



Special Leave Policy

(Staff Leave and Absence Policy)

1. Introduction

Across our Trust we recognise and value the contribution each member of staff makes to achieving our vision of empowering futures for a better tomorrow.

We recognise there may be occasions when staff may need time away to fulfil personal obligations that they cannot necessarily leave to the school holiday periods.

Whilst we are committed to being a caring and responsible employer, when considering support for staff, the designated manager¹ considering your request will also need to consider the operational needs of the school/college/team you work in to ensure that they continue to run effectively.

This policy details information for both staff, and managers regarding the Trust's approach to requests for special leave.

2. Definitions

Special leave

Special leave supports employees to take periods of leave to cover certain situations that sometimes cannot be foreseen or planned for. It includes emergency leave for assisting dependents, compassionate leave, public service leave, and leave to support with learning and career development. The basis of this leave is a combination of statutory, national and local provisions.

¹ Headteacher, or Executive Headteacher where Head of School, or CEO for the Central Trust Team

Relatives of the first degree (close relatives)

Relatives of the first degree (close relatives), refers to husband, wife, civil partner, permanent partner, brother/sister, parent and child or the corresponding relatives-in-law. The Trust also includes grandparents or other relatives/carers who have taken on the main caring role or people who are not related but occupying a similar position in the family.

Dependant

A dependant is defined as a spouse/partner/civil partner, child or parent, or someone who lives with the employee as part of his/her/their family, i.e. not someone who lives in the house as an employee, tenant, lodger or boarder. In the case of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

Designated manager

The designated manager is the Headteacher or in a school with a Head of School, the Executive Headteacher. For staff in the central Trust team, the designated manager is their ELT member or CEO. For the CEO the designated manager will be the Chair of the Trust Board. The Board has given delegated authority to approve leave of absence requests for up to 5 days. For anything greater the designated manager must discuss the request with the CEO or Trust Board as appropriate and act on the recommendation made.

3. Principles

When considering requests for special leave above statutory entitlements, the designated manager will consider the following:

- Where applicable, the nature of the emergency / reason for request to take leave in term time
- Where applicable, the relationship of the person to the employee
- The employee's length of service
- The employees work record
- The employee's attendance record

- The impact on pupils
- The amount of outstanding annual leave (if applicable)
- The possibility of unpaid leave
- The possibility of using annual leave (if applicable)
- The possibility of making the time up (TOIL) if applicable.

4. Policy

This policy outlines the basis on which applications for special leave will be considered. It also gives guidance on when applications can be considered with or without pay.

Part-time staff will have the entitlement for leave from work reduced in proportion to the percentage of time they work.

This policy applies to all employees.

Requests for leave of absence will be considered taking into account

- the principles of this policy,
- the best interests of the pupils and the school,
- treating staff in a fair, reasonable and consistent way,
- national and local terms and conditions of employment.

Statutory requests

There are certain circumstances in which an employee has a statutory entitlement to request special paid or unpaid leave, and a number of situations when, if approved, the Trust would take a view that a request for special leave should be paid. However, the employee must still request the leave in the same way and seek the approval of their designated manager.

Antenatal care

Pregnant employees have a statutory entitlement to paid time off to attend antenatal appointments as advised by their doctor, registered midwife or health visitor. Employees should provide evidence of the appointment to their designated manager and appointments should be made outside of school hours and with minimum disruption to students where possible.

Adoption preparation

Prospective adoptive parents can request reasonable time off to attend adoption preparation sessions. Employees who are undergoing the adoption process will be granted special leave to attend such sessions. The main adopter will be able to take up to 2 days 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. If adopting on their own, they may have up to 5 appointments as paid leave; anything in addition to this will be unpaid.

Compassionate leave

All employees have a legal right to time off if a dependent dies, or if their child is still born or dies under the age of 18 (Parental Bereavement Leave (Jack's Law)). We recognise that everyone experiences grief differently. Details of support available are included in the special leave table in this document.

Dependant leave

All employees have a statutory right to request a reasonable period of unpaid time off during working hours in order to take action necessary to deal with an emergency involving a dependent. In addition to the statutory right, the Trust supports staff with paid time off. Please refer to the special leave table in this policy for further detail.

Dental and medical appointments

It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstances, such as an appointment being expected from a hospital, that this may not always be possible. However, appointments in work time should be kept to a minimum and cause as little disruption as possible. In any event, prior approval to attend an appointment will need to be sought and agreed with your designated manager.

Jury service

In the event of the employee being called up for jury service, they should contact their designated manager at the earliest opportunity to discuss the matter. Jury service normally lasts for 10 working days but may be longer. The employee should provide their designated manager with a copy of the court summons.

Where the Trust considers that an employee's absence on jury service could cause substantial injury to its business, they will be asked to make an application for excusal or deferral, as appropriate.

Where the Trust considers that this applies, the employee should not submit an application for excusal or deferral before the Trust has provided them with a letter to support the application.

The employee will continue to be paid while on jury service at the normal rate of pay subject to the deduction of any monies received from the court in respect of loss of earnings. The employee will receive, with his/her/their jury summons, a Certificate of Loss of Earnings or Benefit, which the employee can complete (with assistance from the College) and submit to HM Courts and Tribunals Service (HMCTS) to receive reimbursement, up to a limit, for loss of earnings incurred due to being absent from work due to jury service. The employee will be paid as normal until his/her reimbursement has been processed, whereupon the employee is obliged to present the Trust with the receipt for the reimbursement. The Trust will then make the appropriate deduction from the employee's pay.

Employees not required on any particular day or part day for Jury Service must return to normal duties at their work location.

Prospective fathers and co-parents

Partners of an expectant mother will be allowed unpaid leave to attend up to two antenatal appointments. Such appointments should be made outside of the school hours and with minimum disruption to students where possible. If the appointments are local, it is reasonable to expect the member of staff to be absent for just ½ a day. Alternatively, TOIL could also be considered if appropriate.

Trade Union duties

Employees who are representatives of a trade union recognised by the Trust are legally entitled to reasonable paid time off work to enable them to perform their duties as such officials and/or to undergo relevant training.

The activities in which representatives are most likely to be involved include:

- Discussions with members (either individually or collectively) on the progress or outcome of negotiations
- Dealing with staff grievances and accompanying members at grievance or disciplinary hearings

Trade union representatives are also permitted a reasonable amount of paid time off to attend courses approved by the trade union to which they belong, in aspects of employee relations that are relevant to their official duties. Requests to attend such training courses should be directed to their designated manager.

Parental leave

Employees with a child up to the age of 18 years, are entitled to parental leave for the purpose of caring for a child, for whom the employee has parental responsibility. In the case of an adopted child, the same provisions as above apply but up to the child's eighteenth birthday or eighteenth anniversary of their adoption.

Parental leave is unpaid and the maximum entitlement is 18 weeks leave (pro rata for part-time staff) for each child, in total. The leave must be taken in blocks or multiples of one week, and the maximum entitlement in any leave year is four weeks.

Parental leave is for each child, so if twins are born each parent will be entitled to 18 weeks leave for each child. Parents of disabled children are able to use their leave over a longer period, up until the child's 18th birthday and may take the leave a day at a time, if required. The employee must give at least 21 days' written notice of the period during which parental leave is requested.

If a father wishes to take parental leave following the birth of a child (in addition to paternity leave), he is required to give at least 21 days' notice to his employer, stating the expected week of commencement of the parental leave and the duration of that leave.

In the case of adoption, a parent must give at least 21 days' notice stating the week in which he/she expects to adopt the child. The duration of the leave must also be stated.

Prior to approving the first request for parental leave the school will need to see the birth certificate, adoption paper or proof of disability living allowance.

The Trust is able to require an employee to postpone their parental leave for up to six months, where the impact on the school/college is unreasonable. Notice of postponement will be given no more than seven days after the request and will state the reasons for postponing the parental leave and when it can be taken. The leave must be granted for the same period as the original request and will begin on a date determined by the School's/College's Leadership, after consultation with the member of staff and be not more than six months after the date originally requested.

Parental leave cannot be postponed when the member of staff gives notice of parental leave to be taken immediately after the birth of their child or at the time of adoption.

The school will accurately record when an employee takes Parental Leave as new employers may seek a declaration of how much Parental Leave has been taken.

Other types of special leave

Requests for other types of leave will be managed in accordance with the information in the special leave table on the following pages.

5. Support

The Trust recognises that staff often access the support available through this policy at a time they are trying to balance the needs of their personal lives alongside their commitments to us as their employer and the children/students/colleagues they support. As a Trust we have an Employee Assistance Programme all staff can access. This service includes support for issues at home, financial guidance, legal enquiries and signposting and general help. Confidential help can be accessed 24/7, 365 days a year on 08000 856 148. <https://educationsupport.org.uk>.

6. Implementation

Applying for special leave

Requests for special leave under this policy, whether paid or unpaid require prior approval unless there are exceptional circumstances where this has not been possible. To request leave staff must complete an Absence Request form and complete the relevant sections.

The request should be made as soon as it is known that it will be required, and in any case not less than one full week in advance of the proposed absence, except in exceptional circumstances such as the death or sudden illness of a family member.

Special Leave

Reasons for leave	Teachers	Support staff
Support with managing your health		
Ante-natal care for expectant mothers.	The right to paid off time to attend ante-natal care on production of evidence of appointments if requested.	The right to paid off time to attend ante-natal care on production of evidence of appointments if requested.
Screening for breast and cervical cancer	Paid time off for reasonable periods where attendance in school time cannot be avoided.	Paid time off for reasonable periods where attendance in school time cannot be avoided.
Time off for medical appointments.	It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstances, such as an appointment being expected from a hospital, that this may not always be possible. However, appointments in work time should be kept to a minimum and cause as little disruption as possible.	It is expected that dental and medical appointments will be made out of school hours wherever possible. It is recognised that in some circumstances, such as an appointment being expected from a hospital, that this may not always be possible. However, appointments in work time should be kept to a minimum and cause as little disruption as possible.
Emergency time off for dependents		
Non-serious illness of an employee's child.	<p>Time off to respond to the emergency on the first day.</p> <p>First day as paid leave (a maximum of 3 days' paid leave in any academic year).</p> <p>Anything in excess of this will be at the discretion of ELT and may be granted as unpaid leave.</p>	<p>Time off to respond to the emergency on the first day.</p> <p>First day as paid leave (a maximum of 3 days' paid leave in any academic year).</p> <p>Anything in excess of this will be at the discretion of ELT and may be granted as unpaid leave.</p>

<p>Serious/critical illness of a close relative i.e. spouse, civil partner, partner, sibling, parent (or other relative /carer who brought up the employee), child or corresponding relatives-in-law who lives within the members of staff or lives alone.</p>	<p>In cases of critical/serious illness of close relatives, up to one week's paid leave.</p> <p>In other relationships, applications for unpaid leave should be addressed in writing to the designated manager to consider.</p>	<p>For critical/serious illness up to five working days leave for all year-round staff, half of which will be taken from annual leave or will be unpaid. (up to 2.5 days paid leave)</p> <p>Up to two and half days paid for term time only staff</p> <p>Can include taking children to hospital.</p>
<p>An unexpected or sudden problem involving someone who depends on your help or care</p>	<p>Unpaid leave, up to two days to deal with the emergency and make any arrangements that are needed.</p>	<p>Unpaid leave, up to two days to deal with the emergency and make any arrangements that are needed.</p>
<p>Supporting family life</p>	<p>Teachers</p>	<p>Support staff</p>
<p>Time off for prospective fathers and co parents</p> <p><i>(please also see the Trust Maternity and adoption support policy)</i></p>	<p>Unpaid time off to attend a pregnant woman with whom you are having a child at up to two antenatal appointments.</p> <p>The following employees have the right to take time:</p> <ul style="list-style-type: none"> • the husband or civil partner of or be living with the pregnancy woman in an enduring family relationship. <p>In addition, employees will be eligible for the time off if they are: • the biological father of the expected child Or the intended parent of a child in a surrogacy arrangement</p> <p>It is expected that normally no more than half a day is needed for an antenatal appointment, however the right to time off includes time to travel to the appointment and any waiting time needed at the appointment. The maximum amount of time that can be taken is six-and-a-half hours on up to two occasions.</p>	

<p>Time off to prepare for adoption</p>	<p>If you're eligible for adoption leave, you have the right to paid time off work for 5 adoption appointments after you've been matched with a child. This right is only for appointments the adoption agency has arranged or asked for. If you're in a couple, only the person who is taking adoption leave has the right to paid time off.</p> <p>The partner who is not taking adoption leave has the right to unpaid time off work for 2 adoption appointments. You're entitled to take up to 6.5 hours for each appointment. This time includes travel to and from the appointment.</p>	
<p>Parental leave</p>	<p>Please refer to page 5 of this policy</p>	<p>Please refer to page 5 of this policy</p>
<p>Paternity Leave</p>	<p>Paid leave during the first week, pay at the second week will be at Statutory Paternity Pay</p>	<p>Paid leave during the first week, pay at the second week will be at Statutory Paternity Pay</p>
<p>Parental bereavement leave</p>	<p>Eligible fathers and partners will be able to take up to 52 weeks of unpaid bereaved partner's paternity leave if the mother or primary adopter dies, they must take this leave within 52 weeks of the child's birth (including surrogacy), adoption placement, or entry to Great Britain for overseas adoption</p>	<p>Eligible fathers and partners will be able to take up to 52 weeks of unpaid bereaved partner's paternity leave if the mother or primary adopter dies – they must take this leave within 52 weeks of the child's birth (including surrogacy), adoption placement, or entry to Great Britain for overseas adoption</p>
<p>Hospital appointments for children where both parents wish to attend.</p>	<p>Unpaid leave at the discretion of the designated manager.</p>	<p>Unpaid leave at the discretion of the designated manager.</p>
<p>Weddings of close relatives i.e. sibling, parent (or another family member/carer who brought up the employee) or children or corresponding relatives in law.</p>	<p>Paid time off at the discretion of the designated manager.</p>	<p>Paid time off at the discretion of the designated manager.</p>

Graduation ceremony – employee’s own, partner, son, daughter or close relative	Paid time off at the discretion of the designated manager	Paid time off at the discretion of the designated manager.
Time off on compassionate grounds	Teachers	Support staff
Death or critical illness of a close relative i.e. spouse, civil partner, partner, sibling, parent (or other relative/carer who brought up the employee), child or corresponding relatives-in-law +	Up to five working days paid leave.	Up to five working days paid leave.
Death of a grandparent or grandparent-in-law	Up to one day paid leave.	Up to one day paid leave.
Funerals – other than close relatives as detailed above.	Unpaid leave at the discretion of the designated manager.	Unpaid leave at the discretion of the designated manager.
Time for Trade Union representatives	Teachers	Support staff
For officials of Trade Unions to perform I.R. duties/undertake approved training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LA	Reasonable paid leave of absence to carry out their duties.
For Safety Representatives to perform duties and undertake associated training	i) Regular release, and/or ii) Occasional release and/or iii) Consultative meetings convened by the LA	Reasonable paid leave of absence to carry out their duties.

Support with learning and development and career development	Teachers	Support staff
Attendance at approved conferences	Paid leave at the discretion of the designated manager, subject to conference being of benefit to school and the teacher's professional development.	Paid leave of up to 12 working days in any one year.
Sitting examinations relating to professional development	Paid leave of absence for the purpose of sitting for examinations concerned with the teacher's professional development to the benefit of the school.	Paid leave of absence for sitting for approved examinations. Additional leave may be granted for final revision for approved examinations.
Interviews / selection processes for other posts	<p>Paid leave for time off to attend an interview and/or other selection processes will be granted where the vacancy is at a Local Authority maintained school and/or public body to which the redundancy payment (modification) order applies. This would include interviews at an academy school.</p> <p>Applications for leave to attend interviews / selection processes with other organisations will be at the discretion of the designated manager and may be granted as unpaid.</p>	<p>Paid leave for time off to attend an interview and other selection processes will be granted where the vacancy is at a Local Authority maintained school and/or public body to which the redundancy payment (modification) order applies. This would include interviews at an academy school. [Grey Pages 4.6(k)]</p> <p>Applications for leave to attend interviews / selection processes with other organisations will be at the discretion of the designated manager and may be granted as unpaid or taken as annual leave.</p>
Lecturing in professional capacity on condition that all fees to be paid to school	Paid leave at the discretion of the designated manager.	Paid leave at the discretion of the designated manager up to a maximum of 12 paid working days.
Attendance on courses for personal development not considered beneficial to the school	Unpaid leave at the discretion of the designated manager or relevant committee	Unpaid leave at the discretion of the designate manager or relevant committee.
Support for public duties and activities		

Attendance as elected members at local authority meetings and properly established committees	Up to 20 days paid time off per year or equivalent.	Up to 144 working hours paid time off per year.
For members of another school's Governing Body	Up to a maximum of 4 half-days paid time off per annum depending upon the reasonableness of the request.	Up to a maximum of 4 half-days paid time off per annum depending upon the reasonableness of the request.
Magisterial duties	Paid time off for the minimum attendance requirement including training and membership of a statutory tribunal not exceeding 20 working days a year	Paid time off for the minimum attendance requirement including training.
Candidates for Parliamentary Elections	Normally not more than 5 working days paid time off.	Up to 3 weeks' paid leave of absence during period up to and including polling day.
Jury Service or attendance as a witness in Court proceedings	Paid time off for the required period subject to the employee claiming for loss of earnings	Paid time off for the required period subject to the employee claiming for loss of earnings.
Election duties	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.	Leave of absence for staff appointed by the returning officer to assist at parliamentary or local elections.
Members of non-regular forces – annual training	Up to two weeks leave – the second of which is to be unpaid.	Up to two weeks leave (Grey Pages paragraph 4.6(g))

Support with other events	Teachers	Support staff
Weddings – Employees own wedding and for those other than relatives first degree	Unpaid leave at the discretion of the designated manager	Unpaid leave at the discretion of the designated manager.
Moving House	<p>One working days' paid leave with as much advance notice as possible.</p> <p>Requests for unpaid leave in excess of one day at the discretion of the designated manager.</p>	<p>One day paid leave (term time only employees). Grey Pages 4.6(j)</p> <p>Requests for unpaid leave in excess of one day at the discretion of the designated manager.</p>
Sports representation as competitor at national/ international level	Paid leave at the discretion of the CEO.	Paid leave At the discretion of the CEO.
Sporting representations below national level	Unpaid leave at the discretion of the CEO. Normally not more than ten school days in a year	Unpaid leave at the discretion of CEO.
Court hearings – other than those covered under “With Pay” sections – including divorce proceedings, custody of children, maintenance payments and other Court appearance where the member of staff is defendant or involved in non-criminal proceedings	Unpaid leave at the discretion of the designated manager or relevant committee	Unpaid leave at the discretion designated manager or relevant committee
Religious devotion days	Unpaid leave at the discretion of the designated manager.	Unpaid leave at the discretion of the designated manager or relevant committee
Visits overseas other than for professional development	Unpaid leave at the discretion of the CEO.	Unpaid leave at the discretion of the CEO.

<p>Accompanying a pregnant woman, with whom they are having a child, at ante-natal appointments (See Maternity and Adoption Support Leave Policy)</p>	<p>Unpaid leave up to two ante-natal appointments.</p>	<p>Unpaid leave up to two ante-natal appointments.</p>
<p>Special family flights where spouse or civil partner is in the armed forces</p>	<p>Unpaid leave at the discretion of the designated manager.</p>	<p>Unpaid leave at the discretion of the designated manager.</p>
<p>Delays on return to school caused by industrial disputes</p>	<p>Unpaid leave at the discretion of the CEO.</p>	<p>Unpaid leave at the discretion of the CEO.</p>
<p>Duties in connection with external examinations</p>	<p>Paid time off at discretion of the designated manager. Please refer to the Burgundy Book - Appendix II for further detail.</p>	<p>Paid time off at the discretion of the designated manager.</p>
<p>Times of severe weather</p>	<p>Permission to leave early with no impact on pay should not be unreasonably refused. The designated manager to ascertain whether possible for teachers to undertake work activities at home in order to fulfil their statutory obligation to work for 195 days in the school year.</p>	<p>Permission to leave early with no impact on pay should not be unreasonably refused. Lost hours should be made up where annual leave cannot be taken</p>
<p>Potential redundancy</p>	<p>Reasonable paid time to seek alternative employment</p>	<p>Reasonable paid time to seek alternative employment</p>

8. Associated documents / points of reference

- Flexible Working Request Policy
- Leave for Parents procedure
- Managing sickness absence policy
- Maternity and adoption support leave policy
- Maternity policy
- Shared parental leave policy
- [Unpaid parental leave: Overview - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Other Leave (that falls outside of this policy)

Reasons for leave with pay	Teachers		Support staff	
Sickness	During the first year of service	Full pay for 25 working days*, and after completing 4 calendar months' service, half pay for 50 working days.	During the first year of service	1 months' full pay and, after completing 4 months' service, 2 months' half pay.
	During the second year of service	Full pay for 50 working days and half pay for 50 working days.	During the second year of service	2 months' full pay and 2 months' half pay.
	During the third year of service	Full pay for 75 working days and half pay for 75 working days.	During the third year of service	4 months' full pay and 4 months' half pay.
	During the fourth	Full pay for 100 working days and	During the fourth	5 months' full pay and 5 months' half pay.
				6 months' full pay and 6 months' half pay.

	and subsequent years of service	half pay for 100 working days. <i>*for the purposes of this scheme, 'working days' means teaching and non-teaching days within 'directed time' and as specified in the STPDC/STPC(W)D.</i>	and fifth years of service. After 5 years' service.	<i>The period during which sick pay can be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of paid periods of absence during the 12 months immediately preceding the first day of absence.</i>
Reasons for leave with pay	Teachers		Support staff	
Annual Leave	Not Applicable		26 working days per annum on the basis of 37 hours over a five-day working week. Recognised continuous local government service gives you an entitlement to five additional days leave after five years, one extra day's leave after 10 years, a second day after 15 years and a third day after 20 years.	

8. Monitoring and review

This policy was adopted by the trustees of Ivy Education Trust and will be reviewed every two years or in response to changes to legislation or best practice, whichever is the sooner.

POLICY AMENDMENT RECORD

Date	Summary of change	Contact	Version/ Implementation Date	Review Date
March 2015	Revised Policy to reflect updated format as well as revisions to the following sections: <ul style="list-style-type: none"> parental leave from April 2015 Interviews / selection processes time off for teachers in the case of non-serious illness of close relative. Time off to attend antenatal appointments 	HR ONE	March 2015	
January 2020	Osprey V1	JN	February 2020	February 2024
Oct 2024	Updated to reflect current legislation. Updated leave tables.	EWo/P&V/Unions consulted	December 2024	October 2026
March 2026	Updated to reflect current legislation.	EWo/P&V/Unions consulted	6 April 2026	March 2028