

This version takes account of parental leave policy from Hoople, Statutory adoption leave AND paternity leave guides from Gov.uk; Covid-19 guidance from gov.uk 010422

# Special Paid and Unpaid Leave Policy



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| <b>Approved by:</b> | Board of Directors | April 2024 |
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| <b>Signed by:</b> | Chair of Directors | April 2024 |
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| <b>Written by:</b> | Jayne Conway, Deputy Head |
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Updated April 2024

## **Special Paid and Unpaid Leave of Absence Policy**

This policy should be read in conjunction with all statutory leave guidance from Herefordshire Local Authority (Hoople), and/or GOV.UK for greater exemplification if needed.

Special Leave of Absence is at the discretion of the Headteacher. The Chair of Directors may grant leave of absence where a Headteacher seeks discretionary leave. Each request will be considered, taking into account the needs of the school. The costs associated with Special Leave of Absence must be met within the school budget and must therefore be considered when determining whether requests for Special Leave of Absence will be paid or unpaid.

Paid leave will not normally be granted to deal with predictable domestic arrangements unless specified within this policy.

All requests for absence should be submitted on the Request for Absence form in advance whenever possible. Requests should be countersigned by the Line Manager, then submitted so that they can be checked and considered against the school diary; the absence will be agreed as paid or unpaid and then recorded on SIMS and the member of staff informed.

**Working from Home** - this normally\* must be agreed **in advance** with the line manager on a green Request for Absence form and is arranged at the school's convenience. A maximum of 5 days paid per year will be authorised.

**Family Bereavement** - In the event of the death of a spouse or partner living with the member of staff, child (including step, adopted or fostered children), parent/step parent, sibling/step sibling, parents/step parents in law or very close friend/family member, the Headteacher may grant up to 5 working days leave with salary. It is acknowledged that such bereavements may affect employees in various ways and that these 5 days are mainly for dealing with making funeral arrangements and not to deal with the emotional aspects of the death. There is discretion to grant additional days in exceptional circumstances and these may be paid or unpaid.

**Major or terminal illness** - In the case of major recoverable illness or terminal illness of spouse or partner living with the member of staff, child (including step, adopted or fostered children), parent/step parent, sibling/step sibling, parents/step parents in law or very close friend/family member living with member of staff, up to 10 working days paid leave in any one year may be granted at the discretion of the Headteacher. This may be subject to the production of suitable medical evidence.

**Covid 19** – in accordance with Government guidance from 1<sup>st</sup> April 2022, people with symptoms of a respiratory tract infection, including Covid-19, and a high temperature or who feel unwell, should try to stay at home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature.

**Anyone with a positive Covid-19 test result should try to stay at home and avoid contact with other people for 5 days.** For children and young people under 18, the advice is 3 days.

Children and young people who are unwell and have a high temperature should stay at home and avoid contact with other people. They can go back to their setting when they no longer have a high temperature and they are well enough to attend.

**Staff who need to take time off work for childcare due to Covid will be paid in accordance to the Special Leave for arranging care for sick child/close relative as seen in Appendix B.**

**Medical appointments** - All members of staff may be granted paid leave for personal attendance at medical boards; attendance at hospital; attendance for treatment or consultation with specialists if the appointment relates to recuperation, ongoing conditions or emergencies. Paid leave may also be granted in the event that the member of staff is required to accompany a husband, wife or partner living with the member of staff; child including step, adopted or fostered children; or parent to hospital. If there is medical need and a GP certificate is produced, the treatment is not elective and therefore not discretionary.

**Hospital/Dental/Doctors' Appointments** – Where possible, appointments should be made outside of working hours. However, it is recognised that there may be occasion to attend medical appointments during work hours, such as to support the recovery from ill-health, to receive a programme of treatment for an ongoing condition or disability, to undergo screening, or to seek emergency medical/dental treatment. These appointments will be paid.

**Routine dental or doctors' appointments** - Staff should try to negotiate appointment times that have the minimum disruption to the working day. Every effort should be made to negotiate appointments outside the normal working day. In the event that an appointment cannot be made outside normal working hours\*, these appointments may be authorised, but will not normally be paid. However, it is appreciated that post pandemic appointment times and dates may be more limited than usual and this may be taken in to account.

Appointments for ante-natal and post-natal care will be paid.

In cases where it is known that a programme of treatment will be required over a period of time, this should be discussed between the member of staff and their Headteacher to identify the frequency and duration of the treatment and any other factors that may be associated with the treatment or appointment arrangements. This should assist the Headteacher in being able to plan for foreseen absences and arrange cover if necessary, therefore increasing the likelihood of time off being granted, and possibly supporting the member of staff to improve their health and attendance at work in the long-term. Support and advice may be sought from Occupational Health in these cases.

**Hospital visits** - If a person cannot be visited outside working hours, paid leave may be granted for visiting a husband, wife or partner living with the member of staff; child including step, adopted or fostered children; parent; or any other relative living with the member of staff seriously ill in hospital or attendance on a close relative seriously ill, in the absence of other available help. Up to 10 working days paid leave in any one year may be granted at the discretion of the Headteacher. This may be subject to the production of suitable medical evidence.

**Jury Service or Police Witness** - Employees will be granted leave with pay when called for Jury Service or as Police Witnesses. Employees will be required to claim the appropriate loss of earnings allowance as an amount equivalent to this allowance will be deducted from their salary, whether claimed or not. Staff about to commence Jury Service should consult their Headteacher who will sign the certificate of loss of earnings provided by the Clerk of the Court.

**Parental Leave** - Working parents – mothers and fathers – with one year's service have a statutory right to take up to 18 weeks of unpaid parental leave for each qualifying child up to the age of 18

years . Any Parental Leave taken in previous employment will count towards the total 18 week entitlement.

Parental leave is to be taken for the purpose of caring for the child, for example to:

- accompany a child during a stay in hospital
- assess new schools
- help a child settle in to new child care arrangements

Parental leave may be taken in blocks of one, or more than one, contractual working weeks. Leave may be taken in blocks of less than one week if the child is disabled. The head teacher will always consider whether the requested parental leave would cause undue disruption to the school, and reserves the right to postpone the leave start date for up to 6 months. An employee may not normally take more than four weeks parental leave per year.

**Paternity Leave** - If your partner is having a baby, adopting a child or having a baby through a surrogacy arrangement you can choose to take up to 2 weeks paid paternity leave to be taken within 52 weeks from the birth of the child or placement of the child in cases of adoption. You get the same amount of leave if your partner has a multiple birth (such as twins) and you take your leave in blocks of 1 or two weeks at a time and this should be discussed with the head teacher. You can also take unpaid leave to accompany the mother of your unborn child to 2 antenatal appointments.

**Adoption Leave** - Employees can take up to 52 weeks' Statutory Adoption Leave. The first 26 weeks is known as 'Ordinary Adoption Leave', the last 26 weeks as 'Additional Adoption Leave'. Leave can start:

- on the date the child starts living with the employee or up to 14 days before the expected placement date (UK adoptions)
- when an employee has been matched with a child to be placed with them by a UK adoption agency.

Within 7 days of being matched with a child, employees must inform the Head teacher, preferably in writing:

- how much leave they want
- their leave start date
- the 'date of placement' - the expected or actual date the child is placed with them

#### **Other Special Leave - Paid**

An employee will normally be granted paid leave in special circumstances as follows:

- Moving house - 1 day
- Attendance at a funeral - 1 day
- Wedding of a near relative – 2 days
- Sick child or other close relative – normally a maximum of 3 days annually paid
- School closure of dependent child – normally a maximum of 3 days annually paid
- Graduation of a near relative - 1 day
- Time off for members of staff appointed to governing bodies of schools other than the school at which they are employed – normally a maximum of 3 days annually paid
- Emergency incidents involving dependent children or close relatives - normally a maximum of 3 days annually paid

- Home emergency – e.g. burglary, fire or flooding – as necessary and at the Headteacher’s discretion. Normally a maximum of 3 days annually paid

We would expect work to be set for classes wherever possible if teachers feel able to do so.

**Any other leave circumstances**

All requests will be considered carefully by the Head Teacher who has discretion to agree both paid and unpaid leave as necessary, depending on the circumstances.



## **Leave Policy 2024 – all staff**

The Leave Policy has been updated and agreed by the Directors for 2024. We will be considering any future requests for absence very carefully and would expect to follow this policy as agreed by the Directors.

There is still a contingency for special absence to be at the Head Teacher's discretion, but *routine* medical appointments (e.g. doctor or dentist) or non-urgent issues will be unpaid.

We have to report on absence to the Local Authority and Directors for every member of staff and will take into account the number of previous absences during the academic year. If you have any questions or concerns, please see the Head Teacher directly.

**Appendix B**

**Special Paid or Unpaid Leave of Absence - summary**

| LEAVE EVENT   | MAXIMUM AMOUNT OF TIME PER YEAR | PAID/ UNPAID  |
|---|---------------------------------|---------------|
| Working from home   | 5 days                          | Paid          |
| Wedding of near relative  | 2 days                          | Paid          |
| Moving house  | 1 day                           | Paid          |
| Attendance at funeral   | As necessary                    | Paid          |
| Family bereavement  | 5 days                          | Paid          |
| Major/terminal illness of family member   | 10 days                         | Paid          |
| Emergency hospital/emergency doctor/<br>emergency dental appointments                                 | As necessary                    | Paid          |
| Routine doctor/dental appointments  | As needed                       | <b>Unpaid</b> |
| Hospital - visiting a patient   | As necessary                    | Paid          |
| Arranging care for sick child/close relative  | 3 days                          | Paid          |
| To perform/participate or to watch child<br>perform/participate in national or<br>international event | 1 day                           | Paid          |
| To watch child in end of year event, eg<br>sports day, nativity play                                  | 6 hours                         | Paid          |
| To accompany child to college/university<br>interviews  | 1 day per child                 | Paid          |

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| Attendance at formal ceremonies of self or near relative eg degree  | 1 day, though amount is at the discretion of Headteacher                    | Paid          |
| Participation in International/National/County level in sport, drama, etc.,   | 1 day, though amount is at the discretion of Headteacher                    | paid          |
| Attendance at new school prior to job start   | 1 day   | Paid          |
| For governing body duties at school other than which they are employed  | As necessary – normally 3 days paid   | Paid          |
| Undertake a holiday to which the employee has been committed prior to appointment and which was made known at appointment | As agreed   | <b>Unpaid</b> |
| Emergency incidents involving dependant relatives or children   | As necessary  | Paid          |
| Home emergency – eg fire/flood/ burglary  | As necessary - time dependent on severity of incident                       | Paid          |
| Paternity Leave   | 2 weeks,  | Paid          |
| Parental leave – working parents  | 18 weeks for each child up to the age of 18. No more than 4 weeks per year. | <b>Unpaid</b> |
|   |   |               |

29<sup>th</sup> November 2021  
Updated 2<sup>nd</sup> April 2022  
Updated March 2024