



Special Leave Policy

For the Following Academies:

Holy Trinity C of E Primary School
Connaught Junior School
Crawley Ridge Infant School
Crawley Ridge Junior School
Windlesham Village Infant School

This Special Leave Policy was approved and adopted by the Trust Board: Sum 2022
It will be reviewed: Sum 2024

1. Statement of Intent

TAMAT recognises the importance of consistency, openness and equality in responding to requests from staff for special leave of absence for family and personal reasons or in order to fulfil professional duties other than those immediately related to employment.

This policy reflects:

- Employees' statutory entitlement to take time off (paid or unpaid) in certain circumstances.
- National and local agreements recognised by the school.
- Best practice, which seeks to maintain good working relationships between staff and management; and
- The need to balance requests against 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 to be reasonably and fairly handled whilst recognising that the operational needs of the school are a priority and there may be times when a request for leave will be refused.

There may be occasions when circumstances arise which are not specifically identified in this policy. The decision regarding granting leave of absence in such cases falls to the discretion of the Headteacher or Chief Executive Officer, as appropriate. In the case of the Chief Executive Officer this would be made by the Chair of the Trust Board.

Those staff requesting planned leave of absence should complete the TAMAT form in advance of the date requested.

2. Time Off for Dependants

The Employment Rights Act 1996 provides all employees with the right to take reasonable unpaid time off to deal with certain unexpected or sudden emergencies relating to dependants.

What constitutes a reasonable amount of time off is not specified by the legislation and will depend upon individual circumstances, such as:

- the nature of the incident.
- the closeness and level of dependency in the relationship; and
- the availability of anyone else to help with the situation.

Whilst there is no legal restriction on the number of occasions upon which an employee can exercise this right, the amount of time off taken is nevertheless subject to a consideration of what is reasonable in each circumstance. In most cases, a few hours or a day will suffice to deal with the immediate emergency.

For the purposes of this right, a dependant is an employee's spouse, civil partner, child or parent or another person who lives in the same house as the employee (other than as a tenant, boarder, lodger or employee). In addition, it includes anyone who reasonably relies on the

employee for assistance or to make necessary arrangements for care when that person falls ill or is injured or assaulted, and anyone who relies on the employee to arrange the provision of care.

Members of staff seeking to exercise their right to time off are requested to notify their Line Manager of their absence and its likely duration as soon as possible. Wherever possible, notification should be given before the absence is taken.

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 (see also Section 4, 'Care of Sick Children').
- To deal with the death of a dependant.
- To deal with an unexpected disruption or breakdown of care arrangements for a dependant.
- To deal with an incident involving the employee's child during school hours (see also Section 4, 'Care of Sick Children').

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 Dependants', see Section 2 and 'Parental Bereavement Leave', see Section 5 below.

For situations that are not covered by other statutory rights, the Headteacher, or CEO in the case of the Headteacher'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 or in regard to requests from the Headteacher and CBT, the CEO 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:

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

4. Parental Bereavement Leave

Parental bereavement leave is a statutory entitlement due to be introduced on 6 April 2020. It provides the right for bereaved parents (and partners of parents in an enduring family relationship) to be absent from work, and in some cases to be paid at a statutory fixed rate, for up to two weeks. Time off can be taken in a single block or two separate blocks of one week. It also applies to parents who suffer a stillbirth after 24 weeks of pregnancy. Affected employees will be informed of their entitlement and the statutory requirements of the scheme.

5. Care of Sick Children

TAMAT 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 and it is therefore 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.

6. Leave to Attend Significant Events

TAMAT recognises 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 themselves or a son or daughter
- Wedding of a close family member

All staff must seek the express permission of the Headteacher or CEO for 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.

7. Religious Festivals

Members of staff who wish to attend significant religious festivals which fall during school term time may request to take one day paid leave to attend the festival (or, for full-year staff, annual leave may be granted). Requests for extended leave for a Religious Festival must be made to the Headteacher or CEO as early as possible 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 or CEO will need to refuse a request.

8. 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.

9. Other Leave

9.1 Examination Duties

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

9.2 Jury Service

Employees may request leave to undertake jury service and should inform the school as soon as possible after receiving the summons. The school will make up the difference between the loss of earnings allowance which may be claimed from the court and the employee's normal pay. The employee is responsible for claiming the allowance and an equivalent amount will be deducted from the employee's salary.

9.3 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 or CEO has the discretion to grant members of staff one day of paid leave in order to move house. In considering such requests, the Headteacher or CEO may ask for supporting evidence to demonstrate why the move must take place during term time.

9.4 Medical and Dental Appointments

Employees are encouraged to make medical and dental appointments outside normal working hours and, with routine appointments, this should usually be possible. Where it is not possible to make an appointment out of hours, or where the appointment is urgent, paid time off to attend appointments will be granted at the discretion of the line manager or Headteacher, from whom permission must be sought in advance. Evidence of appointments may be requested.

The same provisions will apply where an employee is seeking time off work to accompany a dependant to a medical or dental appointment, although it is expected that in such circumstances time off will usually be unpaid or must be made up at another time.

Where an ongoing series of medical appointments has been requested, the Headteacher or CEO will have discretion to determine whether they will be paid or unpaid.

9.5 Antenatal / Adoption 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 or employee's line manager.

Prospective fathers / partners of pregnant women may take unpaid time off to accompany her to up to two antenatal appointments, subject to a maximum limit of 6.5 hours per appointment. Such employees may be required to complete a form declaring their eligibility.

Similar rights are available to the main (or sole) adopter and his/her co-adopter (if applicable) in respect of adoption appointments prior to the placement. Eligible employees will be provided with further information about their entitlements.

9.6 Trade Union / Professional Association Duties and Activities

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.

9.7 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 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 Local Academy Board in relation to the particular leave request, as well as any custom and practice 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.

10. Abuse of Time Off and Unauthorised Leave

Whilst the school's approach is to endeavour to grant special leave in line with this policy where the request is reasonable and it is operationally feasible to do so, employees should be aware that taking unauthorised leave (such as taking leave which has previously been refused) or making a dishonest request for leave (for example by requesting leave for false reasons) will be treated as a serious disciplinary matter potentially leading to dismissal for gross misconduct.

11. Data Protection

When an employee makes a request to his/her Line Manager for time off under this Special Leave Policy, personal data collected will be processed in accordance with the TAMAT's Data Protection Policy. Only the personal information required to deal with the employee's request for time off should be recorded and this information kept only for as long as necessary to deal with the request.

12. Status of Policy and Review

This Policy is reviewed every two years by the TAMAT Trust Board.

The policy is discretionary and does not confer any contractual rights.

Reason	Details	Normal Arrangements
Bereavement	Death of a near relative, spouse or partner	Up to 3 days' paid leave. Further days at the discretion of the Headteacher
Parental Bereavement Leave	Death of a child (including stillbirth after 24 weeks of pregnancy)	Up to 2 weeks paid leave
Funeral Leave	Funeral of a near relative, spouse or partner	1 day of paid leave. Further days at the discretion of the Headteacher
Funeral Leave	Funeral of other relatives, friends or colleagues	1 day of unpaid leave
Time off for Dependants	Spouse, civil partner, child or parent	Unpaid
Graduation ceremony	For son or daughter	At the discretion of the Headteacher if paid/unpaid
Weddings	Parent, child, sibling, grandparent	At the discretion of the Headteacher if paid/unpaid
Religious Festivals	For example: Diwali, Eid	1 day paid leave
Job Interviews		1 day paid leave
Study Leave/Examinations		2 days as necessary subject to prior knowledge and school support of the course
Jury Service		Paid claim from court
Moving House	Allowed where it is demonstrated that the move must take place during term time	Unpaid/One day of paid leave at the discretion of the Headteacher
Medical/Dental Appointment	Allowed where it is demonstrated that the appointment cannot be made outside working hours	Paid/Unpaid at the discretion of the Headteacher
Medical/Dental Appointment For Dependant	Allowed where it is demonstrated that the appointment cannot be made outside working hours	Unpaid or time may be made up at the discretion of the Headteacher
Trade Union/ Professional Association Duties and Activities		Paid as necessary
Sudden or Serious Illness	Sudden or serious illness of a near relative, spouse or child	Up to 5 days' paid leave. Further days at the discretion of the Headteacher

Antenatal Appointments		Pregnant employees paid leave except the initial appointment. Prospective fathers/partners unpaid leave up to two antenatal appointments
Special Leave		Paid or unpaid at the discretion of the Headteacher

COVID Arrangements

Further to the risk assessments that are currently in place due to COVID-19, the Trust aims to be as flexible as possible with staff as many variable situations may arise. To be consistent across all employees of the Trust, the following arrangements are in place.

Positive COVID Test Result	Staff will be paid as normal if they test positive for COVID-19. Evidence of the positive test results will be required.
Self-Isolation	If a member of staff has been told to self-isolate by Government Track and Trace (evidence will be required on every occasion) or is asked not to attend work by their school then they will be paid.

For any other self-isolation variables, job roles have been split into categories and the following applies:

Group	Job Roles	Arrangement
A	PPA Time, Leadership Time, Office Staff, Central Business Admin	Work from Home -paid
B	Class Teacher, PPA Staff, HLTAs, TAs, LSAs, Midday Supervisors, Wraparound Care Staff	Unpaid
C	Caretaker, Cleaners, CFO, Compliance Officer, CEO, Headteachers, Technicians, Wraparound Care Admin time, SENCo/INCo	Paid/Unpaid Case by Case basis

Time off for dependants – if a dependant is isolating (e.g. if a school bubble has been closed down and a child is sent home) or a dependant has tested positive then the usual time off for dependants (as above) is in place.