



Other Leave/Special Leave Of Absence Guidance

Owner	Employee Relations
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1.0 Introduction

This guidance is for leave arrangements for all employees who are unable to request annual leave during term time.

Under this guidance, schools are advised to nominate a school representative, normally the headteacher, who will be able to grant leave and a representative from the governing body, normally the Chair of Governors to review any leave that has not been granted.

Headteachers should remind all employees that any leave requests under this guidance should be submitted within a reasonable time and in accordance with school's internal process for requesting leave.

2.0 Religious Ceremonies and Religious Worships

Religious ceremonies may, or may not, form part of a religious festival. Some important religious festivals may not include ceremonies but may nonetheless require observance; others may not require observance or will be celebrated on the nearest weekend to the due date.

There may be differences in the importance attached to particular ceremonies or festivals between different branches of the same religion. The authority's information is that any religious observance that is unavoidable, **paid** leave should be applied.

Any other religious circumstances will be reviewed by the nominated school representative as to whether leave will be granted on a paid or unpaid basis. This will be reviewed on a case by case basis.

Where a religious observation or ceremony occurs during a school closure an employee may make a request for leave during term time to substitute that day. However, there is no obligation for a nominated school representative to grant this leave.

Prayer breaks

If required, and subject to business needs, an employee may be able to take prayer breaks at specific times.

3.0 Compassionate Leave

Compassionate leave is leave that employees can request for personal reasons.

Employees can take time off regardless of your length of service.

An employee can request to up to 3 days **paid** leave in the following circumstances:

- the death of a near relative, dependant, or someone with whom you have a special relationship
- a sudden or unexpected problem or emergency that you have to deal with that concerns a near relative, dependant, or someone with whom you have a special relationship
- a problem or event you have to deal with that can be foreseen, but is of a serious nature
- other compassionate grounds.

Other compassionate grounds could include, for example:

- to seek emergency support for a domestic abuse situation
- parental bereavement, in addition to any entitlement to parental bereavement leave
- dealing with bereavement matters of a near relative, dependant, or someone with whom you have a special relationship. For example, arranging a funeral.

There is no set amount of time an employee is allowed to take to deal with an unexpected event, it will depend on what the event is. In most cases one or two days should be long enough to deal with the matter.

For example, if an employee's child falls ill, they can take up to one or two **paid** days to deal with their initial needs, like taking them to the hospital and arranging for their care. Should the employee require any additional time off, it would first need to be requested and if granted be **unpaid** leave.

There is no limit on the number of times an employee can take compassionate leave. However, if a school feels that an employee is taking more time off which is impacting on the business needs, they may talk to the employee about this.

If an employee needs to be off for longer than they initially thought to deal with something, contact the nominated school representative as soon as they can to let them know.

An employee usually **won't** be able to take **paid** compassionate leave if they know about an event in advance, unless it is serious in nature.

4.0 Weddings of near relative or friend

Time off for weddings is not a right.

Employees are not entitled to time off for their own wedding or honeymoon.

They may however apply for leave to attend the wedding of a near relative. This will be for 1 day **paid** leave for the wedding ceremony. Up to 2 days paid leave if there are exceptional circumstances with respect to travel.

5.0 Medical Appointments

Reasonable time off should be given for an employee to attend their own medical appointments.

The employee should make every effort to arrange all medical appointments outside their working hours.

5.1 GP and Dentist appointments

An employee should make GP and dentist appointments in their own time.

Where this isn't possible, the employee should explain the circumstances to the nominated school representative and agree how much time will be needed including any travel time to and from the surgery.

5.2 Hospital Appointments

An employee cannot necessarily dictate when a hospital appointment is made but should make every effort to arrange the appointment outside their working hours.

Where this isn't possible, the employee should explain the circumstances to the nominated school representative and agree how much time will be needed including any travel time to and from the hospital.

Where the employee requires regular attendance at a Doctor's surgery or hospital for a prescribed course of medical treatment, the employee should explain the circumstances to the nominated school representative and agree how much time will be needed taking into account the impact on the business needs.

If the nominated school representative believes an employee is abusing this guidance, they should raise this with them on an individual basis.

Employees are entitled to take time off for antenatal care, cancer screening and emergency treatment.

Prospective fathers, partners of pregnant women, or eligible intended parents in cases of surrogacy have the right to time off to attend up to two ante-natal appointments, lasting up to six and a half hours each. Partners do not have to be the biological parent of the child. The law is silent on pay and therefore time off for this purpose is **unpaid**. As with any time off, employees must apply in advance and in this particular case can be asked for a declaration that they are eligible for the time off and a statement of the appointment details. They cannot be asked to produce the appointment card, because this is the property of the mother.

6.0 Job Interviews

Subject to the needs of the business, an employee will be allowed a reasonable amount of **paid** time to attend a local government/education setting job interview. This should also

include agreeing how much time will be needed for any travel time to and from the interview.

An employee will not be allowed 'paid' time for job interviews outside local government/education setting.

This does not include time off for a visit arranged for applicants at the invitation of the school which may be unpaid leave.

7.0 Secondments

Prolonged leave of absence from the school at the employee's request to allow them to work for another school or organisation is usually called a secondment. The employee returns to their job at the end of the secondment. Secondments which last more than a couple of years may cause problems of reintegration into the school on the employee's return, so the relevant committees of governing bodies are advised to consider very carefully any request to be absent for more than a year or two at a time. They are advised to review the arrangement annually and to provide for the employee to keep in touch with the school, possibly through attendance at training days.

Agreed leave must be confirmed to the employee in writing. The letter to the employee should explain clearly the terms of the leave and that the employee will return to their substantive job at the school when the leave or 'secondment' comes to an end, so that there is no room for misunderstanding on either side.

Usually the leave of absence for secondment is unpaid, because the employee receives a salary from the school or organisation to which they are seconded, but there have been instances in which the employee is granted paid leave, with the school being reimbursed the employee's salary costs by the other school or organisation concerned.

8.0 Moving House

Time off to move house is not a right, and if an employee is not constrained by completion dates and can arrange to move at a weekend or during a school holiday the employee should do so. In circumstances where an employee is constrained by completion then up to 1 days **paid** leave can be granted.

9.0 Other types of leave covered by this guidance

University Graduation Ceremony of employee or of employee's immediate family. This will be 1 day **paid** leave. Up to 2 days paid leave if there are exceptional circumstances with respect to travel.

Attendance at annual training camp as voluntary member of the Armed Forces Reserves or as a Commissioned Officer accredited and/or posted to the cadet units of one of the three services. This will be **paid** leave for two weeks, or the duration of training whichever is the less, in any one full year.

To stand as a candidate at a Local Government Election. This will be **unpaid** leave.

If the governing body grants **paid** leave for the following types of leave, the fees must be paid to the school, in recognition of the fact that the employee would otherwise be paid twice for the same period of employment and in order to pay for cover in the employee's absence.

To give lectures and talks away from school within the UK at the invitation of the educational bodies as may be reasonable as **paid** leave.

Attendance at Examination Board Meetings:

(i) Chief and Deputy Chief Examiners/ Moderators. This will be up to 10 days **paid** leave per annum.

(ii) Assistant Examiners/ Moderators. This will be up to 5 days **paid** leave per annum.

10.0 Right to reconsideration

An employee is able to request for a decision to be reconsidered if they do not agree with this. This will be reviewed by the nominated representative from the governing body.

In order to have the decision reconsidered, the employee must submit this in writing with any additional supporting document to the clerk of governing body within 5 working days of receiving the outcome of the original leave request.

There is an expectation that the nominated representative from the governing body will respond in writing with the final decision within 10 working days or sooner depending on the circumstances of the request.

There is no right to appeal on leave requests under this guidance.

11.0 Jury Service and Witness in Court

This section summarises the arrangements for jury service and attendance as a witness in court. The arrangements are the same for teachers and support staff.

The Juries Act 1974 requires a juror to attend for duty. This is an absolute requirement and, although it is included with rights to time off in this guidance, it does not technically require application for leave of absence. People called for jury service are advised when summoned by the courts that in exceptional circumstances they may apply for the service to be deferred. The allowance paid by the Crown is offset by a salary deduction.

Schools must record time off for jury service as paid absence.

Employees on jury service receive an allowance from the Crown for expenses incurred, including a loss of earnings allowance. This allowance helps to recompense the employer for the employee's absence. Employees will be given a Certificate of Loss of Earnings by the Court. This form should be sent to the Payroll Team for the team to complete and return to the employee, who should give it to the Court officials. At the end of the jury service the employee must obtain from the Jury Clerk a Certificate of Attendance, which must be also be sent to the Payroll Team so that the amount paid to the employee by the Court can be deducted from the employee's next available salary. If an absence on jury

service has been recorded by the school but no certificate of attendance is received Payroll will contact the school to ask for the certificate of attendance; Payroll will also contact the school if a Certificate of Loss of Earnings had been received but no Certificate of Attendance has been provided. The school should explain the arrangements to the employee and check that the employee has provided the necessary certificates, which may be forwarded to Payroll by the school on the employee's behalf.

Witnesses in court

People required to attend court as witnesses will be treated in the same way as jurors, as there is a legal duty on them to attend once they have agreed or been required to do so. Witnesses also receive a loss of earnings allowance from the Crown and the same procedure should be followed as in the case of jury service.

12.0 Time off for studying and training

Any requests for time off to undertake studying or training please refer to the guidance for time off for studying and training.

13.0 Leave Table

Type of leave	Time to be allocated
Religious observance	Up to 2 days paid leave
Compassionate leave	Up to 3 days paid leave
Wedding of a close relative or friend	1 day paid leave and 2 days travel
Medical Appointments	Necessary paid time off
Job Interviews	Reasonable paid time off
Secondments	Time to be discussed
University Graduation	1 day paid leave and 2 days travel
Armed forces training	2 weeks paid leave
Stand as a local government candidate	1 day unpaid per election
Jury and Witness service	Necessary paid time