

London Borough of Camden

MODEL SCHOOLS SPECIAL LEAVE GUIDANCE

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The Governing Body of Argyle Primary School adopted this policy on 24/10/24

1. Introduction

Argyle School recognise the importance of consistency, openness and equality in responding to requests from all school staff (Teaching and Support Staff) for special leave of absence for family and personal reasons.

This guidance recognises:

- the statutory entitlement to unpaid time off to attend to urgent matters related to dependents;
- best practice which seeks to maintain and foster good working relationships between staff and the school; and
- the operational needs of the school
- the contractual arrangements for staff

It is intended that this guidance will provide a clear and workable framework to enable requests for leave of absence from staff working at the school to be reasonably and fairly handled. It recognises that the operational needs of the school are the priority and there may be times when the Head Teacher has to refuse a request for leave based on the individual merits and circumstances of each case.

It should be noted that there may be occasions when exceptional circumstances (for example, extraordinary weather conditions, an outbreak of an epidemic illness) arise that are not identified in this guidance. In such circumstances the decision regarding leave of absence remains within the discretion of the Head Teacher and/or the Chair of Governors. Where necessary the school should seek the advice of its HR Schools Business Advisor.

There are school policies, agreements and procedures for requesting other types of leave including sick absence, flexible working, parental leave and time off for trade union duties, which the school and staff should refer to as required.

The School's absence procedure will detail how absence in the school should be reported by staff.

2. Time Off For Dependants

The Employment Relations Act 1999 provides all employees with the right to take reasonable unpaid time off to deal with certain unexpected or sudden emergencies relating to dependants. This is intended to deal with **unforeseen matters** and **emergencies**. A dependent is defined as a parent, child or someone who lives with the staff member, and who is dependent on them for specific caring needs.

The school will grant dependency leave only in exceptional circumstances, for example, where the normal care arrangements have broken down, without notice. The circumstances shall include taking the dependant person to the doctor, dentist, clinic or hospital for emergency or urgent treatment. This does not include pre-arranged routine appointments.

In these circumstances the staff member must provide proof of the appointment; and pay for any cost of this proof. A staff member can be allowed to take up to a maximum of 5 paid days in a year, at the discretion of the Head Teacher.

In most cases a day or two will be sufficient to deal with the immediate crisis, but it will depend on the individual circumstances. The staff member must inform the Head Teacher or

other appropriate person in the school leadership team as soon as possible as to the reason for the absence and how long they expect to be absent.

3. Bereavement

An employee is entitled to bereavement leave regardless of length of service.

An employee can have up to 10 working days bereavement leave if the deceased was:

- i) a partner or child;
- ii) a close relative living in the household, **and** the employee is responsible for finalising their affairs;
- iii) if the employee, or any person living in their household, had a close personal relationship with the deceased, and is responsible for finalising their affairs.

An employee is entitled to up to 5 working days bereavement leave if:

- i) As in ii) or iii) above where the employee is not responsible for finalising the deceased's affairs;
- ii) If the employee is responsible for finalising the affairs of a deceased person.

However, each case will be dealt with on its merits at the discretion of the School and the Head Teacher. In the case of bereavement of someone else close to the staff member or if longer time is requested as they are organising the funeral, the school may allow additional time off work to attend the funeral. In these cases this discretion will be exercised by the Head Teacher or their nominated deputy in the school leadership team in accordance with your terms and conditions.

4. Dependants – Medical Emergencies

In the case of a medical emergency involving a dependant, staff may request, and will normally be allowed, sufficient time off work to deal with the emergency. This may be paid and will be at the discretion of the Head Teacher. In this context a dependent may be someone who relies on the staff member's assistance to make care arrangements as well as anyone living with them as part of the family.

The time taken should only be that needed to cope with the emergency and make arrangements for any on-going situation, and so in general it will be only a few hours. If they request to take more time the Head Teacher or their nominated deputy may allow the staff member to take unpaid leave, to work flexibly or to make up the time lost at some other time.

A medical certificate stating that the employee was required to be absent from work for the purpose of caring for dependent may be requested to be produced, and would be paid for by the staff member. To reiterate, each case should be dealt on its own merits and at the discretion of the school. Up to 5 days per year can be paid to deal with such situations.

5. General Emergency Situations

A staff member can request leave in circumstances of urgent domestic crises, such as if emergency home repairs are needed after a water leak.

As with the situations in the previous section, in most cases they may be paid for this time; however this is at the absolute discretion of the school and is not an entitlement. Also, in general the staff member should request only a few hours and if they need to take more time then they may request more time. The school can allow them to work flexibly, to take unpaid leave or to make up the time lost at some other time.

Staff should not request emergency leave to cope with planned appointments such as those for deliveries or planned repairs.

6. Leave to Attend Significant Events

The School recognises that from time to time staff may have the opportunity to attend a significant social event during term time. For example; a degree graduation ceremony for a son or daughter, or the wedding of a close family member.

School staff do not have the contractual right to take paid leave to attend such events. Staff must seek and obtain the express permission of the Head Teacher for such leave, which is approved at the discretion of the Head Teacher; and which can be paid or unpaid leave. At least 4 weeks' notice must be given.

The operational needs of the school will be paramount in considering whether to grant leave and there may be times when the Head Teacher will need to refuse a request for such leave.

7. Medical and Dental Appointments

Staff should be encouraged to make appointments outside normal working hours wherever possible. However if necessary and when the arrangement of an appointment is beyond the member of staff's control paid time off to attend appointments will be granted. Staff attending such appointments must seek the permission of their Head Teacher or the appropriate person in the school leadership team before attending. The school's Head Teacher and / or other school leader have the right to request to see the relevant appointment cards.

8. Religious Festivals

Staff who wish to attend significant religious festivals which fall during school term time may request unpaid leave to attend the festival. Staff must seek the express permission of the Head Teacher for unpaid leave in advance of the event by completing an Absence Request form, giving as much notice as possible, and at least four weeks in advance.

There may very occasionally be circumstances where four weeks' notice cannot be given, for example the specific date of Eid Ul Fitr will not be known as it is determined by the sighting of the new moon, however staff planning to request time off should still provide four weeks' notice of the intention to take time off at Eid and can confirm the specific date when it is known.

The operational needs of the school will be considered before granting leave and there may be times when the Head Teacher will need to refuse a request for leave.

9. Interviews

All staff may request to take reasonable leave to attend selection interviews for jobs. Requests to take leave to attend an interview must be made to the Head Teacher in advance of the event, giving as much notice as possible. It is at the discretion of the Head Teacher, as to whether the leave request is granted or not, and whether it is paid or unpaid leave.

10. Moving Home

The school's staff should be strongly encouraged to make their arrangements to move home during school closures. However, if this proves impossible, then staff may request day of paid leave in order to move, which will be approved only with the Head Teacher's permission. The Head Teacher will request for documentary evidence relating to why the move could not take place during school closures.

11. Examination Duties

Teaching staff undertaking professional duties in connection with external examinations may take paid leave under the arrangements contained in Appendix 2 of the Conditions of Service for School Teachers in England and Wales (Burgundy Book). Prior agreement should be sought in advance from the Head Teacher, giving much notice as possible. Support staff undertaking examinations will be given time off in accordance with their terms and conditions.

12. Jury Service

Where staff take time off to undertake jury service, they are required to claim the allowance for loss of earnings from the Court and an equivalent amount may be deducted from their salary. However, for term time only staff, if the jury service is during school closures it might be during non-working time for which they cannot claim loss of earnings. Advice should be sought in such cases from the School's HR Business Advisor.

13. Public Duties

If staff member's request time off for public duties, for example as a justice of the peace or as a local councillor, then a discussion with the Head Teacher should take place as to amount of paid time the school can allow.

14. School Governor Duties

Staff who are School Governors in maintained schools will be given reasonable time off to carry out their duties. What is reasonable should be agreed between the Head Teacher and the staff member at the earliest opportunity.

15. To Attend Training Camp as a Member of the Non-Regular Forces

In the interests of the effective operation of the school staff are encouraged, as far as is possible, to attend training camps during school closures. The maximum entitlement to leave for such purposes is 10 days paid leave.

Revised date	Agreed by Governors -date	Next review date
Autumn 2024	24/10/24	Autumn 2026