



**The King's (The Cathedral) School**  
**Special Leave of Absence Policy (Staff)**

Responsibility:	HR Manager
Ratified By:	Governing Body
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CONTENTS

1.	INTRODUCTION .....	3
2.	PROCEDURE AND DECISION MAKING.....	3
3.	DISCRETIONARY LEAVE OF ABSENCE.....	4
4.	STATUTORY LEAVE OF ABSENCE FOR PUBLIC DUTIES.....	5
5.	JURY SERVICE .....	5
6.	STATUTORY DEPENDENT CARE LEAVE.....	6
7.	STATUTORY CARER’S LEAVE .....	6
8.	APPENDIX 1: LEAVE OF ABSENCE REQUEST FORM.....	8

## Special Leave of Absence Policy

### 1. INTRODUCTION

- 1.1 The Governing Body recognises that the success of The King's (The Cathedral) School depends upon the contribution of all employees and gives full acknowledgement that a fair and effective policy on discretionary leave of absence contributes to the maintenance of employee morale and thereby our success.
- 1.2 This policy sets out the discretionary leave of absence provisions to make sure requests for leave of absence are dealt with in a fair and consistent way. The operational needs of The King's (The Cathedral) School are the priority and therefore there will be times when the Headteacher has to refuse a request for leave. The examples of discretionary leave given are non-exhaustive and where circumstances arise which are not identified in this policy the Headteacher has authority to make the decision on whether or not leave is granted, and whether it is with or without pay.
- 1.3 This policy also sets out what you must do in the event that you must take leave of absence because you have a personal emergency.
- 1.4 The statutory (required by law) leave of absence provisions are generally outside the scope of this policy though they are noted where they bear a relationship to discretionary leave of absence. If you need clarification on whether the leave of absence that you want to take is statutory or discretionary then you must speak to your line manager.
- 1.5 This policy does not cover leave which is included in the policies and procedures listed below:
- Annual leave
  - Maternity/paternity/parental/adoption leave
  - Flexible working
  - Sickness absence
  - Redundancy
  - Training and study leave
  - Trade Union and Facilities time
- 1.6 This policy applies to all teaching and support staff. This policy is non-contractual and may be amended at any time.

### 2. PROCEDURE AND DECISION MAKING

- 2.1 Except in emergencies, authorisation to take leave of absence must be requested from the Headteacher as soon as the need for the leave is known using the form at Appendix 1. Where the leave of absence request is made by the Headteacher, the request should be made to the Chair of Governors.
- 2.2 Requests for leave of absence and approval/refusal of such will be dealt with in a fair and consistent manner, having regard to the nature of the request, statutory obligations, pupil/student educational provision, service needs, eligibility, any previous requests and the degree of flexibility that you already have in your current working arrangements. Non-emergency leave of absence must not be taken unless and until it has been approved on the form at Appendix 1.
- 2.3 Where an **emergency** arises, which cannot be dealt with by anyone else, you must notify the Senior Administrator responsible for Cover by email ([cover@kings.peterborough.sch.uk](mailto:cover@kings.peterborough.sch.uk)), copying your Line Manager, as soon as is reasonably practicable. You must give the reason for the absence and how long you expect to be absent from work to personally deal with the emergency.

2.4 A confidential record of requests for leave of absence and whether or not the request was granted will be maintained. Members of the LGPS scheme will be informed about the impact of taking unpaid leave on their pensionable service.

### 3. DISCRETIONARY LEAVE OF ABSENCE

3.1 Examples of discretionary time off work that may be granted with pay:

Summary non-exhaustive examples of leave normally granted with pay	Days per rolling 12-month period
<b>Compassionate leave</b> - illness or injury of a significant other person giving rise to serious domestic difficulties	Period reasonably necessary but not normally more than 3 days
<b>Bereavement leave</b> - death (including funeral) of a significant other person	Period reasonably necessary but not normally more than 5 days
<b>Moving house</b> where it cannot be arranged for a non-working time	1 day
<b>Personal one-off events or emergencies</b> i.e. an event which, if response were to be delayed, would result in significant personal loss to the employee such as fire or flood	1 day
<b>Accepted impossible travel because of weather or other public crisis</b>	Period reasonably necessary but not normally more than 2 days
<b>Interviews for jobs in the education service</b>	Period reasonably necessary but not normally more than 3 days
<b>Time off for dependant's</b> - employees may only take paid time off to provide personal care for a dependant where there is an immediate crisis (There is a statutory right to take <b>unpaid</b> leave, see SECTION 6 AND 7 below)	In normal circumstances not more than 1 day on each occasion. Up to 3 days

3.2 Examples of discretionary leave that may be granted without pay:

Summary non-exhaustive examples of absence normally granted without pay	Days per annum - all employees
Any personal reason other than those above which it was not possible to schedule for a non-working day or time or within annual leave e.g. dentist, optician, medical appointment, driving test, important one-off family occasions	Maximum of 3 days
Attendance as witness either on subpoena or other direction from a court or at the direction of the police, or voluntary attendance at an inquest as witness not representing the school	Period of attendance necessary
Leave of absence for religious observance	Reasonable time off

3.2.1 Medical appointments:

Upon production of a medical appointment letter/card up to half a day leave may be granted to attend an appointment at hospital (to include medical screening and blood donation but excluding any appointment associated with elective surgery) where it has proved impractical to attend outside normal working hours. You should liaise with your line manager to agree a mutually convenient time so that the operational requirements of the school are met and then request leave from the Headteacher using the form at Appendix 1.

### 3.2.2 Attendance in court as a witness

If you are subpoenaed or summonsed to attend a Court (including an Employment Tribunal), as a witness and you are not representing The King's (The Cathedral) School then, on production of proof of required attendance, you must request leave from the Headteacher using the form at Appendix 1 and you will be granted unpaid leave to attend. If you wish to attend Court as a witness on a voluntary basis then you should request leave of absence from the Headteacher as soon as the need for the leave is known using the form at Appendix 1 and a decision will be made on a case-by-case basis.

### 3.2.3 Leave of absence for religious observance

You may request unpaid time off work to attend religious festivals, pilgrimages, time off for prayer or may request an adjustment to your working time to accommodate periods of fasting or requirements to cease work by a particular time using the form at Appendix 1. Requests for time off will be considered sympathetically and on a case-by-case basis, taking into account the needs of the School, pupils and surrounding circumstances. You should request time off at the beginning of the school year if possible, otherwise as soon as possible, so that plans for covering your absence can be made in good time.

## 4. STATUTORY LEAVE OF ABSENCE FOR PUBLIC DUTIES

4.1 Employees are entitled to a reasonable amount of unpaid time off work by law to carry out certain public duties. Public duties include service as a:

- Tribunal member
- Magistrate
- Local councillor
- Member of an NHS Trust
- Prison visitor
- Lay visitor to police stations
- School governor
- Lay observers, appointed under section 81(1)(1)(b) of the Criminal Justice Act 1991. These are volunteers who monitor conditions for prisoners under escort and in court custody;
- Members of Visiting Committees, for the immigration and detention estate, appointed under section 152(1) of the Immigration and Asylum Act 1999. These committees monitor the immigration detention estate;
- Members of Visiting Committees appointed to monitor short-term immigration holding facilities, for example at airports.

4.2 As soon as you are aware that you will require time off for performance of a public service you should request leave of absence from the Headteacher using the form at Appendix 1.

4.3 The King's (The Cathedral) School will agree to requests for **paid** time off to undertake public duties wherever reasonably possible having regard to the criteria set out in this policy.

## 5. JURY SERVICE

5.1 You must inform your line manager as soon as you are summonsed for jury service and provide a copy of your Jury Service Summons and the accompanying Loss of Earnings form. Where, in our view, the release of an employee for jury service raises significant teaching or operational problems, assistance will be provided to the employee in order to appeal to the court to re-arrange or cancel the dates of service.

5.2 Employees attending Jury Service are usually able to claim compensation from the court for loss of earnings. We will make up the Loss of Earnings allowances to your normal level of earnings. We must complete the

Loss of Earnings form and you must give the completed form to the Clerk of the Court on your first day of Jury Service.

- 5.3 Upon completion of Jury Service, the Court will pay an employee for travel, subsistence and Loss of Earnings and provide a remittance advice. This advice **must** be forwarded to the Finance Office within 3 days of your return to work.
- 5.4 Your salary will be reduced by the "Juror's Loss" paid by the Court. Pension contributions are not affected. An employee cannot be paid twice by the Court and the School for the same days.
- 5.5 Where jury service lasts for less than half a day you must return to work for the remainder of the day wherever practicable. You must keep your line manager regularly informed about how long you are likely to be away from work.
- 5.6 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.

## 6. STATUTORY TIME OFF FOR DEPENDENTS

- 6.1 Employees have a right to take a reasonable amount of **unpaid** time off work when it is necessary to:
  - provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
  - make longer-term care arrangements for a dependant who is ill or injured;
  - take action required in consequence of the death of a dependant;
  - deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant; and/or
  - deal with an unexpected incident involving their child during school hours (or those of another educational establishment).
- 6.2 A **dependant** for the purposes of this paragraph 6.1 is:
  - an employee's spouse, civil partner, parent or child;
  - a person who lives in the same household as an employee, but who is not their tenant, lodger, boarder or employee; or
  - anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to in 6.1 above.

## 7. STATUTORY CARER'S LEAVE

- 7.1 Employees have a right to take up to one week of unpaid time off in each rolling 12-month period as Carer's Leave. This is based on normal work patterns, so an employee working Monday to Wednesday only is entitled to 3 days carer's Leave.
- 7.2 This time can either be taken consecutively or as individual days. An employee can also request to take their leave in half days.
- 7.3 The definition of dependant for carers leaver is:
  - an employee's spouse, civil partner, parent or child;
  - a person who lives in the same household as an employee, but who is not their tenant, lodger, boarder or employee; or
  - anyone else who reasonably relies on the employee to provide assistance, make arrangements or take action of the kind referred to in 6.1 above.

- 7.4 The person cared for must have a long-term care need, meaning they must have a long-term illness or injury (physical or mental) that requires, or is likely to require, care for more than three months, a disability as defined in the Equality Act 2010, or issues related to old age. There will be limited exemptions from the requirement for long-term care, for example in the case of terminal illness
- 7.5 Carer's Leave is for the purpose of providing care or making arrangements for the provision of care for a dependant who requires long-term care. This could include providing care for someone who reasonably depends on the employee for care while their primary unpaid carer is taking respite.
- 7.6 Employees will have to give notice that they wish to take leave, as the leave is intended for planned absences. Notice must be twice the length of time being requested as leave, plus one day.
- 7.7 Whilst requests cannot be refused, requests can be postponed where there may be detriment to the school/colleagues/pupils.

## APPENDIX 1: Format of the LEAVE OF ABSENCE REQUEST FORM as it appears in MS Forms.

All requests should be submitted via MS Forms and will be automatically referred to the Headteacher for a decision. The outcome will be communicated to you in most cases no later than midday the following working day by email.

### Cover and Special Leave of Absence Request Form

**Except in emergencies, authorisation to take leave of absence must be requested in advance at the earliest opportunity.**

**Please complete this form which once submitted will be sent to the Headteacher for a decision.**

**You will receive an email with confirmation of the outcome of your request for leave.**

1. Full Name \*
2. Line Manager \*
3. Dates for which Leave is being requested - please make clear whether the request is for the whole day or part day, where the request is for a part day please indicate specific timings. \*
4. For Teaching Staff - please indicate clearly which lessons will need cover (including morning registration).

*Please kindly remember that you are responsible for arranging your replacement cover for duty sessions at break and lunch yourself.*

5. Please confirm that you have arranged cover for any **Morning Gate Duty, Break Duty, Lunch Duty or Afternoon Gate Duty** that you were due to undertake on the date(s) that leave is being requested: \*

Yes – I have arranged cover for my duties

No – I do not have any duties that require cover

6. Type of Leave being requested:-

Paid Leave for **School Business** e.g. Meetings / Trips / Training / CPD. **Go straight to question 9.**

Paid Leave as per the Special Leave of Absence Policy. **Go to question 7.**

Unpaid Leave as per the Special Leave of Absence Policy. **Go to question 8.**

*(I understand and accept that if an unpaid leave of absence request is granted, it will affect my pension entitlement.)*

7. **Paid Leave Request, reason for absence:**

#### **Compassionate Leave**

- illness or injury of a significant other person giving rise to serious domestic difficulties
- period reasonably necessary but not normally more than 3 days in any rolling 12-month period

#### **Bereavement Leave**

- death (including funeral) of a significant other person
- period reasonably necessary but not normally more than 5 days in any rolling 12-month period.



### **Moving House**

- where it cannot be arranged for a non-working time
- 1 day in any rolling 12-month period.

### **Personal events or emergencies**

- i.e. an event which, if the response were to be delayed would result in a significant personal loss to the employee such as fire or flood
- 1 day per rolling 12-month period.

### **Accepted impossible travel**

- because of weather or other public crisis
- period reasonably necessary but not normally more than 2 days in any rolling 12-month period.

### **Interviews**

- for jobs in the education service
- period reasonably necessary but not normally more than 3 days in any rolling 12-month period.

### **Dependent Care Leave**

- employees may only take paid time off to provide personal care for a dependent where this is an immediate crisis
- in normal circumstances not more than 1 day on each occasion, up to a maximum of 3 days in any rolling 12-month period.

### **Medical Appointment**

- up to half a day may be granted where it has not been possible to attend outside normal working hours (excludes elective surgery.) Please have available the appointment text/letter as evidence of the appointment.

## **8. Unpaid Leave Request, reason for absence:**

Any personal reason other than those listed above and which it is not possible to schedule for a non-working day or time, or within annual leave. For example, dentist, optician, medical appointment, driving test, important one-off family occasions. personal reason other than those above. Maximum request in any rolling 12-month period is 3 days.

Attendance as a witness either on subpoena or other direction from a court or at the direction of the police, or a voluntary attendance at an inquest as a witnesses not representing the school. Request should be for the minimum period of attendance necessary.

Leave of absence for religious observance. Requests for time off will be considered sympathetically and on a case-by-case basis, taking into account the needs of the School. You should request leave at the beginning of the school year wherever possible.

Statutory Dependent Care Leave, over and above the allowance of 3 paid Dependent Care Leave days.

Statutory Carers Leave.

Jury Service - please be ready to provide a copy of your Jury Service Summons and the accompanying Loss of Earnings Form. The school will complete the Loss of Earnings form which you will need to submit to the Clerk of the Court on your first day of Jury service,

**9. Additional Information:**

To enable the fair and consistent application of the Special Leave of Absence Policy, please provide as much information as you can, regarding the reason for / circumstances of, your request.

*Where this request is for time off for School Business, please ensure you specify which trip/meeting the leave is for, what CPD is being undertaken, etc.*

*Where this request is for bereavement leave, please specify the relationship*