



LEAVE POLICY

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1. Scope and purpose of the policy

- 1.1 The Trust is committed to developing and maintaining working arrangements that enable employees to achieve a work life balance and recognises the importance of helping employees to achieve this.
- 1.2 This policy does not form part of your employment contract and the Trust may update it at any time in consultation with Trade Unions.
- 1.3 The provisions relating to time off for both teaching and support staff are primarily embodied in the nationally and locally agreed conditions of service which in turn reflect the legal requirements relating particularly to time off for public duties.
- 1.4 Those employees working in teaching or term time only contracts have their annual leave entitlement built into their contracts, and therefore leave is taken during non-term time only.
- 1.5 The Trust also recognises that employees combine their working life with the responsibility of raising a family, caring for dependents or elderly relatives and other domestic commitments, as well as life's unforeseen challenges. There will inevitably be occasions when urgent domestic, personal and family matters compete with work responsibilities. There will also be occasions when employees are required to participate in civic duties, e.g. jury service.
- 1.6 The Trust is committed to ensuring people friendly employment practices are available to employees in order to enhance and pursue good employment practices and promote flexible working arrangements which enable employees to make a full contribution to the Trust at different stages within their working lives.
- 1.7 The Trust recognises that a degree of flexibility is necessary to enable employees with particular needs and circumstances to make alternative arrangements in circumstances of urgent attention, i.e. domestic, personal and family matters. However, this needs to be balanced as high levels of absence amongst teaching and support staff pose a serious problem across the Trust in terms of disruption to teaching programmes, pupils' learning and other areas of the Trust's work.
- 1.8 For those employees who are required to work during term time, any leave to be taken during term time must be regarded by all as the exception. Requests for leave of absence for the purpose of taking holidays and/or contributing to holidays will not be granted under any circumstances.
- 1.9 It is expected that the Leave Policy would be applied objectively and fairly across the Trust, however, it is understood that there may exceptional circumstances where management discretion may be applied outside the remit of this policy. In such matters, the line manager must seek guidance from the People Team.
- 1.10 This policy provides information regarding the entitlements of employees to annual leave and to special leave allowances, both paid and unpaid.
 - This policy does not cover absence caused by sickness, see the Trust's Managing Attendance (Ill Health) Policy for further information.
 - This policy does not cover maternity/adoption leave or other statutory family related leave, see the Trust's Family Leave policy for further information.

- 1.11 All employees will be required to follow the Trust procedures for requesting leave of absence and for reporting absence.
- 1.12 Authorised paid and unpaid leave of absence from work for the reasons in this policy requires prior approval.
- 1.13 Employees taking any type of leave without seeking authorisation will be unpaid and will be considered a potential misconduct issue under the Trust's Disciplinary policy. Employees who decide to take leave (including sickness absence) despite their request being declined will be considered a potential misconduct and will lead to disciplinary action being taken.

2. Who is covered by the policy?

- 2.1 This policy covers all employees with contracts of employment at all levels and grades across the Trust.

3. Equality and diversity statement

- 3.1 The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.

4. Roles and responsibilities

4.1 Line Managers are responsible for:

- Communicating this Policy to employees and making them aware of their rights to such leave.
- Apply the practices detailed in this policy full and objectively.
- Considering each request on an individual basis ensuring consistency of practice.
- Ensuring that the service does not become subject to any detriment as a result of leave taken. If this is the case appropriate measures must be taken.
- Maintaining and ensuring contact on an informal basis with the employee throughout the time taken for special leave.
- Ensuring employees apply for leave (all types) via the Trust's processes.
- Ensure compliance with this policy, providing fairness, objectivity and consistency when making decisions, not just within the school but across the Trust as it is a single employer.

4.2 Employees are responsible for:

- Reading and understanding the contents of this policy.
- Reviewing the school terms dates, especially if planning to book a holiday so there is not a conflict.
- Making contact with their line manager as soon as possible in the case of requests for immediate leave.
- Ensuring they apply for leave (all types) via the Trust's processes.
- Making applications with honesty and integrity to respect the spirit in which this policy was developed.

- Keeping in touch with their line manager throughout a period of leave.
- Maintaining a high level of attendance in their role.
- **INSET Days and Term times** – Schools have the freedom to decide their terms dates including INSET days. All school employees' contracts include the INSET days therefore, they are expected to work these days unless it falls on a non-working day for part-time employees. Employees are responsible in reviewing the school INSET day dates and term dates in advance and need to be mindful that these dates are not generic for all schools.

4.3 People Team are responsible for:

- Providing support and guidance for managers and employees in relation to this policy and also to ensure fairness, objectivity and consistency of practice across the Trust.
- Undertaking reviews and monitoring the policy.

4.4 Definitions for this policy

4.4.1 A 'Close relative' or 'immediate family member' are normally defined as:

- A close family member would normally extend to a partner (including same-sex partner), brother, sister, mother, father and child of either you or your partner.
- A close family member would also normally extend to a dependent relative or those who are not related but fill a similar family role.
- For some families, a close family member may also extend to grandparents and grandchildren.
- Every individual and every family is different; there cannot be one set rule to define who is considered a close family member. The Trust respects and supports all employees in taking the time they need to cope during a time of great difficulty regardless of their religion, race/ethnicity or sexual orientation.

4.4.2 For the purpose of this policy, a “dependant” is defined as:

- Partner (including same-sex partner), child or parent of the employee*.
- a person who lives in their household (not tenants, lodgers or employees)
- a person who relies on them, such as an elderly neighbour

*for example, the employee may be carer of the parent or elderly neighbour.

4.4.3 In this policy the Line Manager refers to the direct reporting line manager of the employee or the Headteacher in a school.

4.4.4 Authorised paid and unpaid absence from work for the reasons given in this policy requires prior approval unless in exceptional circumstances where this has not been possible.

4.4.5 The request should be made as soon as it is known that it will be required, except in exceptional circumstances such as the death or sudden illness of a family member.

4.4.6 The Headteacher/line manager will determine if the request is granted and if it is unpaid or paid in line with this policy. People Team will provide guidance when required.

5. Annual leave

Teaching staff and Support staff employed on a term time only basis

- 5.1 Those employees working in teaching or term time only contracts have their annual leave entitlement and annual leave year built into their contracts. Any additional leave entitlement such as length of service award will be applied annually in April.
- 5.2 Teaching staff are contracted to work 195 days per annum (pro rata for part-time employees)
- 5.3 Support staff employed term time only and teaching staff will not be granted leave of absence for holidays in term time. Teaching and term time support staff are reminded that they are contracted to work a set number of days/weeks per year to support the operational needs of the school.
- 5.4 If Support staff terminate their employment part way through a leave year, it will be necessary to determine whether they have been over or underpaid their leave at this point and this will be reflected in their last salary payment.
- 5.6 The remainder of section 4 (Section 4.7 to Section 4.13) does not apply to teaching staff and support staff employed on a term time basis. For employees employed on a term time only basis the annual leave period is as set out in the contract of employment (and in reference to section 1.3) nationally and locally agreed conditions of service.

Support staff employed to work 52 weeks per year

5.7 Annual leave year

- 5.7.1 The annual leave year runs from 1st April to 31st March.

5.8 Annual leave pay

- 5.8.1 Pay during annual leave is calculated on the basis of what the individual would have received had they been at work based on normal contractual hours and will include any regularly paid supplements.

5.9 Annual leave entitlement

- 5.9.1 Employees should refer to their contract of employment for details of their annual leave entitlement.
- 5.9.2 Leave will only be calculated on full months worked and rounded up to the nearest half day or half hour, depending how the leave is calculated.
- 5.9.3 Length of service increase to annual leave entitlement will be applied on the anniversary date, calculated based on full months worked.

5.10 Leave entitlement on leaving employment

- 5.10.1 Annual leave entitlement will be accrued from the start of the leave year until the termination date.
- 5.10.2 Employees should be encouraged to take all remaining leave prior to their leaving date.

If this is not possible, or there is a valid reason, the employee may be entitled to receive a payment in lieu of untaken leave which will be paid in line with their contract of employment. The calculation for this is detailed in the contract of employment.

- 5.10.3 If an employee has taken more leave than they have accrued at the termination date, a deduction for excess leave will be deducted from their final salary payment in line with their contract of employment.

5.11 Requesting Annual Leave

- 5.11.1 Employees are required to seek prior approval from their line manager and give notice of their request to take leave. Employees can request to book annual leave via the Trust's Employee Self-Service Portal. Employees are encouraged to provide plenty of notice of the request, and should not make any firm travel or accommodation arrangements etc. until they have received written confirmation that their request for leave has been granted.
- 5.11.2 The Trust is not liable for any loss incurred by an employee, such as lost deposits etc., if they incur costs and make commitments prior to receiving confirmation.
- 5.11.3 There may be circumstances where your line manager cannot grant the request, such as operational/staffing requirements and this will be discussed with the employee.
- 5.11.4 It is an expectation that employees manage their leave to ensure they have regular and sufficient breaks from the workplace and not be in a situation where they have excessive leave left at the end of the holiday year. However, on rare occasions, the Trust reserves the right to give employees notice to take their annual leave. Employees will be obligated to respect this request.

5.12 Carry Over of Annual Leave

- 5.12.1 With the exception of maternity/adoption leave, shared parental leave and sickness absence, there is no statutory right for employee to be able to carry over unused leave.
- 5.12.2 It is expected that employees will use their annual leave within the leave year. In exceptional circumstances and with approval from their line manager, employees may carry forward up to one weeks' annual leave (pro rata for part-time employees), as long as they have already taken their statutory minimum of twenty days (pro-rata) annual leave in the year. Any carry over leave must be used within the first three months of the next annual leave year.
- 5.12. There is no provision available to pay employees in lieu of annual leave that they have not taken, except when an employee leaves the Trust and has an outstanding balance of annual leave owing to them.

5.13 Annual leave and sickness absence

- 5.13.1 Please see the Trust's Managing Attendance (Ill Health) Policy for details on annual leave and sickness absence.

6. Special Leave

This section covers the Trust's provision with regards to Special Leave and what circumstances it applies – see Appendix 1 as well for further details.

- 6.1 **Special Leave Paid** – Whilst there is no statutory right to paid leave, the Trust has made the decision to permit employees a maximum of two days paid special leave (pro-rata for part time employees) in one school academic year only. This allowance is non-contractual and is not guaranteed. It does not accrue or roll-over to the next academic year if unused. In all cases this would need to be approved by the line manager and be for special circumstances as outlined in **Section 6.3 – 6.9**.
 - 6.1.1 If further leave is requested, consideration should be given to either using time in lieu, annual leave (if applicable) or unpaid leave (within the limits detailed below). Alternatively, short-term flexible working hours with the ability to make up lost time at a later stage may be considered to be more appropriate in some circumstances. Line Managers must seek guidance from the People Team before approving.
 - 6.1.2 Those employees who work a 52 week year, may in certain circumstances be required to use their annual leave instead of special paid leave. This will be discussed at the time with your line manager.
- 6.2 **Special Unpaid Leave** - All employees have a statutory right to reasonable time off (unpaid) in order to make arrangements to deal with unforeseen emergencies involving dependants.
 - 6.2.1 There needs to be a balance around the level what is considered reasonable in our Trust as the majority of employees are contracted to work the academic year (39 weeks). High Levels of employee absence has a number of negative consequences such as impact on employee morale, additional costs to cover the work, additional pressures on employees who are covering for their colleague and fundamentally, the impact on the student's education and wellbeing.
 - 6.2.3 Where paid leave (granted as Special Leave Paid) has been exhausted under these provisions, employees may be permitted to request unpaid leave in such circumstances up to a maximum of two days (pro-rata for part-time employees) in a twelve-month period (school academic year). In all cases this would need to be approved by the line manager and be for special circumstances as outlined in **Section 6.3 – 6.9**.
 - 6.2.4 Where a employee's absence from work due to such circumstances as detailed above becomes unreasonable this may be addressed through the Trust's Disciplinary Policy.
- 6.3 **Emergency leave**
 - 6.3.1 Emergency leave is intended to cover genuine and unforeseen emergencies involving dependants, or unexpected domestic emergencies. If, however, an employee knows in advance that they are going to need time off (for instance to take care of a dependant following a medical procedure), they should speak to their line manager in advance to discuss options.
 - 6.3.2 Emergency leave for family does not affect employees' entitlement to parental leave (see Family Leave Policy).

6.4 Emergency Leave for dependants

6.4.1 Employees have the right to take a reasonable amount of unpaid leave to help someone who depends on them (a dependant) in an unexpected event, such as:

- help a dependant who is ill, injured or assaulted, or gives birth
- arrange care for a dependant who is ill or injured
- deal with the death of a dependant
- deal with an incident involving their child during school hours

6.4.2 Leave for emergencies involving dependants should be reasonable in the particular circumstances of the emergency; it should be sufficient to deal with the immediate problem and to arrange alternative longer-term care if required.

6.4.3 It is anticipated that in the majority of cases one day of leave on any one occasion will be sufficient.

6.4.4 Where there are longer term care requirements, employees are advised to discuss this with their line manager to determine an appropriate solution such as annual leave (if applicable), parental leave or flexible working as appropriate.

6.5 Unexpected domestic and other emergencies

6.5.1 There is no statutory right to time off for unexpected domestic or other emergencies, however, as part of our understanding of work/life balance we will be supportive of employees to request a reasonable amount of time to attend to such matters.

Examples of an emergency include but are not limited to:

- Fire or flood at the member of employee's home.
- A burglary at the member of employee's home.
- A road accident or other similar accident involving the employee (excluding time off for illness or injury where the Trust's Managing Attendance (sickness absence) policy will apply).
- The breakdown or theft of the member of employee's car.

6.5.2 In determining whether a request for emergency leave should be granted the following factors should be taken into consideration:

- The nature and extent of the emergency.
- The availability of others to deal with the emergency.
- The likely impact of the emergency on the employee.

6.6 Compassionate leave

6.6.1 Compassionate leave is similar to emergency leave for dependants and is provided to employees during times of serious/terminal illness or other serious matters that may affect an employee's personal life.

6.6.2 Individual cases should be discussed, at the time, with the manager and consideration given to the closeness of the employee's relationship with the person, in real terms – not merely by reference to blood ties.

- 6.6.3 Entitlement to leave is conditional on the individual remaining in contact with their manager. Employees must provide an address and telephone number where they may be contacted, if not their home address.
- 6.6.4 Even if the circumstance involves a person that isn't a dependant, employees are advised to discuss the matter with their line manager as soon as possible if they need time away from work to discuss the options available to them.
- 6.6.5 As individual circumstances may vary, it is recommended that each application for compassionate is assessed individually by the line manager taking the following into consideration, as appropriate and seeking any guidance from the People Team:
- The relationship and caring responsibilities between the individual and the employee.
 - The nature and extent of any illness or treatment required.
 - The operational needs and demands of the school at that time and the capacity to make alternative arrangements to cover duties.

6.7 Leave to attend job interviews

- 6.7.1 There is no right to time off to attend interviews, either paid or unpaid. In circumstances where leave has been approved, this will be treated as Special Leave as detailed above in the policy. It is likely where the interview is linked with a development opportunity outside the Trust and the employee has not exhausted the special leave entitlement then this may be approved as paid or unpaid leave.
- 6.7.2 In each case, the employee will be required to speak to their line manager to provide details of their circumstances prior to approval being given for time off.

6.8. Routine medical and dental appointments

There is no right to paid time off to attend planned doctor, dentist or hospital appointments.

- 6.8.1 By the virtue of the variety of working arrangements within the Trust, most employees have the opportunity to book routine medical, dental and screening appointments outside their work time or close to their start or end time to minimise any disruption to the service. Employees are reminded to be mindful of their contractual obligations when submitting their request to determine if the request is reasonable.
- 6.8.2 Where employees need to request time away from the workplace during their normal hours of work, this will be unpaid unless employees are able to use annual leave or are able to work the lost time at a later date (see TOIL section 6). Employees are advised to discuss these options in advance with their line manager and seek their approval.
- 6.9 **Other special leave** – details of other special leave allowances can be found in the table in Appendix 1.

7. Other Leave

7.1 Long term carer commitments

- 7.1.1 Currently, employees have the right to time off to care for dependants for emergencies only as detailed above. If it is envisaged that extended leave is

required to provide long term care, consideration should be given where practicable, granting annual leave, granting unpaid leave (if no annual leave remaining or not applicable), and flexibility in working arrangements either a permanent or temporary change or temporary redeployment to more appropriate role in the Trust, if available.

- 7.1.2 Employees are advised to speak with their line manager regarding these options and prior to reaching the decision whether to grant leave of this nature, the manager should consult with the People Team.
- 7.1.3 The Trust recognises that being a carer can be put a lot of additional strain on a person and their family. There are external agencies to help such as <https://www.carersuk.org/> Carers who need support can also contact the Trust's Employee Assistance Programme with Health Assured Who can offer a range of support to employees including legal and financial matters.

7.2 Bereavement leave

- 7.2.1 With the exception of child bereavement leave, as detailed in the Family Leave Policy, bereavement leave is similar to emergency leave for dependants where an employee is permitted to take reasonable unpaid time off work following the death of a family member, or a "dependant". However, the Trust recognise the distress of losing a loved one and employees may be permitted to take up to 5 days leave paid (pro-rata). Individual cases should be discussed, at the time, with the manager and consideration given to the closeness of the member of employee's relationship with the deceased, in real terms – not merely by reference to blood ties. Please see Appendix 1 for details of leave entitlement.
- 7.2.2 As individual circumstances may vary, it is recommended that each application for bereavement leave is assessed individually by the line manager taking the following into consideration, as appropriate and seeking any guidance from the People Team:
- Whether the employee is involved in making funeral arrangements.
 - Whether there may be a requirement to travel or attend a funeral or ceremony.
 - The operational needs and demands of the school/Trust at that time and the capacity to make alternative arrangements to cover duties.
- 7.2.3 Employees and managers dealing with death, family emergencies and serious illnesses may often require additional support during this difficult time. The Trust aims to create a supportive and caring work environment and has a range services which employees and their managers may find useful, such as the Trust's Employee Assistance Programme or support from the People Team.
- ## **7.5 Public and civic duties**
- 7.5.1 The Trust recognises that it has a civic responsibility to allow employees to take on public and civic duties, attend jury service or to be part of the volunteer reserve forces. The Trust accepts and wishes to support, wherever possible, the granting of paid leave to undertake such duties.
- 7.5.2 Job applicants are required to specify details of any commitments to the Public and Civic Duties on the job application form. Existing employees must seek the written consent of their immediate manager to stand or volunteer for Public and Civic Duties.

- 7.5.3 This section provides guidelines for all employees and their managers. It is also intended to cover activities such as acting as a Justice of the Peace or a Local Authority Councillor. For the purpose of clarity employees are not allowed to be Councillors in any of the authorities the Trust sits within but can be a Councillor in another authority.
- 7.5.4 This policy is not intended to restrict involvement in public duties nevertheless; the Trust's priority must be to use its resources in the most effective way in order to provide the best education and service to our pupils.
- 7.5.5 The employee will receive normal full pay for all agreed periods of absence taken under this policy (unless otherwise specifically stated as being unpaid leave). If, in the course of such duties, the employee receives payment other than for travel and subsistence, they must declare the payment to their line manager and agree to its deduction from their salary.
- 7.5.6 There are a number of essential civic and public duties, which employees may wish to undertake or that are required by legislation. Employees have a legal right to reasonable time off to attend any public duties. This legal right applies to employees who are:
- Justices of the Peace
 - Members of a Local Authority
 - Members of NHS Trust, Members of a Police Authority
 - Members of any Statutory Tribunal
 - Members of School Council or Board or the Board of Management of a self-governing school or college.
 - Members of Prison Visiting Committees

7.5.7 Approval to undertake public and civic duties

Employees should seek their manager's approval **prior** to an application for public office being made.

Employees should complete the Civic & Public Duties Application Form documenting times/dates where possible, providing documentary evidence that may be required and identifying any payments made in respect of the duties that are paid (or may be claimed) in lieu of earnings. Contact the People Team on people@reachsouth.org for a copy of the application form.

When deciding whether to approve paid leave the following will be taken into consideration:

- How much time off is required overall to perform the duties?
- How much time off is required to perform the particular duty in question?
- How much time off the employee has already been permitted for this purpose?

The current needs of the service and the impact on the Trust's ability to provide that service in the employee's absence.

7.5.8 Procedure for applying for paid leave in respect of public duties

In order that the needs of the service are met, employees are required to:

- Identify the predictable element of their schedule of duties as early as possible to allow these to be booked as special leave;
- Inform their manager, where possible, at least two weeks in advance;
- Where attendance is required at meetings or hearings that have not already been approved by their manager, the employee should seek authorisation immediately;
- Unless authorisation has been given, members of staff will not be entitled to the time off work paid or otherwise;
- Employees should discuss with their manager arrangements for returning to work when meeting/hearings have been cancelled or finished early.

7.6 Territorial army and training with the Reserve or Cadet Forces

- 7.6.1 Job applicants are required to specify details of any commitments to the Reserve Forces on the job application form.
- 7.6.2 Existing employees must seek the written consent of their immediate manager to stand or volunteer for a position with the Reserve Forces.
- 7.6.3 Employees who have obtained written consent will be entitled up to 15 days leave per year for attendance at annual camp. Employees can claim up to 5 days paid, and the remaining unpaid.

7.7 Requirement to attend court or statutory proceedings on behalf of the Trust

- 7.7.1 The Trust recognises that there will be some occasions where a employees may be required to attend court or other statutory proceedings to give evidence that relates directly to their employment with the Trust, e.g. employees providing professional evidence in court or required to attend a professional hearing.
- 7.7.2 Where employees are attending on behalf of the Trust they should receive normal payment for this attendance. If, in the course of such duties, the employee receives payment other than for travel and subsistence, they must declare the payment to their line manager and agree to its deduction from their salary.

7.8 Serving on a Jury

- 7.8.1 If an employee is called up for jury service, they should contact their line 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 line manager with a copy of the jury summons, a completed Special Leave Form and any other relevant documentation.
- 7.8.2 The Trust expects employees to seek reimbursement from Her Majesty's Courts Service (HMCS) wherever possible. To do this, the employee should:
 1. Send the Certificate of Loss of Earnings or Benefit they receive with their jury summons to payroll for completion.

2. Submit the Certificate to HMCS to receive reimbursement for loss of earnings.
3. Send the reimbursement receipt they receive from HMCS to payroll.

7.8.3 Employees will continue to be paid as normal whilst on jury service, until reimbursement for loss of earnings is confirmed by the court, at which point the Trust will make the appropriate deduction from their pay in the next monthly payroll. If the receipt for reimbursement is not received within 3 months of the end of the period of jury service, the Trust will make a deduction from the member of employee's salary in respect of those sums which are reclaimable from HMCS by the employee.

7.9 Study leave

The Trust is committed to supporting the development of their employees, through a range of options, such as support with cost of the training, dedicated time away from the work place and paid study leave. This will be reviewed on a case by case basis, in accordance of the Trust's CPD Policy.

7.10 Hospital Appointments

7.10.1 Unlike appointments with the doctor or dentist, it is recognised that employees have less control over arrangements for hospital appointments. Provided sufficient notice is given, leave to attend such appointments will be granted during working hours on application to the appropriate manager and evidence of the appointment must be provided. Employees attending appointments for treatment that results in them being unwell to return to work will be considered sickness absence and normal sickness absence process will follow.

7.11 Emergency medical and dental appointments

The Trust appreciates that employees may have urgent medical or dental problems on occasion, which may require time off during working hours to attend with minimal notice. Paid time off will be granted in these circumstances, on the understanding that permission must be obtained from an appropriate manager before the employee leaves the workplace to attend the medical or dental surgery for urgent treatment.

7.12 Leave outside the policy

7.12.1 The Trust recognises that it is not possible to cover all circumstances where leave may be appropriate. If there is a specific or exceptional situation not covered by this policy, employees can discuss with their manager in the first instance or contact People Team for further information.

7.12.2 Whilst the Trust recognises and is supportive of the needs of employees with regards to balancing their working priorities and that of their family obligations, employees are reminded this needs to be balanced as high levels of absence amongst teaching and support staff pose a serious problem for the operational running of the school and the Trust leading to the disruption to teaching programmes, pupils' learning and other areas of the Trust's work.

7.12.3 Employees are reminded to be consider the reasonableness of any unique special leave requests in line with their contractual obligations and the operational running of the school, more importantly, the impact on the quality of education we provide to our pupils.

8. Time off in Lieu (TOIL)

- 8.1 Time off in Lieu, is where employees are allowed to take time back for hours worked beyond the normal working day. It does not apply to lunch periods. Line managers should ensure their employees get their appropriate lunch break each day, and these times cannot be taken at the start or end of the contractual day.
- 8.2 It is unlikely that TOIL would apply to teaching staff, due to the nature of directed time. However, in some circumstances it may apply and Headteachers are advised to seek advice from the People Team.
- 8.3 TOIL must always be approved in advanced by a line manager before it is accrued. If prior authorisation is not in place, then the additional hours will not qualify for the accrual of TOIL and will be lost.
- 8.4 Time off accumulated through TOIL arrangements must be equal to time actually worked – i.e. plain time. There is no enhancement for time accumulated through TOIL at a weekend.
- 8.5 A minimum of 30 minutes must be worked at any one time before TOIL will accrue. For example, an employee who works 30 minutes extra the same day will accrue 30 minutes TOIL however working an extra 15 minutes on Monday and 15 minutes on Tuesday will not qualify.
- 8.6 TOIL should be taken as soon as practicably possible after it has been accrued and in any event it must be taken within 6 months of accrual and within the school academic year. TOIL accrued and not redeemed within 6 months of accrual will be considered lost and no monetary compensation will be offered as an alternative. Unlike annual leave, there is no payment for TOIL not used upon the termination of employment.
- 8.7 When an employee wishes to take approved TOIL this should be agreed with the relevant line manager at least one week in advance. The line manager may not agree to the request in cases where this leave will conflict with the provision of an adequate and efficient service by the School/Service. Where line managers do not approve the requested TOIL, suitable alternative dates should be identified and suggested.
- 8.8 A record of TOIL accrued and worked for each employee must be kept on file by the School/Department.

9. Review of the policy

- 9.1 This policy is reviewed as required by the Trust in consultation with the recognised trade unions.
- 9.2 We will monitor the application and outcomes of this policy to ensure it is working effectively.

Policy History

Policy Date	Summary of change	Contact	Implementation Date	Review Date
September 2020	Trade Union consultation	All Recognised Trade Unions	N/A	N/A
October 2020	New policy implemented - HR_22	HR	October 2020	September 2023
April 2023	Trade Union consultation	All Recognised Trade Unions	N/A	N/A
June 2023	Update policy implemented	People Team	1 September 2023	September 2026

Appendix 1 - Special Leave Allowances

NB. Allowances based on a 12-month period (school academic year) and pro-rata for part-time employees, unless otherwise stated

REASON FOR ABSENCE	ALL EMPLOYEES	SPECIAL COMMENTS
Special leave – Paid and unpaid		
Special Leave to cover: <ul style="list-style-type: none"> • Emergency Leave for dependants; • Emergency Leave for domestic reasons; • Compassionate Leave; • Attendance at the wedding of child, father, mother, brother, sister or person normally resident with the applicant. • Interviews outside the Trust • Medical and dental and appointments • House removal 	Up to two working days (pro-rata) paid per academic year. If this is exhausted, up to two working days (pro-rata) unpaid per academic year	In extreme circumstances Manager's discretion can apply, with guidance from the People Team.
Other Leave		
Bereavement Leave Bereavement of close relatives' or 'immediate family'. This includes attendance at a funeral (See Family Leave Policy for bereavement leave in relation to a child) Attendance at a funeral of other than a close relative or immediate family	Up to 5 working days (pro-rata for part time employees) per academic year Up to 1 working day	With pay The five days may be extended in agreement with the People Team Without pay
Emergency only doctor, hospital or dental appointments	Time required during the working day	With pay
Hospital appointments	Maximum of up to one working day per appointment (for longer stays this should be considered as sickness absence)	With pay
Civic and Public Duties	Up to 18 working days each school year (to be taken in full days) 5 additional working days each school year for compulsory training (Magistrates) The granting of requests for leave should be determined by the	With pay Leave is subject to the employee proving that time off was required and ensuring that his/her employer is notified well in advance

REASON FOR ABSENCE	ALL EMPLOYEES	SPECIAL COMMENTS
Special leave – Paid and unpaid		
	Headteacher/Director having regard to the needs of the school, the implications of allowing each individual request, the overall limit and guidelines on reasonableness.	of his/her requirement of such duties. No travelling or subsistence allowance will be paid.
Jury Duty	Up to 10 days (Proof of Jury Summons will be required) If the trial lasts more than 10 days the staff must notify their Headteacher. Any additional time off will be taken as unpaid leave and the employee should submit a claim for loss of earnings to the Court. All travel and expense claims must be submitted to the Court and the Trust.	With pay – see policy above Without pay
Decorations and Honours (employees only)	As necessary at the discretion of the Trust, up to one day	With pay