



Special Partnership Trust



LEAVE OF ABSENCE POLICY

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Leave of Absence Policy

1. Introduction

- 1.1. This policy has been developed to promote a clear and consistent approach within the Trust for the management of requests from staff for leave of absence. This policy applies to all employees and does not form part of any contract of employment, and we may amend it at any time.
- 1.2. It is the Trust's responsibility to manage their staff. The Headteacher will assist the Governors in the discharge of this responsibility and may act in certain circumstances in the absence of the Governors.
- 1.3. Any questions an employee may have about the day-to-day application of this policy should be referred to the School's Administration Manager in the first instance.

2. Purpose of this Policy

- 2.1. This policy enables a consistent and transparent approach to requests for leave of absence; whilst establishing a system which is fair to all employees.

3. General Points for Consideration

- 3.1. Any leave of absence taken by employees with term time contracts may cause disruption to pupils' learning; involves the Trust in additional organisation and may incur costs. Employees should be mindful of these considerations and, as far as is reasonably practicable should make arrangements to minimise the necessity to ask for leave of absence, for example by making medical appointments outside of school hours, if able to do so.
- 3.2. This policy details statutory and contractual entitlements for leave, other than for purposes of Maternity, Paternity, Adoption Leave and Shared Parental Leave which are dealt with in a separate policy.

3.3. The Trust recognises that situations will arise from time to time, outside of any statutory entitlement, where the Trust will need to grant employees leave of absence.

3.4. The decision about whether leave of absence is paid or unpaid is at the Headteacher's discretion, in line with this policy, unless there is a statutory entitlement to pay.

3.5. It should be noted that there might be occasions when circumstances arise that are not identified in this policy. In such circumstances the decision regarding leave of absence remains within the discretion of the Headteacher. Each case will be judged on its own merits and circumstances. The granting of time off in one case will not necessarily set a precedent for other cases.

4. The Legal Position

4.1. Those employees who have a contractual obligation to work during school term periods should avoid applications for leave of absence, for example, to enable staff to accompany members of their family or partners on holidays etc. These will not be granted by the Trust unless there are very exceptional circumstances and acceptable cover arrangements can be arranged by the Trust.

5. Considerations in Granting Leave

5.1. The most common requests for leave are home emergencies, medical appointments, serious illness, bereavement and funerals. Each situation may be different, and it is essential not to make assumptions about the surrounding circumstances or nature/status of the relationship of an individual to the employee.

5.2. Headteachers/Governors should take account of the following:

- their duty of care to their staff;
- the stated reason/purpose for the leave and the impact upon the person concerned;
- any anticipated effect upon the welfare of the Trust if leave is granted;

- any benefit (for example educational or personal development) to the employee making the application

5.3. Employees should endeavour to give the Headteacher/Governors as much notice as possible as longer notice will give the Trust a greater opportunity to make alternative arrangements.

5.4. In instances where frequent requests for leave of absence are made, the Headteacher should discuss the requests with the employee and consider whether the Trust can assist with any underlying difficulties either on a temporary or permanent basis.

6. Emergency/Exceptional Leave/Family Friendly/Time Off for Dependents

6.1. Where the absence of the employee is unavoidable and after due consideration by the Headteacher, or nominated representative, the employee would normally be granted immediate paid leave of absence to put in place emergency arrangements.

6.2. In recognising Emergency/Exceptional Leave/Family Friendly issues/Time Off for Dependents (unexpected, short-term, personal emergencies) and at the discretion of Trust Leaders or Headteachers, the Trust may allow employees up to five days leave in a rolling year to assist them in managing a personal emergency. These could include but are not limited to:

- Arranging emergency care for a sick family member
- Accompanying a partner or dependent who is giving birth (unexpectedly)
- Dealing with a household emergency like a plumbing issue, leak/flood, or burglary
- Respond to a dependant falling ill, being injured, or assaulted
- Deal with the death of a dependant (e.g. funeral arrangements)
- Manage a sudden breakdown in care (e.g. childminder doesn't arrive at last minute)
- Handle urgent school-related incidents involving their child

6.3. A dependant is typically a spouse, civil partner, child, parent, or someone who lives in the same household as part of the family. In some cases, it may also

include someone who reasonably relies on the employee for care in an emergency.

6.4. Employees have a statutory right to take reasonable unpaid time off to deal with unexpected emergencies involving dependants, there is no set amount of time as it depends on the situation. The right applies from the first day of employment and protects employees from dismissal or victimisation for using it. However, the Trust provides enhanced support by offering up to 5 days' paid leave in a rolling 12-month period, which covers circumstances falling under Emergency Leave, Exceptional Leave, Family Friendly Leave, and Dependants' Leave inclusive. Once this combined allowance of 5 paid days has been used, any further time off for these reasons will be unpaid.

6.5. To help leaders apply this consistently, it is also useful to be clear about what doesn't normally fall under this category:

- Routine appointments (GP, dentist, optician)
- Planned childcare gaps (e.g., school holidays)
- Non-urgent home tasks (deliveries, tradespeople booked in advance)
- Personal errands that could reasonably be done outside work hours

6.6. Duration, Pay and Process:

- In such instances, the employee should be asked to contact the school, the next day at the latest, to inform the Headteacher of the current position and to establish the duration of leave granted. Failure to do so may cause the absence to be recorded as unauthorised which may result in disciplinary action.
- In line with this policy, the Trust may grant up to five days' paid leave in a rolling year for emergency or exceptional circumstances.
- Whether a period of leave is paid or unpaid will be determined by Trust Leaders or the Headteacher, based on the nature and circumstances of the emergency/ situation.
- Any additional time required beyond the 5-day paid provision will be unpaid.
- The Trust may request reasonable evidence of the emergency. Suspected misuse of this policy will be addressed under the Disciplinary Procedure.

7. Parental Leave

7.1. Please note: **Parental Leave** is distinct from Shared Parental Leave, Maternity Leave, and Paternity Leave.

7.2. All employees within the Trust are eligible for unpaid parental leave if they:

- Have at least one year of continuous service
- Are the parent named on the birth certificate of a child under 18
- Have adopted a child under the age of 18 (entitlement lasts until the child turns 18)
- Have formal parental responsibility for a child under 18 (e.g. step-parents with a court order)

7.3. The key elements of parental leave are:

- Employees are entitled to up to 18 weeks of unpaid leave per child, leave must be taken before the child's 18th birthday.
- A member of staff may not take more than four weeks' leave in respect of any individual child during one leave year.
- Leave may be taken in blocks of one week upwards (this minimum period does not apply in relation to a child with disabilities)
- The member of staff must give at least 21 days' notice of taking leave
- The trust can postpone leave for up to six months, for example, for business reasons
- Outstanding parental leave can be carried over to a new employer, but a further qualifying period of service of one year is needed before there is any entitlement to take this leave.

7.4. When a member of staff takes parental leave of four weeks or less, they are entitled to return to the job in which they were employed before the absence.

8. Carer's Leave

8.1. All employees in the UK have a statutory right to unpaid carer's leave from day one of employment. This leave is designed to support employees who need to provide or arrange care for a dependant with long-term care needs. Carer's leave is intended for planned or foreseeable caring responsibilities, not emergencies.

8.2. Employees may take carer's leave if they are responsible for caring for a dependant who:

- Has a disability (as defined by the Equality Act 2010)
- Has a physical or mental illness or injury requiring care for more than 3 months
- Has care needs due to old age.

8.3. A dependant does not need to be a family member. It can be anyone who reasonably relies on the employee for care.

8.4. Entitlement

- Employees can take up to one week of **unpaid** leave in any **12-month period**
- A "week" is defined by the employee's usual working pattern (e.g. 3 days/week = 3 days of leave)
- Leave can be taken in full days or half days, either consecutively or spread throughout the year
- The leave cannot be multiplied for multiple dependants, only one week total is allowed per year

8.5. Notice Requirements

- For half-day or single-day leave, employees must give at least 3 days' notice
- For two or more consecutive days, notice must be twice the length of the requested leave (e.g. 4 days' notice for 2 days of leave)
- Notice does not need to be in writing, and no evidence of the dependant's condition is required

8.6. The Trust cannot refuse carer's leave but may postpone it if the absence would cause serious disruption to the organisation. If postponed, the Trust must offer alternative dates within one month of the original requested start date.

9. Parental Bereavement Leave

9.1. All employees, regardless of length of service, are entitled to parental bereavement leave. They would be eligible to take up to two weeks' statutory parental bereavement leave.

9.2. Leave may be taken as:

- A single block of two weeks
- Two separate one-week blocks
- Within 56 weeks of the child's death

9.3. Employees with 26 weeks' continuous service and earnings above the lower earnings limit are entitled to Statutory Parental Bereavement Pay (SPBP). The Trust offer enhanced pay at full salary for up to two weeks.

9.4. Verbal or written notice should be given as soon as reasonably practicable. For leave taken more than 8 weeks after the death, at least one week's notice is required.

9.5. All disclosures and requests will be handled with utmost confidentiality. Line managers will ensure empathetic communication and non-intrusive follow-up.

9.6. This leave is separate from compassionate leave, annual leave, or sick leave. It may be taken in addition to maternity/paternity/adoption leave if applicable.

10. Mental Health and Wellbeing Leave

10.1. The Trust recognises the importance of supporting employees' mental health and emotional wellbeing. Staff may experience periods where mental health challenges affect their ability to work effectively or safely.

10.2. Requests for mental health leave will be handled with sensitivity and confidentiality.

Where absence is required, it will be managed in line with the Trust's sickness absence procedures and supported by appropriate medical advice. Entitlement to pay will follow statutory and occupational sick pay provisions.

10.3. Where helpful and appropriate, the Trust may also consider flexible working arrangements or a phased return to support recovery and reintegration.

10.4. Employees are encouraged to speak with their Headteacher or line manager as early as possible if they are experiencing mental health difficulties. Employees may request an Occupational Health referral at any stage, and managers may also initiate a referral where this would support the employee's wellbeing. Access to the Employee Assistance Programme (EAP) is also available to provide confidential advice and support.

11. Applications for Other Non-Urgent Leave

11.1. For non-emergency leave or absences longer than two weeks, employees must submit a written request to the Headteacher.

11.2. Requests should be made at least 15 school days in advance but are encouraged to give as much notice as possible. Governors will consider such requests.

11.3. Leave during term time will not normally be granted, except in exceptional circumstances.

12. Extended Leave of Absence

12.1. For leave of half a term or more (e.g. sabbaticals), a written application must be submitted to the Headteacher with at least one full term's notice. Please refer to the SPT Sabbatical Policy for full guidance.

12.2. The Trust will consider the request based on the Headteacher and CEO's recommendation.

13. Requests for Absence

13.1. Common leave requests are listed in the table below with suggested durations and pay status. Each case will be judged on its own merits and circumstances. The granting of time off in one case will not necessarily set a precedent for other cases. Where paid leave of absence has been granted, further unpaid leave may also be granted at the Trust's discretion.

13.2. Employees may be asked to provide evidence supporting their reason for taking time off, either before or after the absence. Any misuse of this policy will be addressed in line with the organisation's disciplinary procedure.

14. Leave of Absence for Religious Observance

14.1. The Trust recognises that many religions and beliefs have significant festivals, observance days, or spiritual commitments. Employees may request annual leave or unpaid leave to observe these occasions. All requests will be considered individually, fairly, and with sensitivity, taking into account service needs and the employee's available leave entitlement.

14.2. The Trust will make every reasonable effort to accommodate such requests where it is practical to do so. Refusal will only occur where there is a clear and legitimate operational reason, and where no reasonable alternative arrangements can be made. Decisions must be objective, proportionate, and non-discriminatory.

14.3. Employees who work term-time only will be treated consistently with other staff. While term-time working patterns may limit the ability to take leave during school sessions, requests related to religious observance will still be considered on a case-by-case basis, and the Trust will explore reasonable options such as unpaid leave or adjusted working patterns, where appropriate.

14.4. Managers must ensure that the criteria used to approve or decline requests do not indirectly disadvantage employees of particular religions or beliefs. Any refusal must be capable of being objectively justified by a legitimate business need that cannot be met through other reasonable means.

15. Reserve Forces Duties

15.1. The Trust is aware that employees who are members of the Reserve Forces (the Army Reserve, Royal Naval Reserve, Royal Marines Reserve or Royal Auxiliary Air Force) may be called-up at any time to be deployed on full-time operations, and are expected to attend regular training.

15.2. The Trust is not obliged to grant paid or unpaid leave for training; employees should use annual leave where possible.

15.3. The Trust may offer up to 10 days of special unpaid leave per year in addition to paid holiday.

15.4. If called up for active service, the Trust may request deferral or revocation if the absence would cause serious harm.

15.5. After military service, employees must apply for reinstatement by the third Monday after service ends, stating their return date.

15.6. If reinstatement to the original role isn't feasible, the Trust will offer the most suitable alternative role on reasonable terms.

15.7. Military service time does not count toward continuous employment, but pre- and post-service periods are treated as continuous.

16. Appeals and Other Leave

16.1. If leave is refused or the employee feels unfairly treated, they may raise a concern through the formal grievance procedure. Appeals must be submitted in writing within 10 working days.

16.2. For longer-term or non-emergency leave, employees should speak with the Headteacher and may consider applying under the Flexible Working Policy.

16.3. All extenuating circumstances may be reviewed by the Headteacher or Trust Leaders on a case-by-case basis.

17. Other Policies and Procedures

This policy will be supported by the following policies and procedures:

- Attendance Management Policy
- Maternity, Paternity and Adoption Leave (including Shared Parental Leave) Policy
- Flexible Working Policy
- Grievance Policy

- Disciplinary Procedure

18. Absence Entitlements Table

Leave Type	Conditions	Paid/Unpaid
Death of a Partner or Child	2 weeks' paid leave; additional leave at Headteacher's discretion	Paid + Discretionary
Death of a Relative or Close Friend	Up to 2 school days paid; 1 extra day for travel if out of County; up to 5 days unpaid if appropriate	Paid + Unpaid
Terminal Illness (Partner, Child, Relative, Friend)	Employee must be main carer; 2 weeks paid; up to 12 weeks unpaid	Paid + Unpaid
Compassionate Leave	Circumstances not covered above; up to 1 week paid; up to 6 weeks unpaid	Paid + Unpaid
Funerals	1 day paid; 1 extra day for travel if out of County; additional unpaid leave for overseas funerals at discretion	Paid + Unpaid
Public Duties*	Full pay for duties including JP, council member, police authority, health body, education board, etc.	Paid
Jury Service **	Up to 2 weeks paid; may need to claim loss of earnings if longer	Paid (up to 2 weeks)

Court Action	Unpaid if external; paid if related to employment or as witness	Paid/Unpaid
Agreed Training	Paid if mutually beneficial; unpaid if primarily for individual	Paid/Unpaid
Union Activities (Accredited Rep)	Necessary paid time off	Paid
Staff Governor	Necessary time with pay to attend meetings	Paid
Governor/Trustee (Other School)	Reasonably necessary paid time off; additional unpaid at discretion	Paid + Unpaid
Interviews (Education Sector)	Paid leave for selection process; 1 day paid for travel if out of County	Paid
Interviews (Non-Education)	Same as above but unpaid	Unpaid
Graduation Ceremony	1 day paid; up to 2 days paid for travel if out of County	Paid
Hospital Appointments	Outside school hours preferred; necessary time off with pay if unavoidable	Paid
Optician/Dental Appointments	Outside school hours unless emergency	Unpaid unless emergency

***Public Duties Include:**

- Justice of the Peace;

- member of a local authority (including a parish council or a county council established under the Local Government Act 1972);
- member of a police authority;
- member of a relevant health body;
- member (in England and Wales) of the managing or governing body of an educational establishment maintained by a local authority and members of the governing body of a further or higher education corporation;
- member of the General Teaching Council for England and Wales;
- member of the Environment Agency or the Scottish Environment Protection Agency;
- member (in England and Wales) of boards of prison visitors, and in Scotland, prison visiting committees;
- member of the service authority for the National Criminal Intelligence Service or the service authority for the National Crime Squad;
- member of a water customer consultative panel.

****Jury Service**

- Employees should tell the Headteacher as soon as they are summoned for jury service and provide a copy of their summons if requested
- Depending on the demands of the Trust, we may request that an employee applies to be excused from or defer the jury service
- Employers are not required by law to pay employees while they are absent on jury service. The Trust will pay the employee at their normal basic rate of pay, while they complete jury service up to a maximum of 2 weeks. If the period of jury service lasts longer than 2 weeks, the situation will be reviewed and at this point, employees may be required to claim money back through the court for loss of earnings. Employees will be advised at court of the expenses and loss of earnings that they can claim.