

**OTHER LEAVE (SCHOOLS)**

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| **1.** | **Agreeing Other Leave – Guidance for school leaders** |
| 1.1 | It is important that school leaders recognise the exceptional nature of the circumstances surrounding requests for compassionate leave (sections 2 and 3). It is particularly important to ensure that employees requesting such leave are managed sensitively and sympathetically and that, if appropriate, they are made aware of the counselling service available via PAM Assist. The strictest confidence should be observed in dealing with any applications for other leave. |
| 1.2 | It is important that the definitions for leave are understood and applied appropriately. It is recognised that it is not possible to provide rigid rules in respect of discretionary categories of compassionate leave, which are left to the school’s judgement in individual cases. |
| 1.3 | With the exception of statutory provisions and civic duties, the entitlements for other leave are discretionary and not automatic allocations. Governing bodies should determine the process for approving such requests within their school. The method of applying for leave is made clear to staff, including any notice periods for non-emergency requests in section 4. |
| 1.4 | School leaders should consider the nature of the request and use their discretion, where applicable, to decide whether to grant the leave, and how many days to authorise. The nature of the request, together with the individual’s circumstances, should be taken into consideration when approving discretionary leave, as should the frequency of requests and the possibility of setting a precedent. It is important that a rationale for the decision is clearly recorded. |
| 1.5 | More than one request can be granted in one leave year, but an employee should not normally exceed the maximum number of days allowed under each category. School’s may exercise discretion to allow an employee to exceed the stated limits only where there are particularly exceptional circumstances, and with consideration to precedent-setting and consistency of approach with other colleagues. |
| 1.6 | Generally, a ‘week’ means the length of time the employee usually works over 7 calendar days. For example, if someone usually works 3 days per week, they can take 3 days of carer’s leave per leave year. Where 5 days is referred to for different allowances, this is equivalent to one week and should be pro rata, according to the employee’s working week; however, schools have the discretion to extend this, according to exceptional circumstances. |
| 1.7 | The period for calculating entitlement will usually be a leave year, defined as 1 April to 31 March. Flexibility should be applied on the rare occasions of the same religious festival (see 4.15) falling twice in the leave year, due to different calendars.  . |
| **2** | **Emergency Leave**  ‘Emergency Leave’ allows for time off to undertake caring responsibilities, or to deal with an unforeseen emergency situation in the home.  An ‘emergency situation’ in this case means something that happened suddenly, was not planned for or foreseen, and is of such a nature that to come into work would potentially leave the employee’s property at risk. For example, if an employee’s house has been broken into and is no longer secure, or if there has been a serious leak which is in danger of causing structural damage if not repaired immediately. It is not intended to cover non-emergency routine maintenance work.  Emergency leave is not expected to be a long-term arrangement – if a domestic situation or caring responsibilities are likely to be ongoing for longer than the emergency leave allowance provides for, then alternative options should be discussed with the employee. The statutory provision for Carer’s Leave is provided to meet longer term needs (see 2.3 below)  When considering requests for emergency leave for an urgent domestic situation, schools should take into account the individual circumstances of the employee making the request, whether the issue could be dealt with by someone other than the employee, and be satisfied that the emergency is of such an urgent nature that it cannot be deferred to outside of working time. |
| **2.1**  **2.2** | **Dependant’s Leave**  Schools may grant leave of absence with pay to employees for periods of up to 5 days (one week – see 1.6 above) in total to allow for a period of adjustment and for other arrangements to be made, in respect of the following:   1. Sudden illness of a spouse (partner), parent, child or dependent relative; 2. Where the normal care arrangements for a dependant break down, for example, due to the illness or injury of a person providing those arrangements, thereby making it necessary for the employee to provide emergency care for the dependant; 3. Following a serious accident and/or where an urgent hospital operation is required and either the patient and/or young children need to be cared for during hospitalisation or subsequent convalescence.   In seeking to make alternative arrangements for the care of relatives etc. employees should be advised to seek the assistance of the local authority, NHS or other agencies, as appropriate. Schools should bear in mind that, in certain of the circumstances, employees may be unfit for work for their own health reasons and, in appropriate cases, should be advised to seek medical advice.  Dependant’s leave is for urgent situations and employees are expected to make every effort to ensure alternative arrangements are made quickly, so that they can fulfil their work commitments as soon as possible.  **Urgent Domestic Reasons**  It is not possible to set down criteria for the full range of circumstances where the granting of emergency leave may be appropriate.  An employee may be granted up to 5 days’ paid leave (one week – see 1.8 above) in any leave year and schools should bear in mind the following points when deciding how much to grant in particular circumstances:   1. the urgency of what the employee has to do, or the degree of shock suffered by the employee; 2. the duration of the problem and the length of absence which is likely to be required to resolve this; and 3. the means of minimising the effect on the school. |
| **2.3** | **Statutory unpaid Carer’s Leave**  From April 2024, all employees have a day one entitlement to one week’s unpaid leave in a 12-month period, in order to give or arrange care for a dependant who has:   * long term care needs i.e. a physical or mental illness or injury that means they’re expected to need care for more than 3 months * a disability (as defined in the Equality Act 2010) * care needs because of their old age   The dependant does not have to be a family member. It can be anyone who relies on them for care.  A ‘week’ means the length of time they usually work over 7 calendar days. For example, if someone usually works 3 days a week, they can take 3 days of carer’s leave.  They can either take a whole week off or take individual days or half days throughout the year.  If an employee needs to care for more than one person, they cannot take a week of carer’s leave for each dependant. They can only take one week every 12 months. They can use this week of leave on more than one dependant.  If an employee is a parent, they can take up to 18 weeks’ leave to look after their child (see Parental Leave Policy). This is separate to carer’s leave.  Unless it is an emergency (when Dependant’s Leave in 2.1 above may be more appropriate), employees need to give notice before they want their Carer’s Leave to start. If the request is for half a day or a day, the notice period must be at least 3 days.  If the request is for more than one day, the notice period must be at least twice as long as the requested leave. For example, if the request is for 2 days, the notice period must be at least 4 days.  The notice period needs to be in full days, even if the request includes half day amounts.  The request does not have to be in writing.  Employees do not need to give evidence of their dependant’s care needs.  **Refusing or delaying Carer’s Leave**  The circumstances of the request must be carefully considered.  Employers cannot refuse a carer’s leave request but can ask the employee to take it at a different time. They can only do this if the employee’s absence would cause serious disruption to the organisation.  If they delay it, the employer must:   * agree another date within one month of the requested date for the leave * put the reason for the delay and new date in writing to the employee within 7 days of the original request, and before the requested start date of the leave   See [Gov.UK](file:///C:\Users\cmccro\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\Gov.UK) for further information. |
| **3.** | **Bereavement Leave** |
| **3.1** | **Death of family member or friend**  School leaders may grant bereavement leave where there has been a death of someone close to the employee and the employee requires time off to come to terms with the death, make any necessary arrangements and/or attend the funeral.  In considering the appropriate amount of leave to grant, school leaders should take into account the nature of the relationship between the employee and the person who has died, and any responsibility the employee has for making arrangements for the funeral and/or other matters associated with the death.  There is discretion in all cases, however, as a general principle:   1. In the event of the death of a very close relative, for example, the employee's spouse, partner, parent, guardian, or dependant other than child (see 3.2 below), an employee may be granted up to a total of 5 days’ leave (one week – see 1.8 above) of absence with pay (inclusive of the day of the funeral). 2. for more distant relatives or friends, fewer days may be granted; for example, one day in order to attend the funeral may be all that is needed.   Each case should be taken on its own merits and discretion may be used. School leaders should keep in mind that people can have very varied and complex family relationships and friendships and should avoid making assumptions about who may or may not be an important person in an employee’s life. Where possible, try to sensitively explore the circumstances with the employee when considering the appropriate amount of time off to agree. |
| **3.2** | **Statutory Parental Bereavement Leave and Pay**  **Leave**  Employees may be entitled to up to two weeks Parental Bereavement Leave and Statutory Parental Bereavement Pay if they or their partner meet the eligibility criteria outlined below and either:   * had a child who had died under 18 years old; or, * had a stillbirth after 24 weeks of pregnancy.   Employees may be eligible for Parental Bereavement Leave if, at the time of the child’s death or stillbirth, they were:   * the child or baby’s parent – either biological, adoptive or parent of a child born to a surrogate; * the partner of the child or baby’s parent; * not the child’s parent but had day to day responsibility for the child or baby’s care during that time; * a foster parent paid a fee or allowance by a local authority; * in receipt of payments under the terms of a will or trust for the child or baby’s care.   Where eligible, employees can take the two weeks’ leave from the first day of employment for each child who has died or was stillborn. Employees can choose to take two weeks together, two separate weeks or only one week of leave. Leave can start on or after the date of the death or stillbirth and must finish within 56 weeks of the date of the death or the stillbirth.  If an employee was on another type of statutory leave, such as maternity, adoption or paternity leave, when the death or stillbirth happened, Parental Bereavement Leave must start after that other leave has ended. This includes if the statutory leave is for another child.    Biological parents are not eligible once an adoption or parental order has been made unless there was a contact order in place after the adoption.  See more information on eligibility at <https://www.gov.uk/parental-bereavement-pay-leave/check-if-youre-eligible>.  **Pay**  Employees may be eligible for Statutory Parental Bereavement Pay, if they have been continuously employed by the Council for at least 26 weeks up to the end of the ‘relevant week’ and have provided their headteacher with notice (see below). The ‘relevant week’ is defined as the week (ending with a Saturday) immediately before the week of the death or stillbirth.  Parental Bereavement Leave is paid at either the statutory rate or 90% of average weekly earnings, whichever is lower (see current rate at <https://www.gov.uk/parental-bereavement-pay-leave/what-you-can-get>).    Terms and conditions of employment during a period of Statutory Parental Bereavement Leave remains the same, except for remuneration.  **Giving notice of leave**  The employee must provide their headteacher with notice before they take Parental Bereavement Leave, and how much notice depends on when they are taking the leave.   |  |  | | --- | --- | | 0-8 weeks after the child’s death or stillbirth | The employee must give you notice no later than the time they would normally start work on the first day of leave they want to take off work. | | 9 to 56 weeks after the child’s death or stillbirth | The employee must give you at least one weeks’ notice before the start of the week or weeks they want to take off work. |   The employee should tell you:   * The date of the child’s death or stillbirth; * When they want their leave to begin; * How much leave they are taking.   **Cancelling leave**  An employee can cancel their Parental Bereavement Leave if they have given the school more than the required notice for taking leave.  If they were starting the leave within 8 weeks of the death or stillbirth, they must let the school know about the cancellation no later than the time they would normally start work on the first day of planned leave.  If they were starting the leave 9 weeks or later after the death or stillbirth, they must let the school know no later than one week before the start of the planned leave. They can rebook another week’s leave if they cancel before the leave was due to start and they provide the correct notice. |
| **4.** | **Miscellaneous Special Leave** |
| **4.1** | **Blood Donation**  Time off should normally be arranged outside school pupil hours. Where this is not possible then time off during the day will be considered by the governing body. |
| **4.2** | **Employee Support Groups**  Paid leave of absence may be granted by the governing body to employees to attend authorised Employee Support Groups with a maximum time allowance of half an hour per month (or two hours per quarter) with appropriate arrangements to enable disabled employees to attend on the same basis as other employees.  An Employee Support Group is defined as an homogenous group of employees which forms itself to provide support, assistance and an opportunity to meet other employees in the workplace who share a particular outlook or feel themselves to be part of a minority or disadvantaged group. Some examples (not exhaustive) of this type of group are:   * Black and Minority Ethnic Workers * Disabled Employee Support Network * Lesbian, Gay, Bi-sexual and Transgender Workers   An authorised group is one that has been established with the authorisation of the Chief Executive. |
| **4.3** | Examination Leave Leave of absence with pay will be granted to employees for the purpose of sitting approved examinations relevant to their work. |
| **4.4** | Governing Body Meetings Employees who are members of school governing bodies are granted paid leave to attend meetings of governing bodies where meetings occur during normal working hours, including meetings for the purpose of training, inspection or recruitment, subject to a maximum of 30 hours per annum for governors and up to 40 hours per annum for chairs of governing bodies. These maximums apply irrespective of the number of governing bodies the employee is a member of.  In considering requests for time off, school leaders should have regard to the demands of the service and where considerable time is requested for other purposes, consideration should be given to reducing the amount of time off allowed overall. |
| **4.5** | Interviews Leave with pay to attend interviews, normally up to 3 occasions per annum. There should be no limit for employees at risk of redundancy. |
| **4.6** | **Jury Service/Witness**  Leave of absence with pay in respect of:  a) Jury service  b) Formal attendance as a witness at a court hearing  Employees will be able to claim for loss of earnings from the court. Schools should notify their payroll provider of the days the member of staff is required to attend court via a staffing return. The employee must forward the form that they receive from the court for completion to Payroll. This form must then be taken to court on the first day and on completion of the time at court forward a copy of the expenses sheet to Payroll. Payroll will then deduct this sum from the employee’s salary.  Schools that pay into a Staff Absence Insurance Scheme may be able to claim for this type of absence. |
| **4.7** | Justice of the Peace (Magistrates) Duties Employees undertaking Justice of the Peace activities where sessions (including training) occur during normal working hours, shall be entitled to paid leave up to a maximum of 18 full or 36 half days per annum pro rata subject to as much notice as possible being given to the headteacher or chair of governors.  In considering requests for time off, schools should have regard to the demands of the service and where considerable time is requested for other purposes, consideration should be given to reducing the amount of time off allowed overall. |
| **4.8** | **Lecturing**  Where an employee is invited to lecture on a course organised by the City Council or where the City Council is asked to provide a lecturer by an external organisation, this and any necessary preparation is regarded as duty. If a fee is payable, this should be paid in its entirety into the school budget.  Where, as distinct from the above, an employee is personally invited to lecture or to speak or appear on radio or television (ie as an individual and not as a City Council spokesperson or in any other circumstances which could be regarded as a duty), but that invitation is as a result of his particular job with the City Council, leave of absence with pay to be granted. In these circumstances it is expected that preparation will be in the employee’s own time and any fee payable in respect of the lecture and preparation should be divided equally between the employee and the school budget. Any fee paid simply as a reimbursement of travelling and subsistence and out of pocket expenses to be retained by the employee. Subject to the circumstances of the case, governing bodies may pursue other alternatives such as annual or unpaid leave with the employee.  Where an employee is invited to lecture during working hours purely in connection with a private interest, or to speak or appear on radio or television, s/he is expected to take annual leave or unpaid leave for the purpose and to retain any fee which may be payable. |
| **4.9** | **Local Authority Membership**  Leave with pay to attend meetings of the Council, committees and sub-committees of which they are members, plus up to 12 days per annum for other duties. |
| **4.10** | **Moving House**  Staff should normally try to arrange moving house outside of normal working days. Where this cannot be arranged, up to 2 days leave with or without pay may be approved by governors. |
| **4.11** | **Reservists**  Employees are required to notify you if they are members of the Reserve Forces and discuss their requirements for time off. The Ministry of Defence (MoD) should write to their employer to confirm that the employee is a member of the Reserve Forces and provide details of the associated requirements for both employer and employee.  Reservists will normally be given reasonable notice by their Force of any requirement for time away from work, and therefore will be expected to notify you of any need for time off as soon as they are aware of it. Wherever possible, the MoD will also write to employers to provide advance notice of any training commitments.  Reservists are typically committed to 24-40 days’ training per year depending which service they belong to and any specialist skills. In the main, training takes place in evenings and during weekends but there may be times when this is not possible and the Reservist will need to take time off work. In addition, Reservists are required to attend one or more continuous period of training (Annual Camp) not exceeding 16 days in total, which will require time away from work. You may agree paid time off for these purposes under the Special Leave policy.  **Mobilisation**  A Reservist could be called up to support a Defence operation (‘Mobilisation’), although in reality this is generally unlikely unless in the event of major operations or when a disaster strikes. If mobilised, the Reservist could be absent from work for up to 12 months.  If a Reservist is mobilised you will normally be given at least 28 days’ notice for short notice operations, and at least 90 days’ notice for pre-planned operations, although there is no statutory requirement for notice to be given. You will be sent a ‘call-out pack’ from the MoD with all the relevant details of the mobilisation.  There are a number of obligations around mobilisation for both employer and employee under the Reserve Forces (Safeguarding of Employment) Act 1985. If you have an employee who is mobilised, you should refer to HR for further advice. |
| **4.12** | **Parliamentary (including Local Authority) Elections**  Employees who undertake election duties shall be granted paid leave in respect of Local, Regional and Parliamentary elections. Employees undertaking duties in connection with local elections will be expected to take annual leave or unpaid leave.  Employees selected to stand for election at Local, Regional and Parliamentary level will need to inform their head teacher/governing body in writing at the earliest possible opportunity.  Candidates of the recognised political parties will be granted up to 5 days’ leave (one week – see 1.8 above) of absence with pay for Local, Regional and Parliamentary elections.  In respect of elections at local level candidates will be granted up to 2 days leave of absence with pay. |
| **4.13** | **Personal Health and Welfare**  Where it can be demonstrated that it is not possible to obtain appointments outside of working hours, governing bodies may grant paid time off for reasons of the personal health and welfare of an employee or that of a dependent who needs to be accompanied. For example, visits to a doctor, dentist, optician, clinic or hospital.  Governing bodies are also reminded that women employees are encouraged to go for a smear test (cervical cytology) or a breast examination and time off for this purpose should be granted. |
| **4.14** | **Redundancy**  The granting of leave to enable redundant employees to seek alternative employment is a requirement of the Employment Rights Act 1996. Employees have a right to time off to seek alternative employment and attend interviews, redeployment meetings, job centres and so on. See also section on Interviews. |
| **4.15** | **Religious Observance/ Festivals**  Employees whose religious beliefs require the observance of festivals which fall on days upon which they would normally work, may be granted up to 4 days’ leave of absence with pay per annum at governors’ discretion.  Employees should give as much notice as possible when requesting leave. If it is not possible to accommodate their request, discussion and flexibility is encouraged between the employee and manager to seek a mutually acceptable compromise.  Schools should be mindful that some religious or belief festivals are aligned with lunar phases and, therefore, dates change from year to year. The dates for some festivals do not become clear until quite close to the actual day and school leaders are encouraged to be as flexible where possible and to make reasonable accommodation for staff wishing to take leave for religious observance and festivals. |
| **4.16** | **Revision Leave**  Schools have discretion to grant up to 5 days’ paid pre-examination leave (one week – see 1.8 above), having taken into account the type and number of examinations to be taken, and relevance to their work. Normally, revision leave for examinations will be for a period equal to the duration of the examination. Attendance on a special revision course will be in lieu of the above provision and should be contained within the provision. |
| **4.17** | **Sporting Events**  Employees selected to participate in sporting events organised by recognised amateur sports associations shall be considered for up to 5 days’ leave of absence (one week – see 1.8 above) per year with pay in order to attend events and any officially organised training directly related to events. Each request to be considered by the governing body on its merits. |
| **4.18** | **Study Leave**  Where it is deemed appropriate, employees undertaking correspondence courses shall be entitled to 3 days study leave (pro rata for part time employees) with pay to be taken throughout the academic year. This is an addition to revision/examination leave. |
| **4.19** | **Trade Union Twinning**  Paid time off for twinning activities between union representatives of the City Council’s workforce and their opposite numbers in Nottingham’s twin cities may be granted, subject to agreement of the governing body, on the following basis.  Up to 5 days (one week – see 1.8 above), cumulative, per annum, per person to visit the twin city as part of an officially recognised delegation or to host visiting delegations in Nottingham. Any time required above that to be taken as unpaid leave or annual leave. It should be noted that ‘officially recognised visit’ means one supported by the City Council and/or the relevant unions’ regional or national organisation. |
| **4.20** | **Unpaid Special Leave**  There may be the need for an additional period of leave, particularly for compassionate reasons. This may cover special absence for personal or family reasons, e.g. to visit sick relatives, or to fulfil carer responsibilities. Additional leave should be considered:   * for types of unpaid leave not covered elsewhere by specific agreement e.g. in national or local conditions of service; * only in exceptional circumstances e.g. of a personal or domestic nature.   Employees must submit their requests in writing to the headteacher giving details of the absence required and the reasons. |