

## Special Discretionary Leave Policy

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## **1. Introduction**

- 1.1. The Trust recognises that employees may need to take time off for personal commitments, including domestic and family responsibilities. The Trust also acknowledges that Employees have certain statutory rights in respect of time off work.
- 1.2. This policy explains the range of leave provisions available to Trust employees. The Leave policy aims to explain fully and regulate the Trust's leave provisions, ensuring a fair and consistent application of the procedure.
- 1.3. Whilst employees have a statutory and contractual right to paid holidays ("annual leave") and right to time off for particular reasons (e.g. public duties) and dependency care, there is no general right to time off work, or for that time to be paid. It is normally at the discretion of the Headteacher and the Trust.
- 1.4. The Trust and its Academies will give due consideration to requests made under these provisions and will endeavour to grant reasonable time off in so far as is practicable, considering the needs of the business.
- 1.5. It is intended that this policy will provide a clear and workable framework to enable requests for leave of absence for staff working for The Trust and in Academies to be reasonably and fairly handled. This policy recognises that the operational needs of The Trust and its Academies are a priority and staff must respect that there may be times when a request for leave is refused.
- 1.6. There may be occasions when requests for leave of absence are made by staff for circumstances which are not specifically identified in this policy. In such circumstances the decision regarding whether the leave of absence is granted remains within the discretion of the Headteacher or the appropriate Trust Line Manager.
- 1.7. In exercising their discretion, the Headteacher and The Trust will give full consideration to all the circumstances of the case, including (where appropriate) the personal relationship of the person affected and conditions of service of the member of staff. The granting of leave of absence for one employee will not necessarily set a precedent for others.
- 1.8. In setting this policy the Trust has taken into account the local availability for short term cover, the additional costs to its Academies of providing short term cover for absent teachers and the Academies commitment towards ensuring that pupils will have continuity in teaching staff.
- 1.9. The leave provisions outlined apply to all full-time employees and part time employees on a pro rata basis unless otherwise stated. Employees who work term time only will accrue annual leave, for which payment is made and which should be taken during academy holidays. Taking of annual leave during term time is not permitted other than in very exceptional circumstances.

## **2. Equalities Statement**

The Trust is committed to providing equal opportunities and access to all. This policy statement embraces the spirit of managing a diverse workforce and those considering whether to approve Special Leave requests must ensure that no employee is discriminated against either directly or indirectly or victimised on the grounds of their race, disability, sex, sexual orientation, religion or belief, age, marital or civil partnership status or any stage of gender reassignment.

## **3. Scope**

This policy applies to all employees within the Academy, regardless of grade or position.

#### **4. Responsibilities of the Academy Headteacher**

- 4.1. The Headteacher/Trust (has the delegated decision as to whether to grant time off and whether any time off will be paid or unpaid (with the exception of an employee's statutory right to have paid time off).
- 4.2. Other responsibilities include:
- To consider requests for leave fairly and equitably in accordance with the provisions of this policy and procedure and discretions available
  - To comply with any statutory provisions that may apply in relation to special leave
  - To balance any requests for leave with the operational needs of The Trust and its Academies; to ensure that granting an employee leave does not have a detrimental impact on the business or cause undue disruption to other Employees.
  - To monitor leave requested / taken under the special leave provisions and discuss any concerns with the employee regarding the frequency and duration of time taken.

The Headteacher/Line Manager will ensure that there are proper records of the consideration of all requests for time off and that a copy is placed on the individual's personal file on each occasion. This will include retrospective consideration in cases of emergency.

- 4.3. Appeals against the Trust/Line Manager/Headteacher's decision regarding a request for time off should be made to the Governing Body via the academy's Grievance procedure.
- 4.4. Any abuse of the policy will be dealt with under the academy's Disciplinary procedure.
- 4.5. A formal record of requests including a description of the circumstances and whether the request was granted in accordance with the framework of the policy will be maintained by the Headteacher/Line Manager.
- 4.6. Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent for another employee to be granted leave in similar circumstances.

#### **5. Responsibilities of the Employee**

- To make any request for leave in accordance with the provisions and timescales set out in this policy and procedure
- To take leave only for the specific purpose for which it is requested.
- To have taken steps to avoid requesting time off wherever practicable. This is particularly relevant where there is a possibility of the need for time off to re- occur. Examples of this would include:
  - medical appointments (whether one-off or part of ongoing treatment)
  - care of a dependant
- Unless there are exceptional circumstances preventing the staff member from doing so, all requests for time off must be made in advance. As much detail as is reasonable should be provided to assist the Headteacher/Line Manager in considering the circumstances of the request.
- If an unexpected emergency does arise and the staff member is unable to let the Headteacher/Line Manager know before taking the leave, they must inform the Headteacher/Line Manager as soon as is practicable, by telephone if necessary. On their return to work they will need to account for the time off in the same way as they would normally have done

#### **6. Delegated Responsibility**

The management of special leave may be delegated to staff other than the Headteacher. References to the role of the Headteacher in the policy and procedure include their nominated member of staff.

## Part B Procedure

### 7. Carer's Leave Act 2023

The Trust has a statutory obligation to grant an employee unpaid time off to help a dependant who needs long-term care.

7.1 The right to take carer's leave applies from the first day of work.

7.2 An employee's dependants can include:

- Their husband, wife, civil partner or partner
- Their child
- Their parent
- A person who lives in their household (excluding tenants, lodgers or employees)
- A person who relies on them for care, such as an elderly neighbour

7.3 A dependant has a long-term care need if they have any of the following:

- A disability as defined under the Equality Act 2010
- An illness or injury that is likely to need care for at least 3 months
- A care need related to old age

7.4 Employees can take up to 1 week of carer's leave every 12 months. This can be taken as:

- Half days – this is the minimum that can be taken
- Full days
- A whole week

An employee is entitled to a period of leave that is equal to their usual working week e.g. if someone works 3 days a week, they can take 3 days of carer's leave. If working part of the year (i.e. term time only) then leave will be calculated by adding the total hours worked in the previous 12 months, including any holiday or family related leave, then divide the total by 52 weeks or the total number of weeks worked if they've been employed less than a year.

7.5 If an employee cares for more than one dependant they can use the one week of leave for each dependant.

7.6 Employees must give their employer notice before the start of their leave. The minimum notice an employee must give will depend on how many days leave the employee is requesting.

Number of days requested	Minimum Notice Required
Half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice

7.7 An employee may need to take time off at short notice to care for a dependant. The Headteacher will be flexible with regards to requests for time off where the employee is unable to give the requested notice period.

7.8 Requests for carer's leave cannot be refused however the Headteacher may request for the time to be taken at a different time if the date requested will cause serious disruption to the Academy.

## **8. Emergency Time off for Dependants**

- 8.1. The Trust has a statutory obligation to grant employees a reasonable period of unpaid time off work to deal with unforeseen or emergency situations involving a dependant who relies upon the Employee for assistance.
- 8.2. All Employees, regardless of their length of service, are entitled to request reasonable time off under this provision.
- 8.3. A dependant is defined as the Employee's spouse, civil partner, child or parent, any person who lives at the same house as the Employee (other than as a lodger, tenant, boarder or Employee) or who would reasonably rely on the Employee for assistance or arrangements for care in the event of illness or injury.
- 8.4. Circumstances, where an employee may be permitted time off include but are not limited to:
  - Providing assistance if a dependant falls ill, or has been injured or assaulted or is unexpectedly taken into hospital
  - Dealing with unexpected disruption or breakdown of care arrangements for a dependant
  - Making longer term care arrangements for a dependant who is ill or injured
  - Taking action that is necessary following the death of a dependant
  - Dealing with an incident involving the employee's child during academy hours
- 8.5. Each request will be considered on a case-by-case basis. As a guide the time off should be sufficient to enable the Employee to deal with the immediate situation and make any necessary longer-term arrangements. In most cases a day or two will be sufficient to deal with the immediate circumstances.

First day of each period of emergency time off is paid, up to a maximum of three days in a 12-month period. Unless an employee has a preserved entitlement through a TUPE transfer.

- 8.6. Time off for non-dependant's is not covered by this provision

### **Eligibility**

All Employees, regardless of their length of service, are entitled to request reasonable time off under this provision.

#### **8.7. Requesting Leave**

The Trust and its Academies recognise that it may not always be possible for the employee to notify the Headteacher/Line Manager of the need to take emergency time off in advance. However, the employee should inform the Headteacher/Line Manager of the need to take time off as soon as reasonably practicable.

The employee should also state the reason why time off from work is necessary and how long they expect to be absent. Where an absence lasts more than one day the employee should make contact with the Headteacher/Line Manager each day if other arrangements were not agreed on the first day of absence

Consideration will be given to methods of taking time off which may not result in loss of pay for the employee (e.g. annual leave, flexible working where available, compassionate leave). Immediate release will be agreed where an emergency arises in relation to a dependant during the course of the working day.

Although there is no limit to the number of times you can take time off for dependants, The Trust/ Academy will monitor such absences and may address this with employees where the number or duration of these absences are causing concern.

The Headteacher/Line Manager reserve the right to refuse time off where employees could reasonably be expected to make alternative arrangements or contingency plans for the situation in advance – e.g. to care for their child during the pre-planned closure of their academy or a pre-planned hospital appointment.

## **9. Compassionate Leave**

- 9.1. Compassionate leave may be granted at the discretion of the Headteacher/Line Manager on behalf of The Trust to allow an employee to attend to urgent or unforeseen personal circumstances.
- 9.2. The Trust may need to undertake reasonable and sensitive enquiries into the situation when considering requests.
- 9.3. Up to a maximum of 10 days paid leave may be granted in any one academic year. Circumstances in which this leave may be granted include:
  - Death of an immediate relative e.g. spouse/partner, parent, sibling, grandparent and attendance at the funeral
  - Injury or critical illness of an immediate family member
- 9.4. Careful consideration will also be given to requests for time off relating to other people outside an Employee's immediate family.
- 9.5. Headteachers/Line Managers will have the discretion to grant additional unpaid compassionate leave in exceptional circumstances. The number of additional days will depend on the individual circumstances for each case.
- 9.6. Employees wishing to attend the funeral of other relatives, friends or colleagues may be granted time off subject to the needs of The Trust and its academies. However, any such time off that may be granted would be unpaid.
- 9.7. Entitlement is calculated on a pro rata basis for part time staff.

### **Eligibility**

All Employees, regardless of their length of service are entitled to request compassionate leave.

#### **9.8. Requesting Leave**

All requests should be submitted to the Headteacher/Line Manager for consideration as soon as is reasonably practicable. The employee should advise the Headteacher/Line Manager of the reason for the absence and how long they will need to take leave and whether they are requesting paid or unpaid leave.

Requests will be viewed sympathetically, and each considered on a case-by-case basis.

## **10. Parental Bereavement Leave and Pay**

Parental Bereavement leave is a Statutory Leave introduced in the UK on 6 April 2020, giving bereaved parents 2 weeks leave.

This leave applies to any employees in the unfortunate event that they lose a child under the age of 18 or suffer a stillbirth after 24 weeks of pregnancy.

The entitlement includes not only birth parents, but also:

- adoptive parents, if the child was living with them



- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- Partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Parental bereavement leave is not available as individual days and can only be taken as single block of two weeks; or two separate blocks of one week at different times. Parental bereavement leave must however be taken within 56 weeks of the date of the death of the child.

If more than 1 child dies, the employee is entitled to 2 weeks' Statutory Parental Bereavement Leave for each child.

## Taking Leave

To use Statutory Parental Bereavement Leave, the employee must tell the Headteacher/Line Manger

- When they want leave to start
- Whether they want to take 1 or 2 weeks leave
- The date their child died

This notice does not have to be in writing.

Where the leave begins within 56 days of the child's death, leave can be taken straightaway. The employee must notify the Headteacher/Line Manager before they are due to start work on their first day of absence or, as soon as is reasonably practicable to do so.

Where leave requested is more than 56 days after the child's death, the employee must give the Headteacher/Line Manager at least one week's notice of their intention to take leave.

This does not have to be in writing.

The employee can cancel the leave by giving the same notice they are required to give to take the leave, but the employee cannot cancel any week of leave that has already begun.

### 10.1. Parental Bereavement Pay

Parental bereavement pay is paid at the statutory rate. To be entitled to this payment, the employee must have:

- at least 26 weeks' continuous employment by the week before the week in which their child passes away; and
- normal weekly earnings in the eight weeks up to the week before the child's death of no less than the lower earnings limit for national insurance contribution purposes.

The bereaved parent must give The Trust/Academy notice to receive Statutory Bereavement Pay. They must confirm:

- their name
- their entitlement to Statutory Parental Bereavement Pay
- the start and end dates of the leave they want to claim the pay for
- the date of their child's death
- their relationship with the child

Notice must be given within 28 days of starting leave. If someone takes the 2 weeks off separately, they must give notice in writing for each week.

## 11. Parental Leave

11.1. Parental leave is planned unpaid leave taken to care for a child.

Employees are entitled to parental leave if:

- they have one year's continuous service and
- they are named as parents on the child's birth or adoptive certificate or they have legal parental responsibility for a child who is under 18 years of age

11.2. Where the conditions outlined above are met, employees will be entitled to 18 weeks' leave for each child and adopted child, up to their 18th birthday. This entitlement is calculated on a pro-rata basis for part time employees.

11.3. All parental leave will be unpaid.

11.4. Up to four weeks parental leave can be taken in a year for each child, in blocks of one or more weeks at a time. Where a child is disabled, periods of less than 1 week may be agreed.

11.5. Each 12-month period commences on the anniversary of the date an employee first became entitled to parental leave in respect of the child in question.

11.6. Requesting Leave

All requests should be submitted to the Headteacher/Line Manager for consideration, on behalf of The Trust.

Employees must give 21 days' written notice to the Headteacher/Line Manager before the intended start date of their intention to take parental leave. If they or their partner are having a baby or adopting, this should be 21 days before the week the baby or child is expected.

All requests must be made in writing confirming the duration (start and end dates) of the leave.

The Trust/Academy may ask the employee to evidence their relationship with the child for whom leave is requested by providing birth or adoption certificates, as appropriate.

The outcome of the request will be confirmed in writing by the Headteacher/Line Manager.

The Trust/ Academy will keep a record of the amount of leave taken in order to maintain an accurate account of the employee's entitlement.

11.7. Postponement of leave

Each request for parental leave will be considered on a case-by-case basis.

Timing of Parental Leave should be arranged, where possible, to fit in with The Trust and its Academies requirements.

Where the Trust/Academy decides to postpone parental leave, the employee will be written to within 7 days of their request stating:

- why the leave is being postponed and
- giving other suitable dates

Such a postponement may be extended by up to 6 months.

Parental leave cannot be postponed if this is taken by the father or partner immediately after the

birth or adoption of a child

Parental leave will also not be postponed if it means an employee will no longer qualify for parental leave e.g. postponing it until after the child's 18th birthday

#### 11.8. Changing Employers

Employees who change Employers during the period in which they are eligible to take parental leave may transfer any unused leave to their new Employer. Such leave may not be taken until the Employee has been employed by the new Employer for 12 months.

The Trust/Academy reserves the right to contact previous Employers to verify the amount of unused entitlement an Employee has.

### 12. Time off for Religious observance

12.1. All employees will be treated equally in respect of requests for time off for religious observance or requests for alterations to their working patterns for religious reasons.

12.2. The Trust/Academy will endeavor to grant reasonable time off in these instances however the Trust/Academy has the right to decline a request where this may have a detrimental impact on the business or cause undue disruption to other employees. The reasons for declining should be fully explained to the employee.

12.3. Employees who are contracted on a term time only basis and who therefore have no entitlement to take annual leave should request unpaid leave where they wish to take time off for this purpose.

12.4. Support staff employees who are contracted on an all-year-round basis should request annual leave should they wish to take time off for this purpose. Where annual leave has been exhausted, unpaid leave may be requested. Priority consideration may be given to employees requesting annual leave for the purpose of religious observance.

#### Eligibility

All Employees, regardless of their length of service, are entitled to request time off under this provision.

All Employees, whatever their religion or belief, will be treated equally in respect of requests for time off for religious observance or requests for alterations to their working patterns for religious reasons.

Employees who are contracted on a term time only basis and who therefore have no entitlement to take annual leave should request unpaid leave should they wish to take time off for this purpose.

Support staff Employees who are contracted on an all year round basis should request annual leave should they wish to take time off for this purpose.

#### 12.5. Requesting leave

All requests should be made in writing to the Headteacher/Line Manager clearly stating the dates and reasons for requesting time off.

Requests will be considered sensitively and in accordance with Trust and its Academies obligations under the Equality Act. The Trust/ Academy will endeavour to grant reasonable time off in so far as is practicable and taking into account the needs of the business.

### **13. Jury Service and Subpoenaed Witnesses Eligibility**

All Employees, regardless of their length of service, are entitled to paid time off under this provision.

- 13.1. Paid leave will be granted to employees appointed for jury service. This will apply to all employees regardless of length of service.
- 13.2. Employees must notify their Headteacher/Line Manager where they are appointed for jury service and provide a copy of the court summons.
- 13.3. Should the Employee not be required to attend court for any whole or part day they should notify the Headteacher/Line Manager. The Trust /Academy may require the employee to return to work for this period. This may vary depending on the circumstances.
- 13.4. The employee should claim for loss of earnings and produce evidence as to the amount received from the Court, as this will be offset against the employee's normal salary.
- 13.5. Payment

The employee will continue to receive the equivalent of their usual salary throughout their period of jury service (i.e. The Trust/Academy will top-up the jury allowance the employee receives to the equivalent of their salary so they do not lose out on pay. To do this, the employee must give The Trust/ Academy the certificate of loss of earnings from which they receive.

### **14. Time off for public duties**

- 14.1. The Trust will allow reasonable paid time off for employees to carry out certain prescribed public duties and any training relating to those duties including.

Such duties include:

- Magistrates / Justices of the Peace / Employment Tribunal panel member
- Member of a Local Authority / Local Councilor or Members of any Committee or Sub-committee thereof
- Member of certain public authorities – e.g. Police, health or education authority, statutory tribunal or member of a prison board of visitors.
- School / Academy Governor / Academy Council – either in the academy where the individual is employed or another School / Academy.
- Wherever possible, employees should schedule these public office commitments during academy closure periods.

### **Eligibility**

All Employees, regardless of their length of service, are entitled to request time off under this provision. Employee's should advise the Headteacher at the time of their appointment if they hold a public position where leave may be granted under this provision. Before agreeing to a public duty, the Employee should discuss the possible implications of the duty with the Headteacher. Enquiries will not be made prior to an offer of employment being made.

#### **14.2. Requesting Leave**

Employees should advise the Headteacher/Line Manager where they are a member or intend to become a member of a public organisation where they may be entitled to leave under this provision. The Employee should discuss with the Headteacher/Line Manager at the start of each academic year how much time they anticipate they will need to request under these provisions. Employees should give reasonable written notice should they wish to request leave for public duties in order to enable The Trust/ Academy to assess the impact of granting leave. As a guide it is expected that not less than 5 working days' notice will be given of the request to take leave

under this provision, although this requirement may be waived in exceptional circumstances.

The Trust/Academy will endeavour to grant reasonable time off in so far as is practicable taking into account the needs of the academy. The Trust/ Academy reserves the right to decline / postpone requests where the amount of time requested becomes excessive or in instances where granting time off would have a detrimental impact on the operation of the business or cause undue disruption to other employees.

## **15. Reservists**

15.1. Reservist employee who are members of the reserve armed forces (reservist) must inform the Headteacher/Line Manager as soon as possible where they are or intend to become, reservists.

15.2. The Trust/ Academy may require the reservist employee to provide a copy of the written notification provided by the Ministry of Defence (MOD) to confirm that they are a member of the reserve forces and the terms of their engagement. The reservist employee may also be required to confirm on an annual basis that they are still a reservist.

15.3. Time off for reservist training

Reservist employees should seek to undertake training activities at weekends or outside of the academy term, where possible.

Should a reservist employee wish to request time off for training they should do so in writing to the Headteacher/ Line Managers soon as practically possible.

The Headteacher/Line Manager will consider any request carefully but may decline to grant time off where this would have a detrimental impact on the operation of the business or cause undue disruption to other employees.

Where time off for training is agreed during the academy term, up to 2 weeks unpaid leave may be granted in any academic year. Any payment for time off for reservist training is at the discretion of the Headteacher/Line Manager

15.4. Mobilisation

Where a reservist employee receives a 'call-out notice' (mobilisation), they should inform the Headteacher/Line Manager as soon as possible and present their mobilisation papers / letter from the MOD, outlining the date, and possible duration, of their mobilisation.

The Headteacher/Line Manager may meet with the reservist employee to discuss the terms of release and arrangements for maintaining contact during the period of mobilisation and confirm these in writing.

During mobilisation, the reservist employee's salary will be suspended as the reservist employee will receive payment by the MOD. Reservist employees do not accrue annual leave during this period.

Reservist employees are encouraged to maintain contact with their Headteacher/Line Manager while mobilised and to notify them of their last day of permanent service and when they intend returning to work.

15.5. Returning to work

It is essential that the reservist employee makes informal contact (via a letter, a meeting or a telephone call) with their Headteacher/Line Manager to discuss arrangements for their return to work.

The reservist employee should write to their Headteacher/Line Manager as soon as they know when they can return to work. This must be no later than the third Monday after their last day of military service.

The Headteacher/Line Manager may meet with the employee to discuss the arrangements for their return. Consideration will be given to support or training which may be appropriate to support the employee in their reintegration to the workplace.

#### 15.6. Rights on return

An employee has the right to return where possible to their former role, and if not, to a suitable alternative role on the same terms and conditions prior to mobilisation.

Time spent away from work does not count towards continuous service, but continuity of employment is not broken where the reservist is re-engaged within 6 months of the end of their active service

### 16. Time off for Trade Union Duties

- 16.1. Reasonable paid time off will be provided to employees undertaking recognised trade union duties.
- 16.2. Employees should make their Headteacher/Line Manager aware as soon as possible on their appointment or during the course of their employment should they be appointed as a Trade Union official and become eligible to request time off under these provisions.
- 16.3. Trade Union representatives should provide the Headteacher/Line Manager with as much notice as is possible of any request to take time off. All time off is subject to the prior agreement by the Headteacher/Line Manager and time off may be declined where this may have detrimental impact on the operation of the business.

### 17. Retained Fire-fighters

- 17.1. The Trust and its Academies will grant reasonable leave to employees for the specific purpose of undertaking their duties as retained firefighters.
- 17.2. Employees who are or intend becoming retained fire fighters must inform their Headteacher/Line Manager as soon as possible. The Trust/Academy may require that they provide relevant documentation to evidence this.
- 17.3. The Trust/Academy will endeavour to grant reasonable paid time off in so far as practicable considering the needs of the academy. Where time off for training is agreed during the academy term, up to 2 weeks unpaid leave may be granted in any academic year. Any payment for time off for training is at the discretion of the Headteacher/Line Manager.

#### 17.4. Retained Fire-fighter training

Employees should seek to undertake training activities at weekends or outside of the academy term, where possible.

Should an employee wish to request time off for training, this should be planned in advance giving as much notice as is practically possible, allowing The Trust/Academy to assess the impact of granting the leave. All requests should be made in writing to the Headteacher/Line Manager.

The Headteacher/Line Manager will consider any request carefully but may decline to grant time off where this would have a detrimental impact on the operation of the business or cause undue disruption to other employees.

The outcome of the request will usually be confirmed in writing by the Headteacher/Line Manager.

## **18. Adverse weather conditions/Unforeseen disruption**

- 18.1. A decision to close Trust or any of its Academies will never be taken lightly. Partial closures will always be considered before the decision is made to completely close.
- 18.2. In adverse weather conditions, for example disruption caused by heavy snow, the prime concern of Trust and its Academies must always be the safety of pupils and staff. For health and safety reasons, The Trust/Academy will only be closed where conditions on site are (or are anticipated to be) dangerous and where insufficient staff are able to come into work.
- 18.3. Employees have a contractual duty to report to work and should make every reasonable effort to attend work even if their arrival is delayed.
- 18.4. The Headteacher/Line Manager will have due regard to the health and safety of employees and may use their discretion in making appropriate alternative arrangements according to local conditions.
- 18.5. In instances where the Headteacher/Line Manager determines that the Trust/Academy should close - all Employees will continue to receive full pay. However, Employees may be expected to undertake reasonable alternative duties including working from home or another of the Trust sites.
- 18.6. Employees should endeavour as far as is possible to make contingency arrangements in the event that their child's School is closed, or usual childcare arrangements disrupted.
- 18.7. Paid absence during periods of adverse weather or unforeseen disruption is entirely at the discretion of the Headteacher/Line Manager and will only be granted with the prior approval of the Headteacher/Line Manager. Paid leave should only be considered once all other reasonable options - including working from home or / at another site / making up lost time / taking annual leave have been considered.

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

- 19.1. The Trust and its Academies recognise that from time-to-time staff may wish to request time off to attend a significant event, during term time, for example, the graduation ceremony for a son or daughter or the wedding of a close family member.
- 19.2. Staff may be granted up to 1 day of unpaid leave in any academic year in order to attend a significant event. Staff must seek the express permission of the Headteacher/Line Manager for unpaid leave in advance of the event. The operational needs of the business will be considered before granting leave and there may be times when the Headteacher/Line Manager will need to refuse a request for leave.

## **20. Medical and Dental Appointments**

- 20.1. Employees are expected to make appointments outside normal working hours wherever possible. However, if necessary, paid time off to attend medical or dental appointments will be granted, subject to Headteacher's discretion. Staff attending such appointments must seek the permission of their line manager or Headteacher before attending. The Headteacher/Line Manager have the right to request to see appointment cards.
- 20.2. Paid time off will be permitted for the purpose of cancer screening.
- 20.3. Fertility treatment - Employees requesting time off for fertility treatment will in general be supported. The specific needs will need to be addressed, and the various provisions for leave set out in this policy may be used to enable this to happen where reasonable. The leave may be paid or unpaid depending on the specific circumstances. In any event the situation will be treated with

sensitivity.

## **21. Extension of Academy Holiday/Closure periods**

21.1. Requests for time off prior to, or at the end of, the academy holiday period in order to extend a holiday period or (for example) to access cheaper flights will not be supported by the Headteacher/Line Manager

## **22. Unpaid leave**

22.1. The Trust and its Academies will exceptionally grant unpaid leave for reasons others than those specified in this procedure. Requests for such leave should be made in writing to the Headteacher/Line Manager. Each request will be considered on a case-by-case basis, balanced against the operational needs of the business and granted at the discretion of the Headteacher/Line Manager

22.2. The outcome of any request and any terms relating to the leave will be confirmed in writing.

## **23. Pension Considerations**

Certain periods of paid or unpaid leave may impact on an employee's pension.

Employees are advised to seek guidance from the LGPS or Teachers Pension Scheme regarding the pension implications of any period of special leave taken and any mandatory or optional pension contributions which may be made during a period of leave.

## **24. Suspected Abuse of Special Leave Provisions**

24.1. It is expected that employees will only request and take leave specifically for the purpose stated.

24.2. Where it is suspected that an employee has fraudulently made a request or taken leave other than the purpose for which this was granted, The Trust/ Academy may, after appropriate investigation address the matter through its disciplinary procedure.

24.3. Where an employee is believed be making excessive use of discretionary leave provisions, beyond that which is judged reasonable for the purpose for which it is requested, this may be addressed by the Headteacher/Line Manager using the appropriate policy.

## **25. Unauthorised Absence**

25.1. Where an employee fails to adhere to the notification requirements set out in this procedure or takes leave without seeking prior authorisation, or where they are identified as not utilising the leave for the purpose it was requested, this may be classed as unauthorised absence and addressed via The Trust's disciplinary procedure following appropriate investigations.

Should a request for special leave be declined and the employee subsequently takes unauthorised leave this may be addressed under The Trust's disciplinary procedure.

## **26. Disputes**

Employees should discuss the reasons for any refused leave requests informally with the Headteacher/Line Manager

Disputes regarding the application of special leave provisions should be addressed via the Trust's grievance procedure.



**Appendix 1**

<b>SPECIAL LEAVE REQUEST FORM</b>
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<b>Name of Employee</b>	
<b>Job Title</b>	

<b>Date of Requested Absence</b>	From:	To:
<b>Total Number of days being requested</b>	_____ Days	
<b>Is this request for Paid or Unpaid leave?</b>	Paid Total No Days	Unpaid Total No Days

<p><b>Reason for Special Leave Request</b> (please provide the reason why you wish to request time off under the Special Leave Policy E.g. Jury Service)</p>
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Please submit this request form to the authorising manager (e.g. Headteacher / Deputy Headteacher) at the earliest opportunity.

Signed by (employee) .....

Date Request submitted .....

<b>Authorisation</b>					
Request Approved by Head/Deputy	YES/NO	Days Paid:		Signed:	
Leave agreed as	Paid/Unpaid	Days Unpaid:		Date:	

Total number of days taken for this purpose during current academic year \_\_\_\_\_