



Twyford
C of E
Academies Trust

Document Title	Staff Leave Policy
Committee Responsible for Policy	Resources Committee
Review Frequency	Every 3 years
Last Reviewed	October 2024 (update May 2026)
Next Review Due	October 2027
Policy Author	Director of Finance & Operations

Assessment of the Impact of a Policy on Equality & Diversity

Policy: Staff Leave Policy	
Impact assessed by: R Lane	Date: 13/5/2026
1. What is the potential for this policy impacting a person or group with a protected characteristic differently (favourably or unfavourably) from everyone else? Staff from protected groups may receive less favourable treatment than staff in general when they need to take time off.	
2. How would this be evidenced? By reviewing leave records and absence-related grievances.	
3. What is the impact of the policy and latest changes on people with protected characteristics?	

Protected Characteristic	Impact before change*	Impact after change*	Comments
Age	Neutral	Neutral	
Disability	Neutral	Neutral	
Gender Reassignment	Neutral	Neutral	
Marriage and civil partnership	Neutral	Neutral	
Pregnancy and maternity	Neutral	Neutral	
Race	Positive	Positive	
Religion of belief	Positive	Positive	
Sex	Positive	Positive	Clearer rules on paid leave for care of dependents
Sexual orientation	Neutral	Neutral	

* Positive/Negative/Neutral.

4. Policies are required to reduce or eliminate inequality and disadvantage and promote diversity. Does this assessment indicate that the Policy and latest changes pass or fail this test? Pass
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Staff Leave Policy

1 Introduction

There are circumstances under which employees are entitled, by law, to time off from work. These include maternity leave, public service leave (e.g. Jury Service), neonatal care leave, time off to undertake duties as a trade union representative and leave to search for alternative employment for potentially redundant employees. There are other circumstances in which an employee may request leave. Absence from work for reasons other than personal illness or annual leave are called special leave or leave of absence. To ensure fairness and consistency, this document sets out the Trust's policy on matters concerning all types of leave including whether leave is granted, how much leave is given and whether it is paid or unpaid. There are different rules for teaching and non-teaching staff. For further detail, reference may be made to contracts of employment and terms and conditions for school teachers and school support staff agreed nationally by representatives of employers and employees. This policy and contracts of employment are intended to be consistent with each other, the law and with nationally agreed terms and conditions but should they conflict, the law will take precedence, then contracts of employment, then this policy and lastly nationally agreed terms and conditions.

All requests for leave are subject to approval from the Headteacher/support staff line manager. Associate Headteachers have the same authority to grant leave as Headteachers. When deciding how to respond to a request for leave the following should be taken into account:

- The nature of the request
- How much leave (including special leave) has already been granted to that member of staff
- Overall absence record
- How other similar applications have been considered
- The effect on the running and organisation of the school
- The budget implications of granting special leave with pay
- Practicalities of arranging necessary cover

2 Annual Leave

The majority of staff in schools have contractual provisions detailing that their holidays will coincide with periods of school closure. This includes all teaching staff and those non-teaching staff on term time only contracts. Non-teaching staff who are not on term time only contracts have an annual leave entitlement but they are also expected to take holidays during periods of school closure where possible. There are different levels of annual leave entitlement for these staff according to length of service. These are as follows:

- Less than 5 yrs continuous service: 25 days
- More than 5 yrs but less than 10 yrs: 28 days
- More than 10 yrs: 31 days

The above applies pro rata for part time employees.

Staff with an annual leave entitlement normally carry over a maximum of 5 days annual leave from one leave year to the next (or pro rata for part time staff). Any request to carry over leave in excess of this is subject to approval from the Headteacher/support staff line manager.

Leave balances should be monitored to ensure that leave does not build up to unmanageable or unnecessary proportions. In order that annual leave for entitled staff can be properly monitored, annual leave cards or an equivalent electronic system should be used to record agreed leave dates.

Any queries concerning the management of annual leave, individual entitlements or associated issues can be addressed to the HR team.

3 Leave of Absence & Special Leave Requests

3.1 Overview

A summary of the entitlements to leave for both teaching and non-teaching staff is attached. Requests for leave detailed on this list would normally be granted. The Headteacher will need to ensure that requests are dealt with consistently and, where dates can be controlled, do not adversely affect the smooth running of the school.

Periods of unpaid leave should be recorded on I-Trent so that the appropriate salary deductions can be made.

In exercising discretion, Headteachers should have due regard for:

- the nature of the request and whether it constitutes an urgent personal difficulty for the member of staff
- how many days the applicant has had in the past year to help determine whether the leave should be with or without pay (or a combination)
- the way in which similar requests have been dealt with
- the effect of the absence on the running of the school.
- consistency and fairness

Leave of absence requests for periods exceeding 10 working days may be discussed with the HR team to ensure consideration of any employment, contractual or statutory issues.

More detail on specific cases is detailed below.

3.2 Special Leave

Headteachers/support staff line managers can grant up to a maximum of five days paid special leave (examples are on compassionate grounds for care of dependants and for study before an examination). Headteachers/support staff line managers may also grant any period of unpaid leave.

Employees have the right to take a reasonable amount of unpaid time off to deal with a family emergency or emergency involving a dependent. A dependent includes a spouse, child, parent, someone living in the same house who is not an employee or lodger and anyone who reasonably relies on the employee. Employers are obliged to accede to reasonable requests for time off to deal with an unexpected need or emergency relating to the care or support of a dependant of the employee, (as envisaged in schedule 4, part 2 paragraph 57A of the Employment Relations Act 1999) will be granted reasonable unpaid time off to deal with the situation.

Employees have to tell their employers as soon as possible why and for how long they will be absent.

Reference should also be made to the Flexible Working Policy when considering requests for extended periods of leave to deal with family commitments.

3.3 Bereavement Leave

It is the Trust's policy to treat employees who suffer a bereavement of someone close to them with care and compassion. A bereavement should normally be reported to the employee's line manager by the employee or a friend/relative when leave is required which would probably be within one or two days of the bereavement. Employees who have suffered a family bereavement are entitled to take up to five days paid leave or up to three days depending on the closeness of the relationship. Family bereavement includes partners (including same sex relationships), sons and daughters,

mothers and fathers, parents in law, brothers and sisters and grandparents. Employees who have to make funeral arrangements for any member of their family not covered above may be granted up to an additional 5 days paid leave.

Paid bereavement leave is a separate provision from special leave. Any further leave needed by the employee to deal with matters arising from bereavement, which affect his/her dependants, will normally be granted as unpaid leave but if the employee has annual leave days in hand then these may be taken or if the employee is unwell then sick leave may be appropriate.

Employees may be eligible for statutory 'parental bereavement leave' of up to 2 weeks leave if their child dies under the age of 18 or is stillborn after 24 weeks of pregnancy. This right will apply to the:

- biological parent
- adoptive parent, 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

Parents have a right to take Statutory Parental Bereavement Leave if:

- they're classed as an employee
- their child dies under the age of 18 or is stillborn after 24 weeks' pregnancy

Employees have this right from the day they start their job. Statutory Parental Bereavement Leave can be taken in the 56 weeks following their child's death.

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

Employees and workers are entitled to 2 weeks' 'Statutory Parental Bereavement Pay' if:

- their child dies under the age of 18 or is stillborn after 24 weeks' of pregnancy
- they were employed when their child died
- they'd worked for their employer for at least 26 weeks, on the Saturday before the child's death
- they earn on average at least £120 per week, before tax

When employees return to work they may return on reduced hours (and reduced pay) for a period of time not normally exceeding a month if they are not ready to return full time.

Further details on eligibility and pay can be obtained from the HR team.

3.4 Jury Service

Employees will be paid as usual during periods of Jury Service. Allowances paid to jurors should be deducted from the employee's salary via I-Trent. Employees must assist with recovering the cost of the absence from the Court.

3.5 Other Public Service Leave

The Trust will comply with statutory requirements in granting paid/unpaid leave to employees appointed to serve as a Magistrate, School Governor, Councillor or to another public office or the

territorial army. Allowances paid for this work will be deducted from pay for any periods of paid leave granted.

3.6 Maternity Leave, Parental, Maternity Support Leave and Shared Parental Leave

Teaching and non-teaching staff have different schemes with very similar provisions. The maternity schemes apply to all pregnant employees regardless of the number of hours worked. Maternity leave and payment is dependent on length of service. All pregnant employees, regardless of length of service have the right to paid time off during working hours for antenatal care and relaxation and parent craft classes. A similar scheme is available for employees adopting children. Details of the schemes are available from the HR team.

Employees who are the partner or “nominated carer” of an expectant mother and who have less than 30 weeks service at the date of confinement are entitled to 5 days paid “maternity support” leave (National Condition). This leave is to be taken at or around the time of the birth.

Employees who are the partner or “nominated carer” of an expectant mother and who have 30 weeks or more service at the date of confinement are entitled to an additional 5 days paid “maternity support” leave (total 10 days).

All employees with 30 weeks service are entitled to thirteen weeks unpaid statutory parental leave to be taken within the first 5 years following the birth of a child for whom they have parental responsibility. Where paid maternity support leave is taken this will form part of the overall thirteen-week entitlement.

Employees may also be eligible for shared parental leave. This provides up to 50 weeks of leave and up to 37 weeks of pay between parents. Employees need to share the pay and leave in the first year after the child is born or placed with their family.

The schemes reflect employee’s rights concerning entitlement to pay rises, accrued leave and returning to work.

Further details on the application of the above can be obtained from the HR team.

3.7 Neonatal Care Leave

3.7.1 Policy Statement

The Neonatal Care (Leave and Pay) Act 2023 came into effect on 6 April 2025. The right to take neonatal care leave applies from the first day of work. Eligible parents can take neonatal care leave once their child has been in neonatal care for at least 7 consecutive days.

Having a baby in neonatal care is an extremely stressful and challenging experience. The Trust supports parents of babies who are admitted into neonatal care within 28 days of birth. An employee may be eligible for Statutory Neonatal Care Pay and Leave if they or their partner have a baby that needs neonatal care. ‘Neonatal care’ is care for newborn babies which starts in the first 28 days after birth. This may be for hospital care, medical care after leaving hospital, palliative or end of life care.

Neonatal care leave allows parents to take up to 12 weeks of paid neonatal care leave (at statutory rate Statutory Neonatal Care Pay and Leave: [employer guide: Overview - GOV.UK](#)) to be with a baby who is receiving neonatal care. This is in addition to other statutory leave entitlement, such as maternity, adoption, paternity, parental bereavement, parental, or shared parental leave. It can be used when the baby is no longer receiving neonatal care, for example, at the end of maternity leave.

3.7.2 Scope

This policy applies to all employees who have a contract of employment with the school. It does not apply to agency workers or contractors. The policy applies to the parents of babies born on or after 6 April 2025 who meet the eligibility and notification requirements set out within the policy.

3.7.3 Definitions

Neonatal care. Neonatal care is defined as care for newborn babies which starts in the first 28 days after birth. This can include:

- medical care received in a hospital
- medical care after leaving hospital (Post-hospital medical care must be under the supervision of a consultant and includes ongoing monitoring and visits to the child by healthcare professionals).
- palliative or end of life care

Eligible Parent. Employees will qualify for neonatal care leave if:

- Their baby was born on or after 6 April 2025
- Their baby spends at least 7 continuous days receiving neonatal care that starts within 28 days of their birth
- They have parental responsibility for the baby

Eligible parents under this policy are those who have shared or sole responsibility for a child. This includes:

- the mother or birth parent
- the father
- married to, the civil partner of or partner of the mother or birth parent – this includes same-sex partners
- adopting a child, including fostering to adopt
- intended parents in a surrogacy

Each eligible parent will be entitled to a separate amount of leave. This includes parents who work for the same employer.

3.7.4 Neonatal care leave

An employee can take one week for every week their child has spent in neonatal care without interruption, up to 12 weeks in total from the first day of their employment. They can take one week of leave for every 7 consecutive full days the baby spends in neonatal care. Employees must take all leave within 68 weeks of the baby's date of birth.

A week is defined as a seven day period starting from the day after the neonatal care began. For example, if the baby is born on 6 April 2025 and neonatal care begins on 6 April 2025, the seven consecutive days neonatal care period would be from 7 April to 13 April 2025.

In cases specifically related to adoption, employees will only be able to take leave in respect of neonatal care that falls after the date the child has been placed with the parent for adoption (for adoptions within the UK) or after the child has entered Great Britain (for adoptions from overseas).

The maximum number of weeks that an employee can take as neonatal care leave is capped at 12 weeks, even if multiple children from the same pregnancy require neonatal care. Any neonatal care leave must be taken in blocks of at least one week.

3.7.5 How neonatal care leave may be taken

Neonatal care leave is available to take in two tiers:

Tier One Neonatal Care Leave (Immediate), while the baby is in neonatal care, and including 1 week after the care has ended

- Starts when neonatal care begins and ends seven days after care stops.
- Can be taken in non-continuous blocks of at least one week totalling 12 weeks within 68 weeks after the child's birth.

Tier Two Neonatal Care Leave (Planned), more than a week after the baby has left neonatal care and before the end of 68 weeks from the date of the child's birth

- Available once baby has left neonatal care. Any remaining time that has not been taken as part of tier one up to a maximum of 12 weeks within 68 weeks after the child's birth, not part of tier one period.
- Must be taken in one continuous block.

Employees must notify their manager that they are taking neonatal care leave by email and/or telephone. The manager will update the iTrent (HR system) neonatal care leave record.

3.7.6 Statutory Neonatal Care Pay

Statutory neonatal care pay is payable to employees during neonatal care leave period, provided they are entitled to it. The employee must have been employed for at least 26 weeks up to the end of the 'qualifying week'. If the employee is already entitled to Maternity or Paternity Pay, this is the 15th week before the baby is due. If they're already entitled to Statutory Adoption Pay, it's the week the employee was told they'd been matched with the baby for adoption. Otherwise, the qualifying week is the week immediately before the baby enters neonatal care.

Neonatal care leave will be paid at a statutory flat rate per week, or 90% of average weekly earnings, whichever is lower. Neonatal care pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

3.7.7 Notification to take neonatal care leave

Before taking any neonatal care leave, employees should give their manager notice that they're taking leave as soon as possible, and ideally before the time they usually start work. Employees must contact their manager by telephone or email to provide the following information:

- The child's name
- the child's date of birth and, if adopted, the date they were placed with them (or the date the baby entered Great Britain if adopted from overseas)
- the date the child started receiving neonatal care, or each date if the child received neonatal care on two or more separate occasions
- the date neonatal care ended if the child is no longer receiving neonatal care
- when they want their neonatal care leave to begin
- the number of weeks neonatal care leave to be taken
- The dates of any maternity, adoption, paternity/maternity support or shared parental leave already taken or planned to take

For tier 1 neonatal care leave, employees can tell their employer this information in writing or verbally. If notice is given verbally, then employees should confirm this in writing.

For tier 2 neonatal care leave, notice must be given in writing.

3.7.8 Notification to take neonatal care pay

Employees must give notice for Statutory Neonatal Care Pay in writing - for example, an email or letter. If the baby is in neonatal care (or in the first week after)

- Employees should give notice for pay within 28 days of the start of their leave.

If the baby left neonatal care more than a week ago Employees who want to take:

- one week of Neonatal Care Pay, must give 15 days' notice
- or more weeks of pay, should give at least 28 days' notice

3.7.9 Changing neonatal care leave plans

Employees should keep their manager informed about the date that their child's neonatal care ends as soon as possible after the care has ended. If the child starts receiving neonatal care again, after having informed their manager that the care has ended, the manager must be advised of the new start and end dates as soon as possible. The manager will update iTrent (HR system) record accordingly. If employees have advised their manager of their intention to take neonatal care leave during the tier two period but wish to cancel this leave, they must inform their manager as soon as possible in writing.

3.7.10 Other statutory family leave

Employees are entitled to take neonatal care leave in addition to any other statutory family leave that they may be entitled to, including maternity, adoption, paternity/maternity support, parental bereavement, parental and shared parental leave.

Neonatal care leave can be added to the end of other leave statutory entitlements, such as maternity leave provided that neonatal care leave is taken within 68 weeks of the child's birth date. For example, if a baby enters neonatal care while the employee is on maternity leave, the employee must remain on maternity leave as this cannot be stopped. The neonatal care leave accrues and can be taken at the end of the maternity leave.

Where the employee has already started neonatal care leave and begins another type of statutory leave, for example, paternity leave, before neonatal care leave is due to end then the neonatal care leave will end immediately but the remaining neonatal care leave can be taken once the other period of statutory leave has finished. The number of weeks neonatal care leave should be recorded by the school so that it remains within the statutory limits.

3.7.11 Bereavement

Employees who have accrued entitlement to neonatal care leave can still take the neonatal care leave that they have accrued if their child sadly passes away.

If an employee has suffered a bereavement, they may contact their manager to discuss other support which the school may be able to offer.

Employees may also be entitled to 2 weeks paid parental bereavement leave (this comprises of bereavement leave of 5 paid working days plus an additional 5 paid working days leave) if their child dies under the age of 18 or are stillborn after 24 weeks of pregnancy. See [guidance on GOV.UK](#).

3.7.12 Keeping in touch/Contact during neonatal care leave

The school will maintain reasonable contact with employees during neonatal care leave. This may be to discuss plans for taking leave, to discuss any special arrangements to ease time away from work, or to provide updates on developments at work during their absence.

3.7.13 Returning to work after neonatal care leave

Employees have the right to resume working in the same job and on the same terms and conditions if returning to work from a period of isolated neonatal care leave.

Whilst on neonatal care leave employees have the same rights to be consulted on any changes regarding their job e.g. restructuring or redundancy as if they were at work.

Employees returning from a period of neonatal care leave that follows on immediately from another period of statutory leave, such as maternity, adoption, paternity, parental bereavement or shared parental leave and the total time on leave is more than 26 weeks, employees have the right to return to the same job wherever possible. However, if this is not reasonably practicable, the school will offer a suitable alternative job on terms and conditions that are no less favourable. This also applies if an employee has taken neonatal care leave consecutively with a single period of more than four weeks of ordinary parental leave.

3.7.14 Sources of support

The school realise that neonatal care may not be an easy subject to talk about. However, employees are encouraged to speak to their line manager about any particular issues that they are experiencing to ensure that the right level of support can be provided. Any information disclosed by during discussions by employees with their manager will be treated sensitively and in strict confidence. In some situations, an employee might want their manager to tell other people they work with. This might help others respond sensitively to the situation. Managers must agree with the parent when it's appropriate to share the information. They should only tell others if the parent makes it clear they can share with other employees, clients or customers.

In addition to the support available from the employee assistance programme e.g. Workplace Options, support is also available from:

- Tommy's: the UK's largest pregnancy and baby charity, funding research and supporting parents through pregnancy complications, miscarriage, stillbirth and premature birth
- Bliss: Bliss is a charity for babies born premature or sick. It includes resources relating to pregnancy or baby loss
- The sick children's trust: is a charity which gives families with a seriously ill child in hospital a warm and comfortable place to stay when they need it most
- Child Bereavement UK if their child or baby dies
- Cruse Bereavement Support for advice on coping with a death
- Hospice UK for help talking about dying, death and bereavement
- Mind for mental health information and support
- Sands for support following the death of a baby before, during or shortly after birth
- Sue Ryder for advice on coping with a death

SUMMARY OF LEAVE OF ABSENCE & SPECIAL LEAVE WHICH MAY BE REQUESTED

REASON FOR ABSENCE	MAXIMUM PAID DAYS (ADDITIONAL DAYS OF UNPAID LEAVE MAY BE GRANTED)
Serious illness of Husband, Wife or Child	5 working days
Death of Husband, Wife or Child	5 working days
Statutory Parental Bereavement Leave	2 weeks statutory bereavement pay if eligible
Serious illness or death of other near relative	3 working days
Serious illness and death of other near relative	5 working days
Attendance at funeral in approved representative capacity	1 to 3 working days according to distance and circumstances
Wedding of near relative	1 working day
Removal of household effects	1 working day
To attend interview for other appointment	1-3 working days according to distance and circumstances
Examination, if it is one that would be improve the educational qualifications of the teacher.	Period necessary to sit for examination
Approved short courses/conferences	Duration of course
Jury service	The length of the jury service. Staff must assist with recovery of the cost of this leave from the Court.
Other public duties	Statutory entitlement.
Religious Festivals	Up to 3 days in any educational year as required for observance of religious festivals when those festivals fall on one of the employee's normal working days and, for support staff only, when TOIL is not available.
Attendance at Meetings of Examiners during school time	Period necessary to attend – provided any fee receivable is refunded to the Trust
Duties as Examiner for Universities and similar bodies	Period necessary to attend – provided any fee receivable is refunded to the Trust
Duties as visiting Examiner for Certificate of Secondary Education	5 days in Education year provided any fee receivable is refunded to the Trust.