



**Greenside School**  
Learning Achieving Together

# **Special Leave of Absence Guidance**

**(Including time off for dependents)**

February 22<sup>nd</sup> 2023  
Next review: March 2025

## **Scope**

This guidance applies to all employees employed directly by the school (not those engaged by an agency). It is based on the Hertfordshire model policy, which was subject to consultation with Trade Unions. It does not form part of anybody's contract of employment and may be varied.

## **Introduction**

We recognise that there will be occasions where employees are faced with emergency situations involving dependants where they may need to take time off work. There may also be other instances where colleagues need to request leave of absence from work.

This policy explains the right to take time off work to manage unexpected or sudden problems and of taking a reasonable amount of time for issues relating to a dependant in order to make any necessary longer-term arrangements. The policy also outlines other circumstances in which a colleague may need to request special leave of absence.

## **Roles, responsibilities and procedure**

Employees should:

- discuss any application for special leave with their Headteacher at the earliest opportunity
- submit special leave requests to the Headteacher using the appropriate documentation and supporting information where needed
- if possible, give at least four weeks' notice before the start of any leave requested, depending on the circumstances
- note that the granting of special leave is not an automatic entitlement

The Head teacher will:

- consider all requests for special leave, arranging a meeting with the individual to discuss the request if required
- grant leave in accordance with the guidance
- ensure that requests are dealt with sympathetically, compassionately, confidentially where appropriate, and in accordance with this guidance
- not refuse requests unreasonably
- inform the employee of the outcome of their request within five working days. If a request cannot be agreed, clear reasons must be given and any alternative arrangements considered
- inform the office of the outcome of the leave request.

The school administration team will:

- if unpaid leave is granted, ensure any pay deduction for teachers and staff employed on a 52 week contract is based on 1/365th of the employee's normal annual salary. Any deduction for support staff on term-time only contracts will be based on 1/260th of their annual salary.
- keep a confidential record of leave granted.

## **A dependant**

At Greenside a dependant is defined as:

- a spouse
- a civil partner
- a child
- a parent

## **Circumstances in which right to time off for dependants applies**

All employees (irrespective of length of service, and whether they are part time or full time) are entitled to take a reasonable amount of time off during working hours to take necessary action:

- to provide assistance when a dependant falls ill, gives birth or is injured or assaulted
- to make arrangements for the provision of care for a dependant who is unable to care for themselves independently (e.g. a child) or for an ill or injured dependant
- in consequence of the death of a dependant
- because of the unexpected disruption or termination of arrangements for the care of a dependant
- to deal with an incident that involves their child and occurs unexpectedly while the child is at school/ another educational establishment.

## **Procedure**

An employee who needs to take time off for dependants should contact a member of the senior leadership team at the earliest opportunity. If the employee becomes aware of an emergency situation while at work, they should immediately speak to an appropriate person about leaving work early. The employee should explain:

- the reason for the absence; and
- how long they expect to be absent from work.

If the employee is not at work and is unable to contact the school before taking time off for dependants, they must contact the absence line as soon as possible.

The employee must inform the school as soon as possible of any change in the anticipated date of their return to work.

## **Paid leave for dependants**

Under the Employment Rights Act 1996 employees are entitled to take a 'reasonable' amount of unpaid leave during working hours to take 'necessary' action to deal with illness, injury, birth or death of a dependant and to make longer term arrangements.

Greenside School adopted the HCC 2012 terms and conditions collective agreement. Emergency paid leave of up to 5 days per year can be granted to allow for the care of children and other dependents. At Greenside all employees, will be allowed paid leave of up to 8 days in an academic year to enable employees to provide care or make arrangements for the care of a child/dependent, all subsequent dependent days are unpaid. This is not an entitlement, senior leads will monitor the pattern and frequency of leave for dependents and will meet with colleagues if there are issues / concerns.

Where additional leave is required, e.g. if a child/dependent is seriously ill for a longer term, the Head will consider additional leave requests sympathetically and grant

unpaid leave or consider other options such as time owing, flexi-time or annual leave where appropriate.

In the event of an unplanned closure of a child's school (with less than 24 hours' notice) where it is not possible for alternative provision of care to be made, leave will be granted, pay will part of the 8 day allocation.

### **Other types of leave**

Time off under this policy is intended to be for the employee to deal with emergency situations involving dependants.

Once the immediate emergency has been taken care of, the employee is expected to return to work or, if further time off is necessary, request to take it as another form of leave. Authorisation of further leave is at our discretion.

### **Bereavement**

The Statutory Parental Bereavement Pay (General) Regulations 2020 came in to force on 6 April 2020 and gives a statutory right to a minimum of two weeks paid leave to parents who suffer the devastating loss of a child under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy irrespective of how long they have worked for the employer. The leave is paid at the lower rate of £151.20 per week or 90% of salary. At Greenside we will pay the employee their normal contractual rate of pay. If the employee has sole responsibility for arranging the funeral, then an additional 10 days of paid leave may be granted. Although the 10 days for parents of a child under the age of 18 is statutory, we may grant additional paid leave depending on individual circumstances.

### **Time off for medical appointments and medical treatment**

#### **Medical screening**

Paid time off will be granted to employees for the purpose of medical screening, including all cancer screening.

#### **Acting as a donor**

An employee will be granted paid time off for up to four weeks to act as an organ/bone marrow donor. The absence will not be counted against the sick pay entitlement and will not be considered in any absence monitoring procedures. Employees will be required to submit medical documentation to confirm details.

#### **Infertility treatment (IVF)**

Employees will be granted up to fifteen days paid leave of absence to attend medical appointments or when hospitalised in relation to infertility treatment.

Any further request for time off will be considered at the Headteacher's discretion and, if granted, will be unpaid.

Employees will be required to submit appointment letters/card to confirm details. When an employee is unfit for work following a course of treatment, they will be required to submit a doctor's unfit for work note and the absence will be counted against their contractual sick leave and pay entitlement.

### **Medical / dental appointments**

Where possible, non-emergency appointments should be arranged during non-working hours.

If a doctor's/hospital appointment has to take place during working hours, reasonable time off with pay will be authorised for the employee or for attendance with their child/dependent. However, every effort should be made to arrange appointments at either the beginning or end of the school day to minimise disruption.

One day's paid leave will be authorised for taking a close relative to hospital. Employees should note that, if a hospital appointment is made during normal working hours, the employee will be asked to provide a copy of the appointment letter/card to confirm the details.

### **Emergency household / domestic leave**

Special leave may be requested where circumstances are unforeseen and are unavoidable which require the employee's personal and urgent attention, e.g. securing their property following a burglary or a boiler breakdown in a household with vulnerable people.

Paid leave will be authorised in blocks of an hour and no more than 15 hours paid leave will be authorised within a 12 month period (if this were to continue beyond this period it would be raised as part of an absence review). This is not an entitlement. Senior leads will monitor the pattern and frequency of such leave and will meet with colleagues if there are issues / concerns.

### **Leave for employees experiencing domestic abuse**

Paid leave of ten days will be offered to any employee experiencing domestic abuse in addition to other leave provisions. This will assist with having to take time off for any relevant appointments. Further leave of absence will be considered for counselling, recovery or respite from the perpetrator.

### **Attending a job interview**

Employees will be allowed reasonable paid time off to attend job interviews. If the interview is in the afternoon, the employee will be required to attend work as normal in the morning where this is reasonably possible.

If part of the interview process requires the teacher to visit the school, leave with pay will be granted.

### **Accompanying a colleague to a disciplinary or grievance hearing**

Reasonable paid time off will be granted to accompany a fellow employee to their disciplinary or grievance hearing.

### **Driving test**

Paid time off for half a day on one occasion will be authorised.

### **Moving house**

Employees are encouraged to make arrangements for moving house at the weekend or during a school holiday. Where this is not possible, one day paid leave of absence will be granted in order to move to a new house (2 separate days within a 12 month period).

### **Volunteer members of the British armed forces**

Employees who are volunteer members of the armed forces will be granted up to two weeks' paid leave of absence in any school year to attend summer camp if it is not possible to arrange this during a normal school holiday.

### **Leave for religious observance / festivals**

If the timing of an employee's religious festival falls during a normal school day, up to two days' leave a year will be granted.

An additional day's leave with pay may be authorised for any special cultural or religious events. Employees should give as much notice as possible to enable cover arrangements to be made.

### **Other special leave**

Leave with pay may be granted in some special circumstances, including:

- visit to a solicitor
- car breakdown
- travel problems due to snow
- travel problems due to industrial action
- school of employee's child is closed due to snow
- illness of child minder
- graduation ceremony of a child or partner
- to attend a royal garden party
- to represent a sport at county or national/international level
- to watch a child participate in a national or international music or sporting event
- to assist an elderly dependant move residence.
- Weddings, if abroad, only of close family members (child, parent) only 1 day will be paid
- Attending Haji.

### **Career break**

Greenside School recognises that from time to time employees may benefit from a longer period of absence from work. All employees with six months' service will be eligible to apply for a career break which can be used for:

- childcare
- caring for an elderly person
- extended study leave
- career development
- travel
- any other reasonable purposes agreed with the Headteacher.

Employees should put their request in writing to the Headteacher, setting out clear reasons for the break, specify the length of the absence, why it would be beneficial to them and what benefit there is to the school.

Where a career break is approved for one year or less, the employee will return to their previous job as far as is reasonable. Where a career break is approved for more than a year, the employee will return to either the same job or a similar job on the same terms and conditions. The date of return from the career break should be agreed as part of the application process.

The employee and Headteacher should meet a month before the end of the career break (three months if the break is more than a year) to discuss and confirm arrangements to return to work.

If an employee wants to return to work earlier than agreed, they should give eight weeks' notice and arrange to meet the Headteacher. Where an employee decides not to return at the end of their career break, they should inform the Headteacher as soon as possible.

### **Public duties**

Paid leave of absence of 18 days in a school year may be approved to undertake public duties and necessary training, including: as a magistrate, JP, school or college governor.

### Trade Union Duties

Trade union reps and members will be entitled to paid time off for trade union duties.

### Jury Service

Jury service/attendance at court/employment tribunal

Employees called for jury service should inform the Headteacher, in writing, as soon as possible in order for cover arrangements to be made in time.

Employees should check with the Headteacher if they will be able to return to work if released from jury service for part days, for full days or early if they are not required for the full two weeks.

If a case is likely to last for more than two weeks, the juror will be asked whether this is likely to cause them any difficulties. Employees should check with the Headteacher if possible before responding to that question.

Employees will be paid their normal salary during their time in jury service. They are, however, required to claim the maximum loss of earnings allowance from the Jury Central Summoning Bureau and submit the payment to HR/payroll.

Employees who are required to attend court as a witness will be allowed paid leave of absence.

### Election Duties

Employees will be authorised one day's leave of absence for taking part in election duties as presiding officers, counting assistants or poll clerks in parliamentary, county or district council elections.

Staff standing as a candidate for parliament may request unpaid leave of 12 working days.

**Other circumstances**

Greenside School recognises that it is not possible to cover all circumstances where special leave may be appropriate. If there is a specific or exceptional situation not covered by this guidance, employees can discuss with the Headteacher in the first instance for further information.

**Concerns regarding how requests have been dealt with**

Employees who feel they have been unreasonably refused time off should discuss the matter with the Headteacher in the first instance. If still unresolved, they should write to the Chair of Governors. .