



# Authorised Special Leave Policy

Our vision is to enable all to flourish.

Status and review cycle: Statutory and two-yearly review

Responsible group: The Trust/CEO

Implementation date: November 2021

Review date: April 2024

Next Review Date: April 2026

# Contents

## 1. Policy Statement

- 1.1 The Trust is an organisation with a Christian foundation. The ethos, values and relationships of the Trust, and its associated schools, are central to witnessing to the value of the foundation. The Trust is committed to supporting employees who may need to take time off work for a variety of reasons not covered by the normal annual leave provisions. It needs to be understood however, that although requests will be considered sympathetically requests are subject to individual circumstances, the needs of the school and the ability to meet any financial implications that approval may incur. Entitlements to certain types of leave are covered by statute, whilst other forms of leave are discretionary.

## 2. Purpose and scope

This policy is intended to provide guidance to headteachers and line managers and all DGAT teaching and support staff, including the central staff on employee's statutory and discretionary entitlements to leave.

3. **Defining a dependant:** A dependant is any person living in the household with the employee, who is directly dependant on them. This could be a spouse/civil partner, child or parent. It also applies to any near relative, for example parent/son/daughter who lives separately from the employee but requires their support or care.

Employees will be entitled to unpaid leave to give or arrange care for a 'dependant' who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months
- a disability (as [defined in the Equality Act 2010](#))
- care needs because of their old age

The dependant does not have to be a family member. It can be anyone who relies on them for care.

Employees are entitled to carer's leave from their first day of work. Their employment rights are protected during carer's leave.

- 4 **Unpaid leave:** All employees will be entitled to take, in total, a week's unpaid leave in any 12-month period to provide, or arrange, care for a dependant with a long-term care need. Employees do not have to provide evidence in support of a leave request. A 'week' means the length of time an employee usually works over 7 days.

An employee can either take a whole week off or take individual days or half days throughout the year.

If an employee needs to care for more than one person, they cannot take a week of carer's leave for each dependant. They can only take one week every 12 months. They can use the week of leave on more than one dependant.

Unexpected or emergency situations include illness, injury, break-down of care arrangements or dealing with an unexpected accident involving a child or dependant.

For leave to deal with unexpected or emergency situations involving a dependant, normal care arrangements must have broken down or be suddenly disturbed. Examples are, but not limited to:

- Accidents or injuries to a dependant or near relative.
- Sudden, urgent closure of a school or day care provision.
- Start of sickness of a dependant or near relative where immediate medical treatment is necessary

In exceptional situations the employee may not be able to seek permission prior to the absence but they will be expected to inform their headteacher or line manager, as soon as is practicable, of the reason for their absence and how long they expect to be absent. Time off work is expected to be no more than one or two days in these circumstances.

## 5 **Compassionate Leave**

This type of leave is available in certain circumstances and employees may request this from the headteacher or their line manager who have the discretion to grant this. For central staff this will be the CEO.

The following table shows examples of circumstances and the number of days paid leave available:

<b>Death or critical illness of immediate family member or near relative</b>	<b>Number of discretionary paid compassionate leave days per leave year (N.B not per occasion)</b>
Immediate family member i.e. spouse, civil partner, partner, parent, sister, brother or grandparent)	Up to five days per leave year
Death of a child	Up to 10 days
Near relative i.e. aunt, uncle, parent in law, cousin or dependant where the employee is responsible for funeral arrangements	Up to five days per leave year
Near relative or dependant where the employee is not responsible for funeral arrangements	Up to three days per leave year

In exceptional circumstances the headteacher or line manager can grant special paid leave and / or unpaid leave to allow an employee to care for their spouse / partner and / or family during a prolonged illness. This is discretionary and subject to the needs of the school and advice must be sought from the head of governance and people.

## 6 **Other special paid leave**

The following can be considered by the headteacher or line manager:

- Removal of household effects – one day at a time
- Approved vocational exams – period of exam

- Approved vocational courses – duration of course

Headteachers and line managers may also authorise leave of absence with pay, up to a maximum of two days per year, for exceptional circumstances, not covered above.

Requests for special leave not covered above must be made to the headteacher or line manager and if granted, will be unpaid unless stated. For central staff this will be the CEO.

- 7 **Medical or Dental Appointments:** Employees are expected to make appointments outside of school hours. In exceptional circumstances, where this has not been possible, the employee should ensure that the time away is minimal and authorisation is sought prior to making the appointment.

In addition, paid time off should be made available for cancer screening appointments.

- 8 **Parliamentary or district council election nominees**  
Employees taking part in pre-election campaigns will need to request unpaid leave or annual leave if they work all year round.

- 9 **Elected members of the district/parish council and/or appointed JP**  
Employees need to give the headteacher or line manager as much notice as possible of their intention to be absent on a particular day, or part thereof, to attend to their public duties. It is recognised that the majority of parish council meetings take place outside normal office hours.

In considering requests for such time off headteachers and line managers will consider the needs of the school as well as the needs of the employee. The maximum amount of time off with pay for full time employees undertaking these duties shall not exceed 208 working hours per financial year (1st September – 31 August) for each duty.

Where employees can demonstrate their public office requires them to spend more than 208 hours working on such duties, their request for additional leave should not be unreasonably refused, although it will be unpaid. For part time employees, this should be calculated on a pro rata basis.

On days where paid leave of absence is approved for being appointed as a Justice of the Peace, the school will not make any deductions from pay and therefore such employees will not need to claim a financial loss allowance.

Where employees are elected council members and claim member allowances on those days where paid leave is approved, an amount equivalent to the allowances claimed will be deducted from their pay. (These employees will need to notify the payroll provider, of the amount of allowance claimed to ensure monthly salary payments are processed correctly).

- 10 **Other paid activities undertaken by the employee**  
Employees who volunteer to participate in paid activities, e.g. census; election etc., should request annual leave or unpaid leave.

**Other reasons:** Any request for leave for a reason not included in earlier paragraphs will be considered by the school/Trust on a case-by-case basis.

- 11 **Army/navy/air cadet/reservist annual camps**  
Employees who are instructors in the Army, Navy or Air Cadet Forces or a reservist, can take special paid leave to attend annual camps. However, this does not apply to voluntary organisations such as the Boys Brigade, Scouts, Guides etc.

12 **School Governors**

As it is regarded as a public duty, unpaid leave of absence up to ten days per academic year can be given to employees who are governors of other schools (i.e. not the one whom they are employed by).

13 **Religious Festivals**

An employee wishing to observe a religious festival, for which there is no current public holiday, should apply in the normal way to their headteacher or line manager.

Term time only employees, who are not normally allowed to take leave during the school term, may apply for time off to observe a religious festival on the clear understanding that the time off will have to be made up either during the term time or during the school holiday periods. This time off facility will be limited to two days per year.

14 **Jury Service**

Leave should be provided unless the employee gets an exemption from serving on the jury.

The employee will receive, with their jury summons, a Certificate of Loss of Earnings or Benefit, which should be completed, with a copy provided to the headteacher or line manager, to recover the wages that would otherwise be lost in respect of the period of jury service. This should be submitted to HM Courts and Tribunals Service (HMCTS) to receive reimbursement, up to a limit, for loss of earnings incurred due to being absent from work due for jury service.

The employee will be paid as normal until reimbursement has been processed by HMCTS, whereupon the receipt for the reimbursement should be given to the school who will then make the appropriate deduction to the employee's pay.

15 **Headteachers**

Headteachers may take leave under the above provisions with the agreement of the CEO.

16 **Absence requiring the closure of a school**

Where the absence of any teacher would require the closure of a school, no such closure should be made without the authorisation of the CEO.

17 **Abuse of entitlement:** The school may require explanation and evidence justifying a member of staff's request for leave. Unauthorised absence or abuse of this policy may constitute gross misconduct and disciplinary action may be taken against the member of staff.

### Authorised Special Leave – Guidance for headteachers and line managers

Reason	Maximum number of days	Paid/Unpaid
Death or serious illness of immediate family member (ie parent, spouse, civil partner, partner, child, sister, brother or grandparent)	Up to 5 days in a leave year	Paid
Death of child	10 days	Paid
Death of near relative (ie aunt, uncle, parent-in-law, cousin or dependant where the employee is responsible for funeral arrangements)	Up to 5 days in a leave year	Paid
Near relative where the employee is not responsible for funeral arrangements	Up to 3 days in a leave year	Paid
Funeral (other than above)	1 day	Paid
Cancer screening or exceptional	Reasonable time to attend appointments	Paid
Moving house	1 day	Paid
Examinations	Period of the exam not to exceed 2 days in a leave year	Paid
Job interviews	2 days	Paid
Wedding / Civil Partnership of immediate family	1 day for each occasion	Paid
Attendance at new school before starting new job	1 day	Paid
Attending a degree ceremony	1 day	Paid
Childcare or dependent care or arranging care.	Up to a week days paid in a leave year + reasonable unpaid time off where arrangements for care unexpectedly break down (pro-rata if part time)	Unpaid
Family / Domestic crisis	2 days	Paid
Severe weather conditions	As appropriate	Paid
Army/Navy/Air Cadet/ Reservist annual camps	Attend annual camp	Paid

Public Office commitments	Up to 208 working hours paid per financial year (1 April to 31 March), reasonable additional time unpaid (pro-rata if part time)	Paid / unpaid
Jury Service	Duration of court requirements (Certificate of Loss of Earnings or Benefits form to be completed and submitted to HMCTS)	Paid

