



EDITH STEIN **CATHOLIC ACADEMY TRUST**

DISCRETIONARY LEAVE OF ABSENCE POLICY

APPROVED BY BOARD OF DIRECTORS	July 2026
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MEMBER OF STAFF RESPONSIBLE	CFO/CEO
STATUTORY / NON-STATUTORY	NON



Policy Amendments

Version Date	Section / Page	Amendments
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1.0 Introduction

- 1.1 In considering requests for discretionary absence, the school will be guided not only by statutory expectations and the importance of regular attendance, but also by the principles of Catholic Social Teaching. We recognise the dignity of each individual, the importance of family life, compassion, solidarity, and the need to support the wellbeing staff and their families. This policy is concerned

with all leave of absence from duty for any reason other than sickness, involvement in activities as accredited representatives of a trade union, or participation in in-service training.

- 1.2 This policy is applicable to all staff employed ESCAT schools. Where necessary a distinction is made between the various categories of staff involved, and where staff have an annual leave entitlement this should be taken into account when considering individual requests.
- 1.3 This policy offers guidance on the arrangements which should be applied to full-time and part-time staff. In some cases, this may mean a pro-rata allowance for part-time staff. In all instances a balance must be maintained between the needs of the school and the circumstances of the individual's request.
- 1.4 This policy does not confer automatic entitlement to leave. Each application for leave will be considered on its merits. All the circumstances relating to the application should be considered in the light of the operational requirements of the school, (If there are already a number of staff out on the day of the request turn this would be reason to turn down the application) including whether the applicant making the request for leave has a separate annual leave entitlement. In such considerations, therefore, the individual needs of the employee must be balanced against the requirements of the school to ensure a fair and sympathetic general approach.
- 1.5 Approval of requests for unpaid and/or paid leave of absence should be given by the Headteacher, only after consultation with the individual. Where appropriate, this consultation should include the Headteacher discussing the specific circumstances with the Chair of Governors.

2.0 Approval procedures

- 2.1 This policy delegates, via ESCAT to the governors of the school and to the Headteacher, authority to authorise absence in the circumstances specified in the policy. Any application for leave of absence that - in its purpose or length - falls outside the scope of this delegated authority shall be referred, via the Head, to the Chair of Local Governing Body.
- 2.2 Leave shall only be taken with the prior approval of the Head and, if necessary, governors. However, in an emergency formal approval may need to be obtained retrospectively. In normal circumstances applications for approval should be made at the earliest possible date - bearing in mind that the application may need to be referred beyond the Headteacher.
- 2.3 Any decision regarding leave of absence under this policy must be communicated to the member of staff making the application as soon as a decision has been taken. If a member of staff and the Head are unable to agree on the action that is appropriate in respect of any particular application, the matter should be referred to ESCAT HR for advice.
- 2.4 If the matter still cannot be resolved between the Head and the member of staff, it may need to be referred to a panel of the Local Governing Body for a decision. At all stages, decisions will be communicated as quickly as possible to the member of staff making the application. It is a general principle throughout the document that no application for leave of absence should be unreasonably refused.
- 2.5 Before agreeing to be nominated for a public duty or office or enrolling for an examining activity (or other activity which may have time off implications under the terms of this document) a member of staff shall, in order to allow advance planning, first discuss with their Head the possible implications of taking on the responsibility. Each specific absence or programme of absences thereafter shall be subject to the prior approval of the Head, which shall not unreasonably be withheld.
- 2.6 If, under this policy, a member of staff has been absent from duty for an aggregate total of more than five days in a particular term, the Head may need to consider whether the details should be reported

to the Governors at their next ordinary meeting. If such a report is to be made, the member of staff shall be informed prior to the meeting.

- 2.7 With the exception of entitlement to parental or bereavement leave and public duties, the Head should ensure that, after taking into account any leave previously authorised by them, the total under this policy for any particular member of staff in any 12-month period does not exceed ten days with pay and ten days without pay. If the Head considers that leave in excess of these periods may be justified, the case with supporting details, and after taking advice from ESCAT HR, should be submitted for consideration to the relevant member(s) of the Local Governing Body.
- 2.8 If the Head requires his/her own personal leave of absence under these regulations, application should be made to the Chair of Governors. This policy will apply in the same way as for other members of staff. Where a Head makes a personal request for leave of absence to the Chair of Governors which is beyond the limits set out in this guidance, the Chair should consult with the Area Director or school improvement provider where necessary before approval is given. If a member of staff (including the Head) is absent under these regulations for half a day or longer, the school must report the absence through the payroll system.
- 2.9 Applications made for additional leave. Other than where there is an emergency, for example, to care unexpectedly for a dependant, are unlikely to be granted.

3.0 Terminology:

3.1 Headteacher

Headteacher' means the most senior teacher in the school who is also responsible for its management and administration. Such a teacher may also be referred to as the Head of School or Principal. There may be occasions where a member of staff acts as executive head across a number of schools and may take on the responsibilities defined as those of the Headteacher.

3.2 Use of the term 'may' in this policy

In this policy, the term "may" is used to indicate discretion. It means that the action described is permitted but not required, and that the decisionmaker, normally the Headteacher, has the authority to decide whether or not to take that action based on the circumstances. The use of "may" does not create an obligation, entitlement, or expectation that the action will be taken in every case. Each situation will be considered on its own merits, and relevant factors may be taken into account when exercising this discretion.

4.0 Appeals:

4.1 Appeals

On extremely rare occasions an appeals panel of the Local Governing Body may be called upon to give a decision with regard to the granting of paid and/or unpaid leave of absence. For this reason, governors who are members of the appeals panel should not be part of the decision-making process under this policy.

4.2 Effect of leave on benefits

In any circumstances where unpaid leave is granted, the member of staff should ensure that he/she understands the effect this will have on his/her longer-term pension benefits. Further information and advice are available from the relevant pension provider:

Teachers' Pensions Scheme

[Teachers' Pensions Scheme website](#)

Tel: 0845 6066166 or 01325 745000.

Local Government Pension Scheme

[Hampshire Pension Services](#)

National Insurance Benefits

National Insurance benefits are not affected by periods of paid or unpaid leave.

5.0 Specific guidance on granting time off or additional leave

- Leave for professional duties or consultancy work
- Leave for public duties
- Time off for dependants
- Time off for close relatives
- Surgeries
- Family leave
- Time off for religious and belief observance
- Leave for other circumstances
- Seeking new employment

5.1 Leave for professional duties or consultancy work

Examining activities

- A Head may authorise paid leave to enable a teacher to attend an activity arranged by an examination board, provided that the teacher is engaged by the board as an examiner, as a moderator or as a member of a subject panel or managing committee; and
- the activity is concerned with the preparation of examination papers, the moderating of examinations, the marking of examination scripts, the award of grades or the consideration of appeals; and
- the activity cannot practicably be held outside the teacher's normal working hours, and the teacher's attendance at the activity is essential; and
- the activity requires the teacher to spend time additional to that normally needed to fulfil his/her contractual responsibilities; and
- any fees (other than expenses) paid by the examining board to the teacher are in recognition only of work that the teacher has undertaken in addition to his/her contractual responsibilities; and
- the maximum leave thus authorised - per academic year, per teacher - should not normally exceed five days or, if the teacher is a chief examiner, chief moderator, chair or vice chair of a subject panel, ten days per academic year.

5.1.2 Examinee activities

A Head may authorise paid leave to enable a member of staff to attend an examination that is relevant to the employee's professional development. This could include, but not be limited to an online examination, formal presentations as part of apprenticeship assessments, or Vivas

Paid leave may be authorised by the Head to help an employee to undertake final revision immediately prior to a relevant examination on the basis of a maximum of a half day's leave for each half-day examination, and a maximum total of five days per academic year.

5.1.3 Consultancy work

Where any member of school staff wishes to engage in this work, during times when they would otherwise be working for the school, the following principles should be applied:

- Formal approval from the Local Governing Body should be obtained before any commitment is made to undertake work which, actually or potentially, will impact on the substantive job of the postholder at the school.
- As part of this approval, the Local Governing Body should define a maximum amount of working time in the academic year in which the work may be undertaken.
- Prior to any work being undertaken all parties involved (the Local Governing Body, the employee undertaking the consultancy work, and the contracting party), must have agreed in writing the full terms of the work to be carried out including; arrangements for pay, expenses, time allocated to complete the work, and the nature of the consultancy work being undertaken.
- On the basis that the member of staff continues to be paid, in full, by the donor school for this work, any fees received from the host school or contracting organisation will be paid into the donor school's accounts. No money can be paid directly to the employee from the contracting party.
- Subject to the Local Governing Body of the donor school recovering wherever possible, the gross salary cost for the day(s) absence from the school (where $1/365$ = one day's salary), one third of consultancy fees received (in excess of the gross pay having been recovered) may be paid to the employee to recognise work undertaken which does not directly fall within contractual responsibilities to the school. Where the consultancy fees agreed do not cover the gross salary cost to the school, the employee shall not receive any additional payment.
- Any payment under the previous bullet point will be paid to the employee through the school's payroll system thereby ensuring that statutory tax and national insurance responsibilities are met; this will be paid as an additional payment, either:
 - For teaching staff: Payment will be made in accordance with the Statutory Teachers Pay and Conditions document, under the heading 'additional payments' (e.g. Ofsted Duties wage type 6807 or Professional Duties wage type 6808).
 - For support staff: payment will be made in accordance with the current national agreement;
- Note that, being a non-contractual arrangement, any additional payment for Ofsted consultancy work is non-pensionable.
- Payments for expenses (e.g. travel, food, accommodation) reasonably incurred by the employee whilst performing consultancy work are a matter exclusively between the employee and the contractor. Where such payments are included in a flat fee, they will be deducted from the fee before the above arrangements are applied. The school should then reimburse the employee these costs as per their normal expenses process.
- National Leaders of Education (NLEs): the Headteacher continues to be paid in full by the donor school. Funding is paid directly from the National College to the donor school to enable them to develop their leadership capacity and not 'lose out' whilst the Headteacher is at another school e.g. to provide additional cover during the Headteacher's absence. No additional salary payments would be paid to the Headteacher.
- Local Leaders of Education (LLEs): the Headteacher continues to be paid in full by the donor school. The costs to the donor school associated with recruitment, associate support to the Local Authority, Diocese or equivalent agency and the training programme are funded by the National College. No additional salary payments are payable to the Headteacher.

Travel and subsistence costs for NLEs and LLEs are met by the host school and should be agreed as part of the initial arrangements

5.2 Leave for public duties

5.2.1 General information on public duties allowances

If a member of staff is granted **paid** leave to undertake public duties, all appropriate allowances must be claimed relating to this public duty. The employer shall then deduct, from the employee's full pay,

an amount equal to the allowances which are received for attendance and loss of pay. Any allowances for travelling and subsistence will **not** be deducted.

It will be the responsibility of the member of staff to ensure that public duty commitments for which loss of earnings can be claimed (e.g. jury service) are notified to the Head as soon as possible. Any paperwork from the Court asking for pay details must be sent ESCAT HR. ESCAT HR will provide an explanatory letter and certificate of attendance which the Court will sign to confirm the amount of reimbursement. This form must be returned by the member of staff HR for the appropriate deduction from salary to be made.

5.2.2 Public offices

A Head may authorise paid leave (subject to the provisions regarding length of absence in 'Approval Procedures') for a maximum of 18 days in any 12-month period to enable an employee to function as:

- a Justice of the Peace
- a Governor of an educational establishment that is maintained by a Local Authority
- a member of a statutory tribunal, e.g. an Employment Tribunal
- a member of a Post-16 further education college corporation or academy governing body
- a member of a body appointed by central government
- a special constable
- a member of the Teaching Agency misconduct panel

If additional leave is sought by an employee, and the Head considers that leave in excess of the 18 days may be justified, the case, with supporting details and after taking advice from ESCAT HR, should be submitted to a relevant committee of the local governing body for consideration.

5.2.3 Candidates and agents in elections

A Head shall authorise unpaid leave - from the date of the proclamation of the dissolution of Parliament to the day following the declaration of the result - for an employee who stands as a candidate, or who acts as an agent, in a parliamentary election.

A Head shall authorise unpaid leave on the polling day for an employee who stands as a candidate, or who functions as a presiding officer, in a local government election.

5.2.4 Court/Jury Service/Witness

A Head shall (or, if the attendance is discretionary, may) authorise paid leave to enable an employee to serve as a juror or witness in a court. Where an employee is attending court for some other purpose pay shall be subject to consultation with HR. If as a result of an extended period of leave for jury service of more than 2 weeks, then the school will review its position on paid leave.

5.2.5 Service in reserve forces

There are certain rights and responsibilities afforded to members of volunteer reserve forces (e.g. leave, training and mobilisation), which schools need to be aware of before they employ a member of a reserve force. The Head will contact ESCAT HR for more information on a case-by-case basis were the need to arise.

Training: In exceptional circumstances - if it is not practicable for training to take place during education establishment holidays - a Head, in consultation with the Local Governing Body and

ESCAT HR, may authorise paid leave up to a maximum of 10 working days per annum for a member of the reserve forces to attend relevant training.

Mobilisation: If a reservist is called into full-time service with the Regular Forces, call-out papers will be sent to the reservist's line manager by the MoD. The maximum period of mobilisation will depend on the scale and nature of the operation and is typically between 3 and 12 months. In all cases of mobilisation, employers have the right to seek exemption if the reservist's absence is considered to cause serious harm to service delivery. If a Head is considering requesting exemption, they should seek advice from ESCAT HR in the first instance.

Pension information: If the reservist is a member of the Local Government Pension Scheme (LGPS) or Teachers' Pensions, and chooses to remain in the scheme, then the MoD will make the employer contributions for the period of mobilisation. Additional voluntary contributions will be suspended for the period of mobilisation, and it will be the reservist's responsibility to liaise with pension services if they wish to continue to make additional voluntary contributions during the period of mobilisation.

Reservists and line managers are jointly responsible for ensuring that the relevant pensions department is made aware of the mobilisation arrangements in order that pension provisions can be administered correctly.

5.3 Time off for dependants

5.3.1 Statutory entitlement

Under the Employment Rights Act 1996 an employee is entitled by law to be permitted by their employer to take a reasonable amount of time off during the employee's working hours in order to take any action which is necessary in support of the dependant. The law is clear that this does not have to be paid. However, the Trust as the employer would wish, where possible, to support staff so they are not financially disadvantaged by occasional absences for reasons associated with dependants.

Dependant: The term 'dependant' will include:

- a spouse, an opposite or same sex partner
- child up to the age of 18 in
- parent
- close relative or other person who lives in the same household as the employee (with the exception of a tenant, lodger, boarder or employee of the employee requesting time off).

Additionally, where the dependant is ill, has been injured/assaulted or the arrangements for the care of the dependant have been unexpectedly disrupted/terminated, the term 'dependant' will also include any other person who reasonably relies on the employee for assistance or to make arrangements.

Specifically, an employee will be entitled to reasonable unpaid time off where an employee requires the time off in order to take action which is necessary:

- to provide assistance when a dependant falls ill or is injured or assaulted
- to provide assistance when a dependant gives birth (where the employee is the father of the child see also entitlement to paternity leave)
- to make arrangements for the care of a dependant who is ill or injured
- following the death of a dependant
- due to the unexpected disruption or termination of arrangements for the care of a dependant (e.g. due to the illness of a child-minder etc.)

- to deal with an unexpected incident in relation to the employee's child, where that child is in the care of an educational establishment

Time off in these circumstances will normally be unpaid and limited to that which is reasonable. However, the Headteacher has discretion to grant a limited amount of paid time off as described in the discretionary provisions detailed in subsequent sections of this policy. Reasonable time off must be judged on the particular circumstances, taking account of the need of the employee for time off and the operational requirements of the school. Recent case law has held that it is not possible to specify a maximum period for time off. Such reasonable requests for time off must not be refused unless there are exceptional reasons.

If a member of staff is taking time off to look after a dependant, then it is not appropriate for them to be undertaking professional duties whilst at home, nor will the school ask them to do this.

5.4 Time off for close relatives

5.4.1 Close relative

The term 'close relative' would normally include a spouse, an opposite or same sex partner, parent, child, brother or sister, but it may be appropriate for it to also include another relative, or relative of the spouse, who has had a very close association with the member of staff, their spouse or partner. There may be circumstances where it is valid for a member of staff to attend to matters relating to the death or serious illness of a non-relative, but any leave granted in these circumstances will be subject to the same maximum paid leave period quoted in the section on 'Non-serious illness of a close relative' (i.e. one day).

A Headteacher has the discretion to authorise paid time off in accordance with the following provisions:

5.4.2 Death or serious illness of a close relative

ESCAT would wish to support staff who are having to manage dependants' end of life care requirements. It is recognised that in these situations it is difficult to determine a time frame. On any given occasion a Head may authorise between three and five days paid leave, which do not have to be continuous, to enable a member of staff to attend to matters relating to the death or serious illness of a close relative. If nursing is needed, consideration should be given when determining the reasonableness of any leave to the sick person's domestic circumstances (including the ability of other members of the family to assist). In the case of a death, the period of leave should reflect consideration of the individual's role in dealing with practical arrangements associated with the death, including registration of the death and organising the funeral. The definition of 'close relative' is given above and draws attention to the procedures to be followed where consideration is given to the extension of these provisions to a non-relative.

In exceptional circumstances unpaid leave in excess of the five days may be approved by the Head after consultation with the Chair of the Local Governing Body, this would normally be up to a maximum of ten additional days. If further leave is required beyond the additional ten days, it is recommended that Headteachers contact ESCAT HR to discuss the appropriateness of this. In such cases, consideration would need to be given as to whether there are extenuating circumstances warranting such additional discretion, for example an employee who has had to travel overseas to attend a family funeral or a funeral being delayed due to extended seasonal holidays.

If absence may be necessary for a prolonged period (pending, for example, the death of a relative who has a terminal illness), some unpaid leave may also be authorised in accordance with the

provisions of the paragraph above. Such arrangements will need reporting to the full Local Governing Body.

A Head must seriously consider any special requirements of an employee who follows a particular religion or holds specific beliefs. Some religions and beliefs have prescribed mourning periods or special requirements. This may mean that an employee may ask for extended leave in order to meet the needs of their religion or belief. Headteachers should therefore give serious consideration to granting leave beyond the normal compassionate leave provisions as outlined above, and subject to the [approval procedures](#).

5.4.3 Parental Bereavement

New arrangements for leave under the Parental Bereavement (Leave and Pay) Act 2018 came into force on 6 April 2020, giving those who suffer the loss of a child under the age of eighteen, or suffer a stillbirth after 24 weeks of pregnancy, a new entitlement to leave either in one two-week block or two one-week blocks.

Employees who are 'bereaved parents' will be entitled to the leave. The definition is wide ranging and will cover most parental and carer relationships.

The leave is a 'day one' right, meaning there is no minimum service required for an employee to be eligible, and can be taken at any time within the 56 week period following the bereavement. The extension to 56 weeks is to enable the parents to take a week off on the anniversary of the loss.

What are the notice provisions?

- In the first eight weeks, no notice will be required; and,
- between weeks eight and 56, notice of one week is required.

Employees taking the leave will receive Statutory Parental Bereavement Pay

5.4.4 Non-serious illness of a close relative

A Head may authorise paid leave for a maximum of one day to enable a member of staff to attend to the non-serious illness of a close relative. In exceptional circumstances the Head has the discretion, in consultation with the Local Governing Body, to approve extra assistance to employees. Normally any leave allowed in addition to that above should be without pay. However, where unpaid leave would cause significant financial hardship, or where unforeseeable problems have arisen in the employee's contingency arrangements, the Local Governing Body may extend paid leave; or convert unpaid leave to paid leave; and provide additional paid leave or extend unpaid leave.

5.4.5 Non-serious illness of a child

Employees have a statutory right to unpaid time off to make arrangements for the care of a dependent child as described above. This leave is to enable the employee to look after the sick child, but also to make arrangements for alternative care for the child if they remain sick. The Head has the discretion to authorise leave in relation to a child who is unwell as paid leave rather than unpaid leave for a maximum of 1 single day at the start of the period of child illness. This discretionary paid leave is not an automatic entitlement and is limited to a maximum of two individual and separate days per academic year. This will be dependent on the individual circumstances. Normally any leave granted in addition to this will be without pay. However, where unpaid leave would cause significant financial hardship, or where unforeseeable problems have arisen in the employee's contingency arrangements, the Local Governing Body may extend paid leave; or convert unpaid leave to paid leave; and provide additional paid leave or extend unpaid leave.

5.5 Surgeries

5.5.1 Medical surgery

Medical surgery necessary as part of treatment or an emergency will be managed through sickness and absence policy and will be paid in accordance with the clauses in the green and burgundy book

5.5.2 Elective Surgery and Cosmetic Surgery

Elective surgery such as cosmetic work is not an illness. Occupational Sick Pay (OSP) will not be paid out for any absences due to elective surgery, unless there are exceptional circumstances. SSP will be paid. An exceptional circumstance would be, for example, if you are on a hospital waiting list for knee replacement, but you elect for private surgery in order to prevent ongoing pain and medical issues and a long wait for this surgery.

Occupational Sick Pay (OSP) will not be paid out for any absences due to cosmetic surgery, unless there are exceptional circumstances. SSP will be paid. An exceptional circumstance would be, for example, reconstructive surgery where parts of the anatomy have had to be removed due to a cancer diagnosis. OSP may be paid if medical evidence is provided that this surgery is needed as a result of a condition such as body dysmorphia or if the existing bodily feature(s) is/are having a serious detrimental effect on the employee's mental health.

Further Absence required due to sickness as a result of Elective or Cosmetic Surgery Follow-on medical complications arising as a direct result of the elective or cosmetic surgery will be reviewed on a case-by-case basis to review eligibility for OSP. Medical evidence will be required. In the interests of fairness, all staff members are entitled undergo elective or cosmetic surgeries if they choose, but staff would be required to undergo such surgeries outside of term-time to minimise the impact this has on the school.

5.6 Family leave

5.6.1 Adoption

Statutory and Occupational Adoption Leave and Pay provisions may be available to employees who have been newly matched, by a UK adoption agency, with a child (up to the age of 18 years) for adoption. Many LA provide further information on adoption processes.

5.6.2 Maternity

Pregnant employees are entitled to maternity leave regardless of length of service or number of hours worked. Employees employed on a temporary/fixed term basis may also be entitled to maternity benefits. Further information is available in HCC's Maternity Policy and the Maternity – How to Guide.

5.6.3 Paternity leave

If eligible, a partner may take up to two consecutive weeks leave which must be taken within 56 days of childbirth or placement. Further information is available through ESCAT HR.

5.6.4 Maternity support leave

Maternity support leave is paid time off granted to an employee who is the nominated primary carer of a pregnant woman or primary adopter, but who is not eligible for paternity leave. MSL is therefore

for the express purpose of supporting that mother or adopter at or around the time of childbirth or placement.

If eligible the employee has an entitlement of up to 5 days paid leave at or around the time of childbirth or placement.

In exceptional circumstances, additional paid leave or unpaid leave may be agreed by the Headteacher in consultation with the Local Governing Body if, for example, unforeseeable problems have arisen with the pregnancy/birth, or in the arrangements for looking after any other young children, or in the arrangements for the adoption placement.

5.6.5 Parental Leave

An employee has a statutory entitlement of up to 18 weeks' unpaid parental leave in certain circumstances, which will depend on the employee's service for a child up to 18 years of age. A Headteacher shall authorise unpaid parental leave in accordance with the provisions on Shared Parental Leave.

5.7 Time off for religious and belief observance

- 5.7.1 The Equality Act 2010 makes it unlawful for employers to discriminate directly or indirectly when dealing with requests for time off for religious observance. However, the law does not confer an automatic right for employees to have time off for religious observance nor does it afford employees an additional annual leave entitlement for such purposes. Headteachers and Governing Bodies must consider whether or not their policies, rules and procedures for leave of absence could be seen to directly or indirectly discriminate against staff of particular religions and beliefs and if so, what reasonable changes could be made to accommodate their needs.

5.7.2 Requests for time off to celebrate religious festivals

An employee may request leave in order to celebrate a festival, attend a ceremony or observe a spiritual day. A Head should seriously consider such requests and grant leave where it is reasonably practicable.

Where an employee who has an annual leave entitlement e.g. a member of support staff on a 52-week contract, requests time off for religious observance, their request can generally be granted as annual leave.

Where several employees request leave at the same time, granting of leave will be dependent on the needs of the establishment and the decision must be fair and reasonable. Headteachers should follow the advice in the general principles section of this guidance.

A calendar indicating the main religion and belief events throughout the year is available at: www.hants-interfaith.org/cal.htm. Headteachers should note that the dates of religions or belief festivals change from year to year.

5.7.3 Requests for time off to pray regularly

Some employees are required by their religion to pray at specific times during the day. Employees may therefore request time to pray during the school working day. A Head does not have to release an employee for prayer outside of normal rest breaks or holiday periods. However, where this is reasonably practicable, Headteachers should be flexible in meeting requests and time should be allowed. A Head may be justified in refusing such requests if they conflict with the legitimate needs of the establishment but only if those needs cannot be met in any other way.

Employees may also request access to an appropriate quiet place or prayer room to enable them to undertake their religious observance. Headteachers are not legally required to provide a room or facilities for religious or belief observance. If a request is made, serious consideration should be given and where a room is available and could reasonably be used for this purpose, a Head should allow this.

5.8 Leave for other circumstances

5.8.1 Weddings

A Head may authorise paid leave for a maximum of one day to enable a member of staff to get married or to attend the wedding of a close relative.

5.8.2 Graduations

A Head may authorise one day's paid leave to a member of staff to attend their graduation, that of their child or partner.

5.8.3 Family occasions

There may be other less significant occasions, for example where staff may wish to watch their children in a concert or a sports day. Any additional requests would normally be unpaid and at the discretion of the Headteacher.

5.8.4 Removals/Moving house

For staff whose contractual arrangements do not allow them to take annual leave during term time and where the move date cannot be effected in a school closure period, one day's leave will be granted with pay in any one year for the moving day, but with possible extension to two days in the case of a long-distance removal.

Evidence will need to be presented that the move day is the agreed date you take legal ownership/lease agreement on the property. A moving day cannot be deferred.

5.8.5 Sport and cultural activities

A Head may authorise paid leave, in consultation with the Local Governing Body, to enable an employee to participate, as an amateur at an advanced level, in sport or cultural activities where this will be of benefit to the employee, and the school. The employee should talk to the headteacher before making a commitment.

5.8.6 Political party conferences

A Head may authorise unpaid leave in consultation with the Local Governing Body to enable an employee to attend an annual conference of a political party as an official nominee of a local branch of a party.

5.8.7 Inability to get to normal workplace

If an employee is unable to get to his/her normal workplace because of transport difficulties which could not reasonably have been foreseen or overcome (caused, for example, by deep snow), he/she

should immediately telephone the Head, and work remotely via IT access if available, or work on professional material they have available to them at home.

Leave of absence for the first day shall be with pay provided the Head is satisfied that reasonable attempts have been made to attend for duty.

If staff experience holiday delays, for the purpose of transparency, information from the travel agent, tour operator or airline is required to confirm the delay. Staff are advised to take the necessary insurance cover for consequential loss of earnings due to a delayed return from holiday. Delay as a result of a holiday delay will be unpaid.

Headteachers and Governing Bodies have discretion to determine pay for absences which extend beyond one day where it can be demonstrated that it is clearly impractical for the employee to attend his/her normal workplace.

5.8.8 Lateness to work

There may be occasions where a member of staff is late to work for travel related issues. Where this occurs the first two hours will be paid. Thereafter it will be unpaid. Persistent lateness to work will be managed under the school staff disciplinary procedures.

5.8.9 School closure

If leave is forced on colleagues as a result of a decision to shut the school then staff will continue to be paid and it will not count towards their annual leave allowance.

5.9 Seeking new employment

5.9.1 Interviews

A Head shall authorise paid leave to enable a member of staff to attend an interview for another post. The number of interviews in any one year must be reasonable.

5.9.2 Transfer visits

A Head shall authorise paid leave to enable a member of staff to visit an education establishment to which he or she is to transfer, and such leave must be arranged by mutual agreement between the Headteachers concerned and will normally cover one day's leave. If the new employer can cover cost of additional days, then these will normally be given

6.0 Request for additional holiday entitlement or leave

6.1 Additional Holiday

The Headteacher will consider this only under exceptional circumstances. For teachers the leave will be unpaid. For support staff whose contracts are term time only, leave may be granted. The default position is that it will be unpaid. There may be situation where pay can be claimed back as time off in lieu, this is at the discretion of the school. Leave granted under this category cannot amount to more than three days in any one academic year. Leave granted as time off in lieu must be worked within the same academic year. Additional hours in lieu accrued by staff over any academic year must be taken against any contracted hours due to be worked over the following summer holidays.

6.2 Sabbatical leave

There is currently no law compelling employers to grant a period of sabbatical leave. In other words, there is no statutory right for individuals to take an extended period of leave from work to pursue personal or other interests. Sabbatical leave will usually be approached on a case-by-case basis and will be unpaid. Headteachers should approach HR if an employee requests a sabbatical.

6.3 Miscellaneous reasons

A Head may authorise leave (either paid or unpaid) for a maximum of one day per academic year to enable a member of staff to be absent from duty for any other reasonable purpose. In consultation with the Local Governing Body, the Head has the discretion to authorise unpaid leave beyond one day per academic year per employee. This will apply to circumstances such as an employee requesting leave to see a solicitor on a personal matter.

This policy sets out, where reasonably practicable, the criteria relating to discretionary leave, including both paid and unpaid absence. The Trust recognises that unpaid leave may present particular financial hardship for some employees, for example, those in receipt of Universal Credit. In such circumstances, schools reserve the right to consider individual cases compassionately and exercise discretion to support a colleague for a defined period of time.

7.0 Setting a precedent

Any discretionary absence granted in one academic or rolling year does not set a precedent for future decisions.

8.0 Payback

Schools can add a clause here to make allowances for absence that is unpaid, for example, a school may wish for staff to be offered the option to undertake additional cover to offset any unpaid leave.

Appendix A - Ready Reckoner: Request for Additional Absence

Clause	Request for leave of Absence	Applicable to	Discretion	Response	Notes
Leave for public duties					
5.11	Examiners and Moderators	All Staff	Head may authorise paid leave	Normally 5 school days with up to 10 for chief examiner	Representation to be made to Headteacher with letter from Examination body
5.12	Examinee activities	All Staff	Head may authorise paid leave	maximum of a half day's leave for each half-day examination	Maximum 5 days in any one year.
5.13	Consultancy work	All Staff	Paid	School should receive consultancy fees from hosting organisation/school	Formal approval from the Local Governing Body
5.22	Public Office (e.g magistrate)	All Staff	Head may authorise paid leave	Normally 18 school days in any 12-month period	Member of staff must discuss with Head before taking on duties.
5.23	Candidates and agents in elections		unpaid leave		
5.24	Jury/Witness Summons	All Staff	Paid	Normally	Representation to be made to Headteacher. Extended jury service may be unpaid.
5.25	Service in non-regular Armed forces	All Staff	Head may authorise paid leave	up to a maximum of 10 working days per year	Representation to be made to Headteacher.
Time off for dependants					
5.3	Time to Care for dependants. Eg children ill, childcare issues, children medical appointment	All staff	unpaid leave, subject to any payback clause	Time off in these circumstances will normally be unpaid and limited to that which is reasonable.	Time off to look dependants has to be reasonable.
Time off for close relatives					
5.42	Death or serious illness of a close relative	All Staff	Head may authorise paid leave 3-5 days	Head teachers' discretion with pay first five days paid. Additional unpaid leave may be given in exceptional circumstances	The 5 days do not have to be continuous

5.43	Parental Bereavement	All Staff	Statutory Parental Bereavement Pay		day one' right
5.44	Non-serious illness of a close relative		Head may authorise paid leave of 1 day		
5.45	Non-serious illness of a child	All staff	Paid 1 st day	limited to a maximum of 2 individual and separate days per academic year.	
Surgeries					
5.51	Medical surgery	All staff	Paid	Paid in accordance with the clauses in the green and burgundy book	
5.52	Elective Surgery and cosmetic surgery	All staff	Unpaid	Some exceptional circumstances will be paid	
Family leave					
5.61	Adoption or maternity Support leave	All Staff	National guidelines for pay		In accordance with national guidelines
5.62-5.65	Maternity/Paternity/parental	All Staff	National guidelines for pay		In accordance with national guidelines
Time off for religious and belief observance					
5.71	Requests for time off to celebrate religious festivals	All Staff	Normally unpaid	Head should seriously consider such requests	An employee may request leave in order to celebrate a festival
5.63	Requests for time off to pray regularly	All Staff	Normally unpaid		Head does not have to release an employee for prayer outside of normal rest breaks or holiday periods
Leave for other circumstances					
5.81	Weddings	All Staff	Head may authorise paid leave	one day to enable a member of staff to get married or to attend the wedding of a close relative	

5.82	Graduations	All Staff	Head may authorise paid leave		
5.83	Family occasions	All Staff	Unpaid		
5.84	Removals Moving House	All Staff	Paid	1 day normally with pay in any one 12-month period	Representation to be made to Headteacher
5.85	Sport and cultural activities	All Staff	Head may authorise paid leave		Representation to be made to Headteacher
5.86	Political party conferences	All Staff	Unpaid		
5.87	Inability to get to normal workplace	All Staff	Head may authorise paid leave	Pay only authorised if Head satisfied that reasonable attempts have been made to attend for duty and they can work from home	
5.88	Lateness to work	All Staff	Paid first 2 hours	Only paid where circumstances are unforeseen	
5.89	School closure	All Staff	Paid		
Seeking new employment					
5.91	Job interviews	All Staff	Paid	The number of interviews in any one year must be reasonable.	Representation to be made to Headteacher.
5.92	Transfer visits (Visiting new employer)	All Staff	Paid	1 day, normally	Employer may pay cover costs then additional day will be considered Official request must be made by new employer
Request for additional holiday entitlement or leave					
6.10	Additional Holiday	All Staff	Unpaid		There may be situations where pay can be claimed back as time off in lieu, this is at the discretion of the school
6.11	Sabbatical leave	All Staff	Unpaid		

6.12	Miscellaneous reasons		Paid/Unpaid	Up to one day a year case by case	
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