

# C20 Leave of Absence

---

<b>Contents</b>	<b>Page</b>
1. Introduction	1
2. Roles and Responsibilities	1
3. Principles	1
4. Dependent Care Leave	2
5. Unpaid Parental Leave	2
6. Domestic Emergency Leave	3
7. Compassionate Leave	3
8. Leave for Public Office Duties	3
9. Unpaid Leave	3
10. Policy Status and Review	4
11. Appendix 1: Leave of Absence Request form	5

## **1. Introduction**

- 1.1 The Trust is committed to providing a safe and healthy working environment that positively supports the health and well-being of its employees. A fundamental aspect of this commitment is facilitating employees to achieve a positive work-life balance.
- 1.2 This provisions within this policy reflects the above commitment, containing reasonable provisions that enable employees to manage their work alongside other commitments.
- 1.3 This policy outlines the Trust's approach to managing requests for time off from work for dependent care, unpaid parental leave, domestic emergencies, compassionate leave, public office duties and other personal and professional responsibilities that fall outside of the above categories, hereafter termed 'unpaid leave'.
- 1.4 This policy does not apply to absence arising from maternity, paternity, adoption or shared parental leave, sickness absence, flexible working or time off for trade union activities for which other arrangements exist.

## **2. Roles and Responsibilities**

- 2.1 Managers are responsible for responding to leave requests relating to this policy in a fair, consistent and timely manner and in accordance with the principles of this policy.
- 2.2 HR is responsible for ensuring this policy reflects statutory and Trust requirements, as well as providing related information and support to both employees and managers.

### **3. Principles**

- 3.1 Leave requests can be submitted according to local arrangements. A sample request form is shown in appendix A.
- 3.2 All leave requests will be processed sensitively and respectfully.
- 3.3 Each situation that results in an absence is unique. The Manager will consider the individual circumstances of the request, including any equality related matters.
- 3.4 There may be instances where unpaid leave is approved according to the provisions of this policy, either because there is no paid entitlement or because the employee has exhausted the full number of paid days. In these circumstances, the employee may be able to make up lost time by working additional hours, taking annual leave or time off in lieu. This is subject to the agreement of the relevant manager.
- 3.5 The leave requests outlined below relate to a rolling 12-month period.
- 3.6 The Trust expects all employees to act honestly in the application of this policy. Any dishonest behavior or abuse of the provisions contained herewith will be considered a disciplinary matter.
- 3.7 Employees who feel they have not been treated reasonably in relation to an application for leave under this policy should discuss the matter with their line manager in the first instance. If this matter cannot be resolved, HR advice should be sought.
- 3.8 The Trust reserves the right to take disciplinary action if there is abuse of this policy by either party, for example providing false or misleading information

### **4. Dependent Care Leave**

- 4.1 Employees have a legal right to time off to deal in relation to a domestic incidents and emergencies involving a dependent living at the same address.
- 4.2 A 'dependent' includes spouse, domestic partner, parent, child or sibling (including those who are an in-law or step-relative).
- 4.3 An emergency relates to unforeseen circumstances relating to the above dependents that require urgent attention by member of staff. Examples include illness, injury and breakdown in care arrangements.
- 4.4 By definition, 'emergency' situations do not include ongoing care, routine appointments and other foreseen requirements. In these instances, annual leave or TOIL can be requested in the usual way.
- 4.5 Employees are entitled to up 5 days paid dependent care leave per year, with no more than two days being permitted per occasion. Any additional days thereafter will be unpaid.

### **5. Unpaid Parental Leave**

- 5.1 Unpaid parental leave is a statutory entitlement for employees who have parental responsibilities. Employees qualify if all of the following apply:
  - They have been employed by the Trust for more than a year
  - They are named on the child's birth or adoption certificate or they have or expect to have parental responsibility
  - They are not a foster parent (unless they've secured parental responsibility through the courts)
  - The child is under 18

- 5.2 Eligible employees can take unpaid parental leave to look after their child's welfare. This may include:
- Spending more time with their children
  - Looking at new schools
  - Settling children into a new childcare arrangement
  - Spending more time with family
- 5.3 Up to 18 weeks leave may be taken for each child up to their 18<sup>th</sup> birthday; the maximum annual allowance is 4 weeks for each child.
- 5.4 Unpaid parental leave must be taken in weekly periods rather than individual days, except where the child is disabled.
- 5.5 Employees must give a minimum of 21 days notice of their intention to take unpaid parental leave.
- 5.6 The Trust will seek to accommodate the requests of the employee, however, in certain circumstances it may be necessary to postpone the leave for up to 6 months. This will be necessary where there is a significant business reason. Note that postponement will not be permitted where the leave immediately follows the birth/placement of a child.

## **6. Domestic Emergency Leave**

- 6.1 A domestic emergency is an unforeseen and substantial incident that requires the immediate attention of the employee.
- 6.2 A domestic emergency does not include pre-arranged deliveries and appointments. In these instances, annual leave or TOIL can be requested in the usual way.
- 6.3 Employees are entitled to up to 5 days domestic leave per year, with no more than two days being permitted per occasion. This is an unpaid entitlement.

## **7. Compassionate Leave**

- 7.1 Compassionate leave is available to employees in the case of a death or serious illness/injury of a close relative.
- 7.2 A close relative is considered to be a spouse, domestic partner, parent, child, sibling or grandparent (including those who are in-laws or step relatives). The manager has the discretion to extend this based upon the individual circumstances of the individual.
- 7.3 Employees are entitled to up to 3 days paid compassionate leave for each situation defined in 7.1.
- 7.4 Additional unpaid compassionate leave may be granted at the discretion of the manager. Except in exceptional circumstances, the total leave taken will not exceed two weeks.

## **8. Leave for Public Office Duties**

- 8.1 Employees are entitled to time off to partake in certain public office duties if they are a:
- Magistrate/Justice of the peace
  - Local councillor
  - School governor
  - Member of any statutory tribunal
  - Member of the managing or governing body of an educational establishment
  - Member of a health authority
  - Member of the Environment Agency
  - Member of the prison independent monitoring boards
  - Trade union member

8.2 Employees are entitled to up to 10 days leave for the above public office duties, 5 of which will be paid.

## 9. Unpaid Leave

9.1 It is recognised that there will be other occasions where staff request time off work for reasons that do not fall within the above categories. In these instances, employees are encouraged to take annual leave or time off in lieu.

9.2 In exceptional circumstances, unpaid leave may be granted to employees for reasons in which there is no specific entitlement. Employees are encouraged to discuss their individual circumstances with their line manager.

## 10. Policy Status and Review

Written by	HR Manager
Owner	HR Director
Status	Approved
Equality Impact Assessment	Initial Impact Assessment    Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Full Impact Assessment        Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
JCC Consultation date	09/10/2018 – 31/10/2018
Approval date	14/11/2018 (Remuneration & HR Committee)
Review date	13/11/2021
Comments	This policy applies to all employee of the Trust.

## Appendix a: Leave of Absence Application Form

Personal Details	
Name	
Position	
Academy/Department	

Absence Details			
Type of Absence	Choose an item.		
Date From		Date To	
Reason for Request			
Signed		Dated	

Authorisation			
Approved	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Amended <input type="checkbox"/>
If approved, will this be:	Paid <input type="checkbox"/>	Unpaid <input type="checkbox"/>	TOIL <input type="checkbox"/> Other <input type="checkbox"/>
Comments			
Signed		Date	
Print		Position	