should not, therefore, normally be necessary to take more than a part or whole day off work on each occasion. There is no contractual or statutory entitlement to take time off to provide direct care for a sick child. Therefore, it is important that working parents give advance consideration to what arrangements they can put in place to care for sick children at short notice. In exceptional circumstances, where other care arrangements cannot be made, the Headteacher may agree that a member of staff can take unpaid leave to care for a sick child. Leave of absence due to the needs of dependents will not usually be paid for the first day. If the illness is ongoing the decision to award a day of paid leave will be considered in the light of the staff member's overall attendance, the nature of the illness and the needs of the school.

## **5. Leave to attend significant events**

The Governors recognise that from time to time staff may have the opportunity to attend a significant social event during term time.

Examples might include:

- Graduation ceremony for a son or daughter
- Wedding of a close family member

Teachers and term time only staff do not have a leave allowance, which can be taken during term time. This policy enables staff to take one day of unpaid leave in order to attend a significant social event. Staff must seek the express permission of the Headteacher for unpaid leave in advance of the event. The operational needs of the school will be considered before granting leave and there may be times when the Headteacher will need to refuse a request for leave.

## **6. Religious festivals**

Staff who wish to attend significant religious festivals which fall during school term time may take unpaid leave to attend the festival. Requests for such unpaid leave must be made to the Headteacher in advance of the event. The operational needs of the school will be considered before granting leave and there may be times when the Headteacher will need to refuse a request.

## **7. Job interviews**

All members of staff may take a reasonable amount of paid leave to attend selection interviews for jobs. Requests to take leave to attend an interview must be made to the Headteacher in advance of the event. In considering whether the request can be granted, the Headteacher will take into account:

- The operational needs of the school;
- The amount of time off requested
- The number of paid days (or part days) of leave already granted for interviews in the previous 12 months

## **8. Other leave**

### **8.1 Examination duties**

Teaching staff undertaking professional duties in connection with external examinations may take paid leave under the arrangements contained in Appendix 2 of the Conditions of Service for School Teachers in England and Wales.

### **8.2 Jury service**

Employees may take leave to undertake jury service. They are required to claim the allowance for loss of earnings from the Court and an equivalent amount will be deducted from the employee's salary.

### **8.3 Moving house**

Members of staff are encouraged, wherever possible, to move house during one of the school closure periods which occur throughout the year. Where this proves impossible, the Headteacher has the discretion to grant members of staff one day of paid leave in order to move house. In considering such requests, the Headteacher may ask for supporting evidence to demonstrate why the move must take place during term time.

### **8.4 Medical and dental appointments**

Employees are encouraged to make appointments outside normal working hours wherever possible. However, if necessary paid time off to attend appointments will be granted. Staff attending such appointments must seek the permission of their line manager or Headteacher before attending. The Headteacher has the right to request to see appointment cards.

### **8.5 Ante-natal appointments**

All pregnant employees have the right to take paid time off to attend antenatal appointments. Except in respect of the initial appointment, evidence of appointments must be provided if requested by the Headteacher.

### **8.6 Trade union and professional association duties**

Staff undertaking duties or attending activities in relation to their membership or role within a recognised trade union will be granted time off in accordance with any locally agreed facilities agreement in place at the time of the request, taking into account the provisions of the ACAS Code of Practice on Time Off for Trade Union Duties and Activities.

### **8.7 Other Leave Not Covered**

If an employee wishes to request time off for a form of leave not covered in this policy, he/she should approach his/her line manager in the first instance explaining the circumstances, including when, and for how long, he/she wishes to take leave. In considering whether or not to grant the request and whether it should be paid or unpaid, the line manager and/or Headteacher will bear in mind any statutory provision, local or national agreement recognised by the Governing Body in relation to the particular leave request, as well as custom and practice, if any, relating to similar circumstances. Ultimately, unless there are particular provisions to which the school is required to adhere, the leave will be granted at the discretion of the Headteacher or Chair of Governors, bearing in mind the operational needs of the school.

## **9. Abuse of Time Off**

Abuse of time off which has been requested in accordance with this policy, for example by requesting leave for false reasons, will be taken very seriously by the Governing Body and will be dealt with in accordance with the school's disciplinary procedures.

### **9.1 Holiday**

Staff are to ensure that holidays are taken during the school holiday time. No special leave of absence request will be granted for holidays during term time.