



THE ALLIANCE
MULTI-ACADEMY TRUST

Special Leave Policy

For the Academies within TAMAT

This Special Leave Policy was approved and adopted by the Trust Board: Sum 2025

It will be reviewed: Sum 2027

Version: 25.0

1. Statement of Intent

The Trust Board 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 Chair of Governors, as appropriate.

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 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 6, '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 6, 'Care of Sick Children').

3. Carer's Leave

The Carer's Leave Act 2023 provides all employees with the right to take reasonable unpaid time off to give or arrange care for a dependant who needs long-term care.

Employees are 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 statutory right to carer's leave excludes general childcare, except where a child meets the definition of a dependent with a long-term care need.

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 care or to make arrangements for care.

Examples of what carer's leave could include:

- taking a disabled child to a hospital appointment
- moving a parent who has dementia into a care home
- accompanying a housebound dependant on a day trip

Employees can take up to a maximum of one week of carer's leave in a rolling twelve-month period. Employees who care for more than one dependant do not have a separate entitlement to carer's leave for each dependant.

A 'week' is defined as that which is equal to an employee's usual working week, ie. if an employee works 3 days per week, they can take up to 3 days of carer's leave in a rolling twelve month period.

For those whose working hours vary, or who do not work every week (such as term time only workers) a week's carer's leave is calculated by totalling the number of periods the worker is required to work (ie all the hours worked over the 12 months ending on the last day of the requested week's leave) and dividing the total by 52.

An employee can choose to take leave as half days (this is the minimum that can be taken), full days or a whole week.

If an employee needs to take carer's leave, they should notify complete a Leave of Absence form and submit to their Line Manager.

Employees are encouraged to give as much notice as possible when requesting carer's leave so that the school can plan effectively for the absence. In any event, employees must give notice in advance that is either:

- at least three days in advance if requesting a half day, or single day, of leave
- at least twice as many days as the requested leave period (in full days) if applying for two or more consecutive days' leave - ie 2.5 days leave requires 6 days' notice.

All carer's leave must be approved in advance by the Line Manager.

For employees who need to take time off at short notice to care for a dependant where they are unable to give the minimum notice, they could take time off for dependants as set out in section 2.

While every effort will be made to meet an employee's request, the Trust may postpone a period of carer's leave if they consider that the absence will cause serious disruption to the operational needs of the school.

If a decision is taken to postpone leave, the line manager or the HR department will consult with the employee to find an alternative leave period within one month of the originally requested leave.

This will be followed up in writing to the employee within seven days of the request or before the leave starts, whichever is the earlier, clarifying the reason for the postponement and the revised dates on which the carer's leave can be taken.

If an employee needs to cancel their approved carer's leave, they should request this as soon as possible. The Trust will consider such requests, however there is no requirement for us to agree to it. Employees cannot cancel any carer's leave that has already begun.

4. 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 4 below.

For situations that are not covered by other statutory rights, the Headteacher, or Chair of Governors 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 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

5. Parental Bereavement Leave

Parental bereavement leave is a statutory entitlement. 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.

Regardless of any entitlement to statutory parental bereavement pay, employees eligible for parental bereavement leave will be provided with their normal pay during the period of statutory bereavement leave as a supportive measure. Statutory parental bereavement pay will remain an underlying entitlement, where eligible.

6. Care of Sick Children

The Trust Board 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/Line Manager may agree that a member of staff can take unpaid leave to care for a sick child.

6. Leave to Attend Significant Events

The Trust Board 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 their child
- Wedding of a close family member (parent/child/sibling/grandparent)
- Attendance for an official appointment (e.g. Passport/Visa, court appearance, driving test) where they cannot be arranged during non-term time.

Support staff who are employed for the full year have an annual leave entitlement and may therefore request paid annual leave for such events. Teachers and term time only staff are not able to take annual leave during term time. In such cases, the following policy will apply:

- 2 days maximum for each occasion. The Headteacher can determine whether the first day is paid or unpaid. The second day will always be unpaid.
- Leave for significant events will only be granted once in every 12 month period on a rolling basis.
- Leave for significant events will only be considered once a member of staff has passed their probationary period.

All staff must seek the express permission of the Headteacher/Line Manager for leave in advance of the event. The operational needs of the school/Trust will be considered before granting leave and there may be times when the Headteacher/Line Manager 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 unpaid leave to attend the festival (or, for full-year staff, annual leave may be granted). Requests for such unpaid leave must be made to the Headteacher/Line Manager 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 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/Line Manager in advance of the event. In considering whether the request can be granted, the Headteacher/Line Manager 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/Line Manager has the discretion to grant members of staff one day of paid leave in order to move house. In considering such requests, the Headteacher/Line Manager 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 be unpaid.

Where an ongoing series of medical appointments has been requested, the Headteacher/Line Manager 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, they should approach their line manager in the first instance explaining the circumstances, including when, and for how long, they wish 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 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/Trust Board, bearing in mind the operational needs of the school. Holidays in term time, other than in exceptional circumstances (unless full-time support staff who are entitled to annual leave) will not be granted in line with Trust pupil attendance policies.

10. Annual Leave

10.1 Entitlement to Annual Leave

Every worker is entitled to a minimum of 5.6 weeks annual leave per annum under the Working Time Regulations (WTR) 1998, subject to a maximum of 28 days. At TAMAT, employees with less than 2 years' service are entitled to 26 days, those with service between 2 and 5 years are entitled to 28 days and those with 5 years + service are entitled to 30 days. The TAMAT annual leave year begins on 1st September each year and runs through to the 31st August. Workers who start part-way through the employer's leave year are entitled to a pro-rata amount of leave based on how much of the leave year is remaining. Part-time workers are similarly entitled to a pro-rata amount of leave based on their working hours. Term-Time only contracts have the pro-rata amount of leave included in their annual salary and are not expected to work in the school holiday periods unless directed in their contract for events such as training days.

10.1 Rules around carrying forward untaken annual leave

The initial annual leave entitlement should be taken in the annual leave year in which they accrued. If they are not, then entitlement to those weeks is usually lost (though see sections 10.2 and 10.3 for exceptions). Any untaken annual leave, to a maximum of 3 days, may be carried forwards into the next leave year if expressly agreed with a minimum of 6 weeks' notice by the Line Manager and Headteacher. Requests will only be considered where there is no operational impact to the school or Trust.

As intimated above, there are exceptions to the general carry forward rule where the employee is absent from work for a protracted period and is unable as a result to take

leave during the leave year in which it was accrued. Following the ECJ's judgment in another recent case, there is also an exception where the worker has been prevented or deterred from taking his/her leave entitlement by the employer.

10.2 Interaction between annual leave and sick leave

Worker unable to take annual leave due to long-term sickness

Annual leave continues to accrue during absence. This is the case even if the worker has been off sick for the entire leave year.

Workers who have been unable to take their annual leave due to being off sick are entitled to be able to carry forward outstanding leave for a period of up to 18 months after the relevant leave year.

This right is limited to four weeks of statutory annual leave entitlement provided for under the EU Directive. There is no automatic right to be allowed to carry forward the additional 6-10 days of TAMAT enhanced annual leave days contractual holiday entitlement.

Workers can opt to take their annual leave entitlement whilst off sick. Whilst the employer is not obliged to agree to this it can help to avoid extensive periods of leave building up.

Term time only support staff who receive holiday pay each month as part of their normal wages will not have received their full entitlement during any periods of half or no pay.

Worker who becomes sick before or during annual leave

Where a worker is already on annual leave and becomes sick, or becomes sick prior to a period of booked leave, the employer is obliged to allow the worker to take his remaining booked annual leave at another time. This relates only to statutory annual leave entitlement, not any enhanced contractual entitlement.

10.3 Interaction between annual leave and family related leave

Annual leave entitlement will continue to accrue during periods of family-related leave (which for these purposes includes maternity and adoption leave, paternity leave and shared parental leave).

Annual leave accrued but not taken during the leave year must be carried forward into the next leave year if there is insufficient time for it to be taken in the same leave year (this includes equivalent time off for bank holidays).

10.4 Annual leave request process

All annual leave requests should be made via the Trust's AccessHR system with as much notice as possible. As a minimum, requests should be submitted for approval in advance

by at least double the amount of time of leave requested i.e. if 2 weeks annual leave is requested, this should be submitted for approval at least 4 weeks prior to the leave beginning. If 1 day of leave is requested, this should be submitted at least 2 days prior to the leave beginning.

Annual leave cannot be taken until approval on the Trust's AccessHR system has been processed. The employee should discuss with their Line Manager any requests that have not been approved prior to the leave period beginning.

10.5 Annual leave restrictions

There is no contractual right for the employee to take annual leave on days they request. Line Managers are entitled to decline any requests if they believe it will have a detrimental effect on operations. In these circumstances, the Line Manager should discuss, in good time, with the employee to arrange a more suitable time for the leave to be taken. Should a request be declined and the employee fails to attend work, this will be treated as an unauthorised absence.

Similarly, there is no contractual obligation that the employee can choose when they take annual leave. TAMAT reserves the right to direct staff to take annual leave in certain circumstances, for example during periods of school closures or shutdowns where the site or systems are inaccessible. In these cases, the school and/or Trust will direct the employee in advance by at least double the amount of time as the directed time of leave e.g. if 1 day of closure at least 2 working days in advance of the closure.

TAMAT directs all staff entitled to annual leave to take 4 days of annual leave each leave year. These dates are Christmas Eve (24th December) and the 3 working days between Christmas Day and New Year's Day. The only time this will not apply is where an operational emergency is identified by the Trust.

Any period of annual leave more than 2 weeks (or 10 working days) requires special approval and needs to be submitted to the Line Manager for further discussion at least 90 days prior to the beginning of the requested leave.

11. 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.

12. 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 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.

13. Status of Policy and Review

The content and operation of this policy is reviewed on a regular basis by the Trust Board. The policy is discretionary and does not confer any contractual rights.