TOWER HAMLETS

Halley Primary School

Including all learners, achieving their best

Special Leave Policy Procedure

Halley Primary School

September 2026

EVERY CHANCE for EVERY CHILD

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OUR INTENT

OUR VALUES



OUR VISION

Provide a safe, supportive, and stimulating environment that enables and encourages highest standards of achievement (**ambition**).

Broad, balance and **creative** curriculum which makes the most of the learning opportunities offered by the richness and diversity of the **cultures** and environment on our doorstep.

Provide an **enriched practical** curriculum based on excellence and **enjoyment** that allows for **exploration**, **enquiry**, and opportunities to ask questions.

OUR AIMS

1. All of our children to become **successful independent** learners.
2. All of our children are equipped with skills and knowledge to meet their current and future needs and **creative** potential.
3. All of our children are **confident** individuals who can live safe and **healthy** lives.
4. All of our children **respect** and value each other's contributions, irrespective of race, gender, religion or ability.
5. All of our children are **self-aware** and able to manage their own behaviour understanding it has an impact on others.
6. All of our children are active and motivated **citizens** within the wider school community.

1 POLICY STATEMENT

1.1 This policy and procedure have been agreed with schools and the relevant trade unions and is primarily intended to support staff whilst enabling schools to manage requests for special leave in a way which is fair and consistent and adheres to employment, equalities, and education legislation.

1.2 The school recognises that at some stages during their working lives employees may need to take time off to fulfil their personal commitments, including domestic and family responsibilities. It is recognised that the majority of those working in schools are employed to work during term time and do not have the flexibility to use annual leave. Therefore, in addition to the legal entitlement to unpaid leave, employees working in schools may be paid for time off in certain emergency situations. The school also acknowledges that employees have certain statutory rights in respect of time off work. The aim of this policy is to provide staff with the opportunity to apply for special leave to deal with a range of circumstances, including bereavement, care for sick dependents and compassionate leave.

1.3 The following principles underpin this policy:

- The School will give due consideration to requests made under these provisions and will endeavour to grant reasonable time off in so far as is practicable, taking into account the operational needs of the School to ensure that granting leave does not have a detrimental impact on the School or cause undue disruption to other Employees.

- Any statutory requirements will be complied with.

- Requests will be viewed sympathetically, and each case considered on its own merits and circumstances. The granting or refusal of time off in one case will not necessarily set a precedent for others.

- The decision of the Headteacher is final and there is no right of appeal.

- If a Headteacher discovers that an employee has abused this policy the matter should be dealt with in accordance with the Disciplinary Procedure.

- Headteachers should ensure that information about leave taken by an employee is recorded.

- It is recognised that, on some occasions, circumstances may arise that are not covered in this policy. In this case, the final decision on granting leave

of absence will be at the discretion of the Headteacher and/or chair of governors.

2 SCOPE OF THE POLICY AND PROCEDURE

2.1 This policy applies to all School employees and excludes contractors and agency staff. However, agency staff with more than 12 weeks service are entitled to time off for ante natal care.

2.2 This policy does not cover the following:

- Annual leave: determined by relevant terms and conditions of employment.
- Flexible working arrangements, for which separate arrangements apply.
- Sickness absence, for which separate arrangements apply.
- Maternity, Paternity, Adoption, Maternity support, Parental and Shared Parental Leave for which separate provisions apply.

3 ROLES AND RESPONSIBILITIES

3.1 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 nominee. In secondary schools it is usually the HR Manager that approves leave in the first instance.

3.2 Where the leave of absence request is made by the Headteacher, the request should be made to the Chair of the Governing Body.

3.3 Headteachers should:

- consider all requests for special leave, arranging a meeting with the individual to discuss the request if required;
- ensure that requests are dealt with sympathetically, compassionately, confidentially where appropriate, and in accordance with this policy;
- 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 HR of the outcome of the leave request;
- be aware of the impact of their decision on the school community.

3.4 Employees should:

- discuss any application for special leave with their manager at the earliest opportunity and if possible, give at least two weeks' notice before the start of any leave requested;
- submit special leave requests to the relevant manager using the appropriate documentation and supporting information where needed;
- take leave only for the specific purpose for which it is requested;
- if an unexpected emergency does arise and they are unable to let he headteacher know before taking the leave, they must let them know as soon as is practicable, by telephone if necessary;
- account for the time off in the same way as they would normally have done had the time off been planned in advance;
- remain in touch with their Headteacher/Principal during the period of emergency leave;
- ensure that any request to extend the amount of leave initially requested be made at the earliest opportunity;
- take 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;
- note that the granting of special leave is not an automatic entitlement;
  note that where two or more people from the same household are employed by the school, only one employee per household will be granted time off for instances where a presence is required at the property concerned, e.g., house flooded due to burst pipes, and where there is no other responsible adult to deal with situation.

4 MAKING A REQUEST

4.1 Employees should talk to their line manager/Headteacher as soon as possible to discuss the request for special leave. Following discussion, all requests for Special Leave should be made in writing to the Headteacher, clearly stating the dates and reasons for requesting time off and providing as much detail as is reasonable. This should be provided to assist the Headteacher in considering the circumstances of the request. This information should be set out in the Application for Special Leave Form, (appendix A) any accompanying documentation should be attached.

4.2 Employees should submit requests as early as possible, and at least two weeks in advance of the proposed date(s) of absence, in order to allow the Headteacher adequate time for consideration and to assess the impact of granting the leave, unless there are exceptional circumstances which prevent this.

4.3 Headteachers will try to accommodate staff who request special leave at very short notice because of an emergency arising. A Headteacher, however, may decide that a member of staff is absent from work without authorisation if the reason for absence cannot be evidenced afterwards. Any members of staff who take leave, which has not been previously approved, may be subject to disciplinary action.

4.4 The Headteacher should make a decision on whether the special leave is to be granted at all, and if so whether it is paid or unpaid and also how much leave will be agreed. The Headteacher will complete the Application for Special Leave form and return it to the employee as soon as possible, setting out their decision. The decision of the Headteacher is final and there is no right of appeal, except for statutory requests for time off for training.

4.5 Time taken may be granted as a combination of special leave, annual leave, flexi-time, time off in lieu and/or unpaid leave in equal amounts, for example, a request for 4 days dependents leave = 2 days special paid leave and 2 days annual leave.

5 COMPASSIONATE LEAVE

5.1 An employee may apply to their Headteacher for special paid leave in respect of the death and funeral of: Spouse, parents, grandparents, step-parents, parents-in-law, brother, sister, niece, nephew, uncle, aunt, sister-in-law, brother-in-law, son, daughter, son-in-law, daughter-in-law, partner, or persons they treat as parents e.g., person standing in 'loco parentis' to the employee.

5.2 In normal circumstances an employee will be granted one day's leave with pay, however Headteachers may decide to agree up to 3 additional days paid leave in relation to the death of a spouse or parent. In deciding the number of days to be granted, Headteachers will need to take into account factors such as:

(a) the nature of the relationship;
(b) whether the employee is responsible for making the funeral arrangements, etc.

5.3 Applications for special leave for two or three days will be considered on their merits, for example if the employee needs to organise the funeral of a close relative, register the death, and apply for probate. Dealing with property clearance is a private matter and the employee should take annual leave, flexi credit, or unpaid leave for this.

5.4 Leave in excess of three days may be granted in exceptional circumstances dependent on the particular circumstances of the request e.g., where an employee has family abroad/the funeral requires travel abroad. In these situations, a combination of paid special leave, annual leave, and unpaid leave may be used to cover the period of absence.

5.5 The Headteacher's approval must be sought as early as possible in each case where more than three days are requested.

5.6 Up to a maximum of 10 days leave with pay, in any leave year, may be granted to an employee on compassionate grounds where more than one bereavement has occurred. It should be noted that bereavement affects people in different ways. Some staff may find that they become ill as a result and therefore should be advised to speak to their GP and submit a certificate if they are unable to return to work after any period of special leave.

6 STATUTORY PARENTAL BEREAVEMENT LEAVE

6.1 Eligibility for paid bereavement leave

- Parents and primary carers who have suffered the loss of a child under the age of 18.
- 'Primary carers' include adopters, foster parents, guardians and those classed as 'kinship carers', who may be close relatives or family friends that have assumed responsibility for looking after a child in the absence of parents.
- Parents who suffer a stillbirth after 24 weeks of pregnancy. In this instance, female employees will still be entitled to up to 52 weeks of maternity leave and/or pay, as will a mother who loses a child after it is born.
- Parents and primary carers must have been employed for a continuous period of at least 26 weeks before a child's death to be eligible for paid parental bereavement leave.

However, all employees have a 'day one' right to unpaid bereavement leave.

6.2 Parental Bereavement Leave Entitlement and Pay

Parents and primary carers, who have been employed for a continuous period of at least 26 weeks prior to when the child dies and have received pay above the lower earnings limit for the previous eight weeks, are entitled to at least two weeks' statutory paid leave. Workers who have not been employed for a continuous period of at least 26 weeks are entitled to two weeks' unpaid leave.

The two weeks' leave can be taken either in one block of two weeks, or as two separate blocks of one week each. It must be taken within 56 weeks of the date of the child's death. This is to allow for time to be taken off for difficult events such as birthdays or anniversaries. Notice requirements for taking the leave will be flexible, so it can be taken at short notice, by completing the Application for Special Leave Form. The pay rate for bereavement leave is expected to be similar to the statutory rate for maternity/paternity leave. If an employee loses more than one child, they will be entitled to take a separate period of leave for each child.

6.3 Parental Bereavement Leave - Additional Considerations

Headteachers will not request a copy of the child's death certificate as evidence of an employee's right to the entitlement. Headteachers will pay regard to the fact that different religions have their own bereavement traditions and funeral rites that must be followed. Headteachers should not refuse to allow an employee to observe their beliefs. The School recognises, under the Data Protection Act 2018, that employees have the right to keep details of their child's death confidential. HR and Headteachers will be clear on how much detail employees would like their colleagues to know and ensure that their wishes are respected. The School recognises that that people recover at different rates and managers will be supportive and sensitive to employee needs during this difficult time.

Where an employee is taking another type of statutory leave – for example, Maternity or Paternity Leave – when the child dies or the stillbirth happens, Parental Bereavement Leave must start after the other leave has ended but does not have to be taken immediately after. This includes if the statutory leave is for another child.

If Parental Bereavement Leave is interrupted by the start of another type of statutory leave, the employee can take his/her remaining entitlement to Parental Bereavement Leave after that other leave has ended. An employee may take Parental Bereavement Leave between blocks of Shared Parental Leave that is booked before the child died. This includes if the shared parental leave is for another child. Statutory Parental Bereavement Pay is not payable in any weeks

in which the employee is entitled to Statutory Sick Pay, even for just part of the week.

6.4 Statutory Parental Bereavement Leave

Applications for statutory parental bereavement leave may be taken at short notice. Employees should advise the Headteacher of their circumstances, complete the Application for Special Leave Form and return this to the Headteacher as soon as practicable. Headteachers will not request a copy of the child's death certificate as evidence of an employee's right to the entitlement. Employees have the right to keep details of their child's death confidential and at an appropriate time, they should convey to HR and the Headteacher how much detail they would like their colleagues to know.

7 EMERGENCY LEAVE FOR DEPENDENTS

Where an unexpected event occurs ALL employees (irrespective of length of service, and whether they are part time or full time) are entitled to take a reasonable amount of unpaid time off to deal with an emergency and not to be dismissed or victimised for doing so. It enables employees to deal with an unexpected or sudden problem and make any necessary longer term arrangements. This may include:

- providing assistance when a dependent falls ill, or is injured or assaulted;
- making arrangements for the provision of care for an ill or injured dependent;
- dealing with the unexpected disruption, or termination, of arrangements for the care of a dependent;
- dealing with an incident that involves their child;
- take action required in consequence of the death of a dependent.

The employee must inform their Headteacher of the reason for the absence, and how long they expect to be absent, as soon as is reasonably practicable. There is no set time limit to the amount of unpaid time off which can be taken. However, in most cases the amount of leave is envisaged as being no more than one or two days to deal with the emergency and put suitable arrangements in place, where this is necessary, such as alternative care for the dependent. This will depend upon the individual circumstances. It may be possible to take a longer period of leave under other arrangements (e.g., for support staff, flexi-leave, or annual leave). This should be discussed with the Headteacher.

8 EMERGENCY CARE FOR A CHILD OR OTHER DEPENDENT FAMILY MEMBER

Time off to care for dependents (whether it be paid or unpaid) is granted at the discretion of the Headteacher and is not an automatic entitlement. This right only covers emergencies. In these circumstances, Headteachers may grant up to 5 days paid leave in a rolling 12-month period. This rolling 12-month period applies to all staff. While the employee is entitled to take a reasonable amount of time off from work to deal with an unexpected or sudden problem concerning a dependent and make any necessary longer-term arrangements, Headteachers must consider the needs of the school before granting any additional emergency leave. Employees should where possible, ensure all carers for a dependent are equally responsible for supporting any emergency arrangements. If the problem is known in advance, another form of leave must be arranged.

The employee must tell their Headteacher as soon as possible why they are away from work and how long they expect to be off. Evidence may be required by the Headteacher.

The amount of leave granted is dependent on the circumstances of each case and all applications will be considered on their merits. The right to time off does not entitle the employee to time off to look after the dependent until they recover. The policy is intended to enable employees to take reasonable amount of time off work to deal with the immediate crisis and to make any necessary longer-term arrangements.

As a general guideline, an emergency should be regarded as something which occurs suddenly, which cannot be predicted or planned for and requires prompt attention, for example:

(a) a call received during the day from the home or child's school, nursery, or carer, that the employee is required urgently to return home to care for the dependent due to illness or an accident.
(b) an accident or illness suffered by the dependent, which requires emergency medical treatment at a hospital.
(c) time off to assist a dependent when she is having a baby.

It is not intended to cover illness which is of a minor and self-limiting nature such as colds, upset stomach, etc. Annual or flexi-time should be taken on these occasions. Where the employee has exhausted all their leave entitlement then special unpaid leave may be granted at the discretion of the headteacher.

9 BREAKDOWN IN CHILDCARE ARRANGEMENTS (UNDER SCHOOL AGE)

At the discretion of the Headteacher, employees may be granted one day's paid special dependents leave to look after young children (or grandchild) when normal childcare arrangements fall through without prior notice. The purpose of granting this leave is to enable the employee to care for the child and make alternative arrangements for child care on subsequent days if necessary.

A maximum of two additional days unpaid special leave may be requested in exceptional circumstances at the discretion of the Headteacher, where it is demonstrated that alternative arrangements could not be made within the first day.

In cases where childcare arrangements have broken down:

(a) The employee must demonstrate a substantial reason for the breakdown of the childcare or caring arrangements for example, due to illness of a carer or registered childminder. The child concerned must be under school age.

(b) A substantial reason is regarded as something which occurs suddenly, which cannot be predicted or planned for, and requires prompt attention.

(c) For children in school, parents should contact their Headteacher, explain the situation and request to take annual leave, flexi-time, or unpaid leave.

Note that for Health and Safety and insurance purposes, parents must not bring their children to work when childcare arrangements break down.

10 MEDICAL APPOINTMENTS

10.1 Medical appointments and Screening

There is an expectation that medical, dental and opticians' appointments are taken in an employee's own time., this includes bringing dependents, such as children or elderly dependents to such appointments.

Employees requiring emergency dental treatment can request up to half a day's special paid leave but will be required to produce evidence that treatment was an emergency.

Up to half a day paid leave may be granted to attend an appointment at hospital (including time off for medical screening) or a doctor, upon production of an appointment card. Special Leave, paid or unpaid, may be awarded in certain situations for associated treatments arising from a medical complaint.

If the visit to the doctor or hospital involves absence of more than half a day, the absence should normally be reported as special unpaid leave, or work hours can be made up. Disabled staff may request a longer period as part of Rehabilitation Leave, further details are set out in this document. Where the number and length of appointments means substantial time out of work, arrangements will need to be agreed between the employee and the Headteacher.

Employees will normally be allowed reasonable paid time off for necessary attendance for cancer screening, as well as to attend blood donor sessions. It is recognised that employers have a duty of care towards their staff and their general well-being. Staff will be encouraged and supported in attending for both necessary and other routine checks.

10.2 Time Off for Ante-Natal Care

Pregnant employees are entitled to reasonable time off with pay for antenatal care made on the advice of a registered medical practitioner. Ante-natal care may include not only medical examinations but also antenatal classes, relaxation classes and parent-craft classes if recommended by a registered Doctor, Midwife or Health Visitor. Agency workers are entitled to paid time off for antenatal care when they have worked for 12 weeks in the same job.

Fathers, partners, and civil partners of a pregnant woman are entitled to unpaid time off during working hours to accompany her to 2 ante natal appointments. The time off is capped at six and a half hours for each appointment. There is no legal right to paid time off for fathers/partners to attend ante natal appointments. The right applies whether the child is conceived naturally or through donor insemination. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for and intend to apply for a Parental Order for the child born through that arrangement. The right applies to all employees, regardless of their length of service.

The school will not require evidence of the ante-natal appointment but will require the employee to put their request in writing to their manager stating:

- the date and time of the appointment;
- that the employee qualifies for the unpaid time off through his or her relationship with the mother or child;

- that the time off is for the purpose of attending an ante-natal appointment with the expectant mother that has been made on the advice of a registered medical practitioner, nurse or midwife.

The main adopter will be able to take paid time off for up to 5 adoption appointments. The secondary adopter will be entitled to take unpaid time off for up to 2 appointments.

10.3 Time off for IVF/fertility treatment

There are no specific recommendations for dealing with requests for time off to undergo IVF/fertility treatment. There are a number of possible alternatives for responding to requests for time off for this purpose:

- Time off for IVF/fertility appointments should be treated in the same way as other medical appointments. Note that, it may be possible (but not always) for individuals to make appointments, or at least some appointments, outside of school hours and/or during holidays.
- Up to a specified maximum amount of paid leave may be agreed beforehand or an initial amount of paid leave could be agreed, with an understanding that this will be kept under review depending on progress of treatment etc.
- A combination of the above may be utilised depending on the nature/timing/duration of treatment.

Employees will be made aware of any specific arrangements that may be put in place for absences of this nature. Otherwise, each case will be considered individually on its merits, following discussion with the employee and according to all the prevailing circumstances at the time. The intention is to be fair and reasonable in the particular circumstances of the case, whilst at the same time taking care to act consistently.

If the treatment causes pain, sickness, or illness then any resulting absence will be treated as sick leave in the normal way. In these circumstances, the usual sickness absence reporting, and certification procedures are followed.

From the point of implantation of the fertilised ova, the woman is regarded as pregnant and therefore has the right to paid time off for antenatal appointments. Headteachers should request that they are informed when this stage is reached, in accordance with the School's Maternity Policy.

10.4 Time Off for Elective Procedures (other than IVF)

Sick leave cannot normally be taken for non- medical procedures such as cosmetic surgery. Wherever possible, employees should try and arrange for the surgery to coincide with a period of school closure. Where this is not possible, annual leave (in the case of support staff on relevant contracts), unpaid leave or flexible working arrangements will be considered by the Headteacher, at their discretion according to all the prevailing circumstances.

Should the consequences of an elective procedure mean that the employee needs time off to recover, then this will be treated as sickness absence in the normal way, provided that the usual sickness absence reporting, and certification procedures are followed.

In the case of treatment or a procedure to correct, or prevent sickness absence arising, from a diagnosed medical condition, treatment will not normally be regarded as sickness absence and authorised paid absence will be granted. Following the treatment or procedure, any necessary time off will be regarded as sick leave, again with the requirement that the usual absence reporting, and certification procedures are followed.

10.5 Gender reassignment

An employee undergoing gender reassignment is not entitled to statutory time off for medical treatment or counselling because of their gender reassignment. The Headteacher/manager should discuss with the member of staff what type of appointments or time off they will require associated with gender reassignment. Wherever possible, employees should try and arrange for appointments to coincide with a period of school closure. Where this is not possible, annual leave (in the case of support staff on relevant contracts), unpaid leave or flexible working arrangements will be considered by the Headteacher, at their discretion according to all the prevailing circumstances. In addition, trans staff are entitled to the same sickness absence and pay as other staff.

11 REHABILITATION LEAVE

Paid leave will be granted as an alternative to sickness absence for those requiring time off from work to adjust to a disability. This will entitle staff who have declared a disability to the school and meet the definition of a disability under the current Equality Act, the opportunity to apply for a form of special leave that can be given for both short and long term periods of absence. For example:

- Up to 2 weeks paid leave per year for regular short periods of absence needed to attend medical appointments that assist an employee in managing their disability. This may help reduce the possibility of the disability leading to future periods of sickness absence; or

- Up to 4 weeks paid leave per year for longer periods of absence to help disabled staff manage changes in their life caused by a new or existing disability e.g., attendance at a course to be trained to use a guide dog or rehabilitation following an accident that results in an employee becoming disabled.

12 JURY SERVICE AND COURT ATTENDANCE

12.1 Jury Service

All staff are entitled to time off for jury service. When staff receive a summons to serve on a jury, they must immediately inform their Headteacher in writing. Headteachers should explore whether there are special circumstances which may make it necessary to apply for jury service to be postponed. Unless exemption from service is secured, they will be granted special leave to attend. In some, exceptional circumstances, this may extend beyond 10 days.

Whilst serving as a juror, staff must claim for loss of earnings under the Jurors Allowances Regulations and the school will deduct from their monthly pay an amount equal to the allowance they receive. The Summons/Court will provide a Loss of Earnings Form, which staff must forward to the Payroll Section before returning it to the Court. In calculating the pay due, no account will be taken of loss of potential overtime earnings.

Staff are expected to return to work for each day or half day they are not required to attend court.

Employees are protected from being subjected to a detriment or being dismissed, as a result of being summoned to attend for service as a juror or being absent from work on Jury Service.

12.2 Attendance at Court

Leave for Attendance at Court/as a Witness

If staff attend court voluntarily, including an Employment Tribunal, (and are not acting as a representative of the school) they are required to book annual leave or take unpaid leave to attend (subject to authorisation by their manager).

Leave for Attendance at Court/as a Witness - Under a Subpoena (Summons)

If staff are summonsed to attend Court, including Employment Tribunals, as a witness and they are not representing the school, then they will be granted paid leave. This is on the understanding that they claim loss of earnings from the Court, which will then be deducted from their salary. If staff are not summoned to attend court and choose to attend in a personal capacity and are not representing the school, they will need to apply for annual leave, unpaid leave, or flexible working, subject to the needs of the school.

12.3 Leave to attend civil proceedings

Any employee requiring time off for Civil Proceedings should request annual leave, flexi-leave (where appropriate) or special (unpaid) leave. Civil Proceedings refer to any matters heard in the Civil Courts, including an Employment Tribunal.

13 SERVICE IN NON-REGULAR FORCES

Members of one of the Non-Regular Forces (i.e., Volunteer Reserve) are often required to attend a two week summer camp. The school will grant a special paid leave of absence in order for employees to attend. This leave will be granted according to the demands of the school.

Members of the non-regular forces or other Volunteer Reserves who are required to undertake training additional to attendance at summer camp should make every effort to arrange for such training on a day when they would not normally be working.

The non-regular forces and Volunteer Reserve Units should be in a position to offer alternative dates and the onus is therefore on the employee to try to arrange for training to be undertaken at off-duty times. If this is not possible, paid leave of absence may be granted for a mutually convenient date.

The granting of leave is subject to submission of applications in due time, in advance, to the Headteacher, and subject also to the needs of the School.

14 TIME OFF FOR PUBLIC DUTIES

Employees are entitled to a 'reasonable' amount of time off work to carry out certain public duties. Public duties include service such as a:

- Magistrate (also known as a Justice of the Peace)
- Local Councillor
- School Governor
- Member of any statutory Tribunal (e.g., an Employment Tribunal)
- Member of the managing or governing body of an educational establishment
- Member of certain health, education, water, and river authorities
- Member of the Environment Agency
- Member of the prison independent monitoring boards
- member of a police authority
- member of the General Teaching Councils for England and Wales
- member of the service authority for the National Criminal Intelligence Service or the service authority for the National Crime Squad;

Official confirmation of appointment should be forwarded to the headteacher and copied to HR.

It should be noted that an employer can choose to pay an employee for time off for public duties but does not have to. However, consideration will be given to a maximum of 10 days (or 20 half days) per annum paid leave at the discretion of the Headteacher.

An employer is entitled to refuse a request for time off if it is considered to be unreasonable. Agency workers are not entitled to ask for time off work for public duties.

Justices of the Peace are required to undertake specific training, which takes 13 days, and this will be granted. Attendance in court hearings is to be agreed in advance through discussion with the manager and is subject to the needs of the school.

15 STATUTORY REQUESTS FOR TIME OFF FOR TRAINING

Where a school has at least 250 employees, the law grants employees who have a minimum of 26 weeks' continuous service the right to make a request in relation to time off for study or training and to have their request considered by their employer.

The School is not obliged by law to pay an employee for any time off granted for study or training under the right to make a request in relation to study or training (nor pay for the cost of the programme). Therefore, any time off for training agreed will be unpaid. Employees will be expected to use annual leave, other flexible working arrangements or in exceptional circumstances unpaid leave.

Each request will be dealt with individually, taking into account the nature of the employee's request and any likely effects of granting it, e.g., any effects on the employee's work or on the employee's colleagues. Agreeing to one employee's request will not set a precedent or create a right for other employees to have their requests in relation to study or training granted. If, following a valid request in relation to study or training, where the School thinks that it needs additional information before it gives proper consideration to the request, it can ask the employee to provide further information.

Although the School encourages employees to undertake courses of study or training that are relevant to their employment, it will not always be possible to grant requests in relation to study or training. The circumstances in which the School may have to refuse a request include where:

- the proposed study or training would not improve the employee's effectiveness at work, or the performance of the School itself;
- the cost to the School of granting time off for training would be too great;
- granting the employee's request would have a detrimental effect on the School's ability to meet customer demand;
- the School would be unable satisfactorily to cover the employee's absences on training;
- there would be a detrimental impact on quality or performance; or
- there are planned structural changes in the School.

15.1 Applying for statutory training requests

Employees who wish to submit a request in relation to study or training should do so in writing using the Application for Special Leave form. Requests may not be submitted more than once every 12 months and must be sent to the Headteacher. The request must cover:

- that it is an application to make a statutory request in relation to study or training;
- the date of the application;
- whether or not the employee has made a previous application in relation to study or training, and if so when and how the last application was submitted;
- the subject matter of the proposed study or training;
- where and when the proposed study or training would take place;
- who (if anyone) would provide or supervise the study or training;
- to what qualification (if any) the study or training would lead; and
- how the employee thinks the proposed study or training would improve their effectiveness in the School and the performance of the School.

15.2 Where a valid request has been submitted, the Headteacher will, where appropriate, arrange a meeting with the employee to discuss the request as soon as practicable. The meeting will normally take place no later than 28 days after the date on which the request was submitted. The purpose of the meeting will be to discuss the request, its appropriateness to the employee's job and the needs of the School and any possible alternative arrangements that might meet the employee's training needs. A decision will be given to the employee in writing within 14 days of the meeting.

15.3 A written response must be sent to the employee within 14 days of the meeting, which must provide an explanation where the request has been refused and grant the right of appeal.

15.4 If an employee's request in relation to study or training is refused, the employee will have the right to appeal against this decision to the Governing Body. Any appeal should be submitted within 14 days of the decision to refuse the request. The appeal notice must be in writing and must include the grounds on which the employee wishes to base the appeal.

15.5 The Governing Body must hear the appeal within another 14 days and communicate the outcome in writing to the employee within a further 14 days.

15.6 The Headteacher and the employee may, if they wish, agree to extend any of the time periods specified above. In this case, the Headteacher must record the agreement in writing and send a copy to the employee.

16 LEAVE FOR RELIGIOUS OBSERVANCE AND PILGRIMAGES

16.1 The School recognises and respects its multi-cultural staff and as such will endeavour to grant time off for religious observance wherever possible subject to the school's needs and requirements. Term time only staff who wish to take days off for religious observance should normally make an application in advance for special leave one day of which may be paid.

16.2 The School will give consideration to those members of staff who wish to apply for special leave to attend a religious pilgrimage. The Headteacher must be given adequate notice of such leave and this will be subject to the exigencies of the service, therefore it is unlikely that more than one employee would be released at the same time, however schools may wish to make their own local arrangements for this provision. The maximum leave that will be granted will be 4 weeks in total over a five year period and this will be special unpaid leave. The Headteacher may wish to seek further clarification about religious pilgrimages from their HR provider.

16.3 As an alternative to making an application in advance for unpaid leave, Schools may wish to introduce a system for term-time only support staff to record and bank hours which can then be taken for Religious Observance. Schools should ensure that they have effective systems in place to monitor and record this information.

17 TRADE UNION ACTIVITIES

Employee's requiring time away from work to participate in trade union activities should refer to the School's Trade Union Recognition and Facility Agreement.

18 OTHER REQUESTS FOR SPECIAL LEAVE

18.1 Preparation/Training for Foster Carers

The School will give consideration for special leave requests and may grant up to 4 days paid special leave per year to prospective foster carers who are required to attend training sessions as part of their initial preparation or assessment and any follow up courses.

18.2 Leave for charitable work

Employees who undertake voluntary work for recognised charitable organisations will normally be expected to undertake these activities in their own

time. In exceptional circumstances employees may be granted up to 2 days' leave with pay in any period of 12 months where their obligations conflict with working requirements. Employees who request such leave must provide evidence from the organisation concerned that they are required to undertake such work, with dates and times specified. The granting of such leave is subject to the needs of the School and to adequate notification.

18.3 Leave for preparation for retirement

All employees with a minimum of 5 years' service will be eligible for a reasonable amount of paid time off work to attend a pre-retirement course during the year before they retire, the cost of which will be met (with prior agreement) by the School.

18.4 Leave for Sporting Events

Special Leave (paid or unpaid) may be granted by the Headteacher (subject to the demands of the school) for staff selected to represent their country in a sport designated as an Olympic sport. This also includes the Para Olympics. Up to 12 days may be granted subject to the employee providing confirmation of their selection from the Governing Body of the sport.

18.5 Contesting Parliamentary Elections

Up to 3 weeks' unpaid leave may be granted by the Headteacher for an employee contesting parliamentary elections.

18.6 Attending Job Interviews

At the discretion of the Headteacher, paid time off should be granted for attending job interviews with other schools, usually up to a maximum of three days per annum (unless the employee is covered by specific provisions due to the need to make staff reductions within an academy). This time may be given in half-days. Requests in excess of this, may be granted by exception dependent on the circumstances.

Time off in excess of that set out above, or for attending interviews with other prospective employers outside of the education sector, may be granted without pay (or the employee may be asked to make the time up / be granted time off in lieu, or to take annual leave if full-year, this is possible).

The Headteacher may request to see evidence of the interview. The amount of time off should be agreed locally, taking in to account the time of the interview, the length of attendance required at the interview, the location of the interview

relative to the academy and the employee's home, the employee's role, and so on. There is not an automatic entitlement to a full day off.

Visits to schools prior to applying for a post should, wherever possible, be arranged in the employee's own time. If the other school is unable to accommodate this, then reasonable time should be allowed within the 3 days specified above.

Visits to schools after being offered a new job (or educational training providers where an employee is commencing a teacher training programme) should, wherever possible, be arranged in the employee's own time. If the other school / training provider is unable to accommodate this, a visit is necessary, and it is operationally possible, the employee may be released unpaid, or may be paid at the discretion of the Headteacher if it is within the three days specified above.

18.7 Moving House

Up to 1 working day paid special leave may be given for moving home where the day of the move unavoidably falls on a weekday in term time. Only one request per rolling 12-month period will be considered. Where it is possible for annual leave or time in lieu to be used, the Headteacher may request this as an alternative to paid leave.

18.8 Inability to get to normal place of work / emergency school closure - severe weather

In the event of disruption to normal travel to work arrangements, for example, because of exceptionally poor weather conditions, employees should make every effort to get to school where it is safe to do so. This includes in circumstances where the school may be closed to pupils, unless the Headteacher has made a determination that employees are not required to attend.

In exceptional circumstances, where the school is closed, and employees have been informed that they are not required to attend they should be paid their normal salary for the duration of the disturbance. Where possible, employees should continue to work from home.

Where the school remains open the Headteacher should consider if the employee has made reasonable attempts to get to work. If a reasonable attempt has been made, having considered the extent to which most means of transportation cease or are seriously disrupted, then the absence should be with pay. Where possible, employees should continue to work from home.

If the Headteacher does not consider that reasonable attempts to attend work have been made, they may ask the employee to make up the time (or take annual leave if full-year employees), or alternatively the period of absence will be without pay.

In severe weather conditions, if employees are going to be late arriving, they should telephone the school to report the circumstances but should not suffer a loss of pay. Similarly, if employees are released early, they should not suffer loss of pay.

If an employee is ill on the day(s) when there are severe weather conditions, the school's normal sickness reporting and recording procedures will apply.

Employees who are due to be working off site (e.g., attending a training course or meeting) but who are unable to attend the training / meeting venue should if possible, report to their usual workplace. If they are unable to attend their usual workplace then the above will apply.

Absences caused by the urgent need to care for children, elderly or other close relatives whose normal care arrangements have been closed due to severe weather conditions will be considered under leave for dependents. There is an expectation of making reasonable attempts to make alternative arrangements and/or share the responsibility of care with a partner / sibling if appropriate.

18.9 Time Off to Attend a Graduation or Wedding

At the discretion of the Headteacher, one day's paid time off may be granted for attending the wedding of a close relative, i.e. parents, siblings, own children, or one's own graduation ceremony or the graduation ceremony of an employee's child or partner (up to a maximum of two days per annum), where these fall in term time. Unavoidable travelling time in excess of this will be considered without pay. Where it is possible for annual leave or time in lieu to be used, the Headteacher may request this as an alternative to paid leave.

Time off to attend the wedding of someone other than a close relative is discretionary, and one day without pay may be granted.

18.10 Time Off in Redundancy / Redeployment Situations

An employee who has been given written notice of dismissal because of redundancy, or is placed on the redeployment list, is entitled to reasonable paid time off during working hours to:

(a) look for new employment

(b) make arrangements for training for future employment

Headteachers should satisfy themselves that the employee concerned is genuinely seeking future employment by presenting confirmation of scheduled appointments wherever possible.

Employees that receive a general warning that redundancies might occur in the future are not entitled to time off.

An eligible employee may claim reasonable paid time off. There is no statutory definition as to what should be considered reasonable, but the needs of the employee (in terms of the imminence of their dismissal and the difficulty of obtaining work elsewhere, etc.) must be balanced with the needs of the school (in terms of maintaining service provision).

18.11 Leave for Employees Experiencing Domestic Violence

Domestic violence is any incident of threatening behaviour, violence, or abuse (psychological, physical, sexual, financial, or emotional) between adults who are, or who have been, intimate partners or family members, regardless of gender or sexuality.

Employees experiencing domestic abuse can apply for paid and unpaid special leave this will be granted at the discretion of the Headteacher. This can assist with having to take time off for any relevant appointments including for counselling, recovery, or respite from the perpetrator.

19 FURTHER REQUESTS FOR SPECIAL LEAVE – HEADTEACHER/CHAIR OF GOVERNORS DISCRETION

Headteachers or Chairs of Governors, have discretion to grant unpaid leave of absence in circumstances other than those already provided for within this document, where they consider this to be appropriate. This may include long term care of a close relative, a full-time course of study to enhance an individual's personal development, or another personal reason which might otherwise result in the employee having to resign their employment in circumstances in which the School would prefer to retain their services.

Each case should be considered on its individual merits, with regard to fairness and consistency, and with consideration to the needs of the School as a whole. In making a determination, a Headteacher/Chair of Governors may choose to

seek advice from HR and/or to consider the approach taken by other Schools in similar circumstances.

A leave of absence request should not be approved for the purpose of work / financial gain e.g., short term contract with another employer or consultancy work. Requests which have neither educational nor compassionate grounds will not normally be considered.

20 PENSION ENTITLEMENTS

Periods of unpaid leave will affect an employee's pension entitlements and therefore employees should contact the relevant pension authority for advice.

APPENDIX: APPLICATION FOR SPECIAL LEAVE

REQUEST FOR SPECIAL LEAVE	
Name:	
Date request made:	
Date of absence:	
Absence start date*:	
Absence finish date*:	
**absence start and finish time should cover the entire duration of absence of normal duties*	
I have read and understood the Special Leave Policy and attach a copy of the supporting documentation (if relevant).	
Reason for Request: *(Please detail below and continue on a separate sheet if necessary)*	
Please indicate how many days special leave you have taken in the last 12 months.	
Please indicate how many days annual leave you have left in this leave year.	
Signed (employee):	
Date:	

YOUR REQUEST FOR LEAVE	
☐ Approved with pay	☐ Approved without pay
If the request has not been approved, it was for the following reason(s):	
☐ Operational difficulties in covering absence. ☐ Impact absence would have on continuity of educational needs. ☐ Referred to the Governing Body for decision, outside of policy. ☐ Other: Explanation of reason(s) for non-approval.	
Signed (Headteacher): Date:	

A copy of the completed form should be given the applicant and also to the HR and Payroll provider.