



Special Leave Policy and Procedure Version 8.1

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<p>Target Audience:</p>	<p>All employees, with the exception of casual workers</p>
<p>References:</p>	<p>Employment Rights Act 1996 Employment Relations Act 1999 Equality Act 2010 Family Leave Policy Health and Wellbeing Policy Bereavement and Compassionate Leave Policy</p>

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POLICY STATEMENT

We are here to make great schools and happier, stronger communities so that people have better lives. We do this by:

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open and transparent.

Whilst there is no legal right to paid time off for special leave, the Trust Board has made the decision to provide staff with an opportunity to request paid/unpaid time off, as detailed within this policy. We also encourage our staff and managers to consider how they might resolve challenges through flexible working arrangements. For example, a teacher may choose to attend a dental appointment during a free period. Staff may be able to swap activities around with colleagues to provide support and cover for each other (e.g. to attend a sports day or school nativity). Depending on the role, there may be flexible working arrangements already in place where some staff may be able to make time up or vary start/finish times. Rather than having a rigid time allocation for all staff we recognise that different roles and departments offer varying flexible, supportive options which enable staff to balance their home, work and personal lives.

We recognise that balancing work and home commitments can be challenging and that employees will from time to time, face exceptional circumstances which require time off. We will deal with all requests respectfully, discreetly and swiftly.

1. SCOPE

This procedure applies to all staff employed by the Trust, with the exception of casual workers.

2. ROLES AND RESPONSIBILITIES

The **Trust Board** is responsible for approving this procedure, ensuring there is a fair and consistent approach to requesting and approving special leave.

Headteachers are responsible for ensuring that staff and managers adhere to this procedure and for monitoring its application and effectiveness within their schools.

The **Human Resources Department** is responsible for ensuring that employees have access to this procedure and that managers and employees apply it fairly and consistently.

Managers and staff with supervisory or leadership responsibilities must ensure they implement this procedure fairly and equitably, seeking guidance, clarification and support as and when required.

Employees are encouraged to read this procedure, adhere to the processes detailed and seek clarity from either their manager or the HR Department if they have any queries.

3. EQUALITY AND DIVERSITY

The Education Alliance is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines

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- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged

This policy does not treat staff with protected characteristics less favourably and it aims to provide staff with greater flexibility, whatever their circumstances.

4. PRINCIPLES

We recognise that our staff are hardworking and committed. Our leaders do everything they can to ensure staff are supported effectively to reduce levels of stress and anxiety at work, and we start from an assumption of professional trust and the belief that everyone seeks to do a good job. Our culture is one of openness, honesty and kindness and we are here to make the lives of students and staff better.

1265 hours are not a “target” to direct teaching staff up to, so where a colleague is not required to attend a particular directed event for a reason such as not teaching a particular year group, they should not be given directed work to “make up” for that time. Indeed, they should be trusted and allowed to use that time, however they choose, either in school or at home.

Where staff are able to work flexibly, swap and cover for each other, a special leave request is not required as employees have already sourced a solution for themselves. Where they have tried and have been unable to find a solution they should submit a request to HR via the HR system. We acknowledge the diverse range of staff we employ provides us with opportunities to assess leave requests against the circumstances, rather than applying the same rules for all, regardless of their suitability. We will try to support leave requests where operationally feasible. This will involve managers making difficult decisions, balancing the needs of the schools with the needs of individuals.

A maximum of 5 days paid special leave and 10 days unpaid special leave can be granted within a rolling 12-month period (it is recognised that exceptional circumstances may be considered by Headteacher, the Executive Principal or CEO). Hospital, GP or emergency dental appointments will not be counted.

The legal definition for a dependant is ‘spouse, child, parent or person living in the same household’ under the Employment Relations Act 1999. This does not include an employee, tenant, lodger or boarder.

‘Child’ for the purpose of special leave, is a child under the age 16, unless they have a disability, in which case there is no age restriction.

5. REQUESTING SPECIAL LEAVE

Employees should initially discuss their request with their line manager (wherever possible) and submit a special leave request to their HR Department. It is helpful for the employee to detail as much as they can on the booking request as a decision will be made on the information submitted. However, if the issue is highly sensitive, the employee may wish to discuss the matter with their HR Department. A special leave request must be completed in all circumstances, and it should be submitted prior to the leave being taken, to enable the special leave request to be considered and for a decision to be made. It is acknowledged that a serious emergency issue may result in a retrospective request being submitted. The employee must follow the normal processes for notification of absence as a minimum prior to taking special leave.

Special leave is discretionary; therefore, it is vital that employees do not assume that their request will be approved or paid.

Special leave requests will be dealt with fairly, consistently and promptly and once a decision is made the employee, their line manager and the Cover Officer will be notified.

6. CONDUCT

If an employee is found to have deliberately misused this procedure, the matter will be dealt with under the Disciplinary Policy and Procedure.

7. WITHDRAWING A REQUEST

If an employee wishes to withdraw their request, they should speak to their line manager and the HR Department to withdraw their request.

8. APPEALS

If an employee believes they have been unfairly treated, they may wish to appeal against the decision regarding their special leave request. The employee must submit their appeal to the Director of HR and Governance within 5 working days of receipt of the decision, clearly stating the grounds for their appeal.

If the Headteacher has not been involved in the initial decision, they can review the original documentation and decision alongside any additional information submitted and will either make a decision and write to the employee or will arrange an appeal meeting. If the Headteacher has been involved in the initial decision, the appeal may be escalated to another senior leader as appropriate.

The outcome of the appeal is final.

9. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE PROCEDURE

Effectiveness and compliance of this procedure will be monitored on an annual basis by the HR Department.

10. REVIEW

This Procedure will be reviewed within 2 years of the date of implementation with trade unions via the JCNC.