



London Borough
of Hounslow

Special Leave Policy for School Based Staff

This document set outs the Special Leave/Leave of Absence arrangements for.

- teaching staff
- other school staff whose contracts do not allow annual leave or flexible hours of work (e.g. term time only employees who have fixed hours due to classroom commitments)

In the case of applications from all employees (excluding the Headteacher) it is recommended that the Governing Board delegates the responsibility for decision making to the Headteacher and requests a report on leave of absence granted at appropriate intervals. In the case of the Headteacher it is recommended that the responsibility is delegated to the Chair of Governors.

Please note that for staff not included within the definitions set out above (e.g. staff employed on NJC for local government services conditions of employment, who do not have fixed arrangements for when leave is taken, or otherwise have flexible hours of working) Hounslow's general special leave arrangements will apply and schools should consult the Schools and Commercial HR Team for advice.

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- a) Special leave/Leave of Absence for the arrangements outlined in this document would normally be granted as paid leave.
- b) The leave provision in this document is subject to the exigencies of the school or service and/or the discretion of the Headteacher.

When leave, as outlined in this agreement, is not granted, the relevant manager should be able to provide an objective justification for the decision in order to maintain a consistent and fair approach.

If an employee is dissatisfied with the outcome of any decisions relating to a request for leave of absence, they have the right to appeal by submitting a letter to the Chair of Governors.

- c) Arrangements for parental leave are given in separate documents.
- d) The application procedure should be set up by the individual school or service, for example in terms of the timescale for making applications and any proformas to be used. A member of staff can appeal in writing to the Governing Board if permission is not granted.
- e) There is an expectation that as much notice as reasonably possible will be given of requests for Special Leave. Failure to give reasonable notice, where this would have been possible, may result in requests being declined. At least a term's notice should be given for no 13 below, so that Headteachers can plan for any cover purposes.
- f) Absence for reasons other than those set out in this Policy will only be permitted in exceptional circumstances and will normally be unpaid.
- g) It is recommended that this policy is reviewed no less than every 3 years.
- h) These arrangements are based on a working pattern of 5 days per week. However, where circumstances mean that pro-rata arrangements would not be practical for part time staff, serious consideration should be given to agreeing the full allowance.
- i) For the purposes of applying a maximum approval for leave of absence requested, the academic year will be used commencing on 1st September and finishing on 31st August.

Provisions for special leave outlined in the policy in respect of a partner or relatives of a partner, shall be the same whether this is (i) a marriage partner, (ii) a civil partner or (iii) a co-habiting partner where the employee and his/her co-habiting partner are living together as if they are

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husband and wife or civil partners and one is financially dependant on the other or the two are financially interdependent. For example, this would be applicable for determining the leave provision in respect of a child of the employee's partner or the equivalent of "in-law" relations to the employee through their partner.

REASONS FOR LEAVE REQUEST:	PERIOD DURING WHICH SALARY WILL BE PAID
1. The serious illness or death of a partner, child or parent.	A total of not more than 10 working days in any one year in respect of any one of the persons named.
2. Death of a child under the age of 18 including a still birth at less than 24 weeks gestation.	<ul style="list-style-type: none"> • Parents and primary carers who have been employed for a continuous period of at least 26 weeks prior to when the child dies, are entitled to at least two weeks' statutory paid leave – Please refer to the parental leave policy for details • Workers who have not been employed for a continuous period of at least 26 weeks are entitled to two weeks' unpaid leave
3. The serious illness or death of sister, brother, grandparent, grandchild, parents-in-law, sister-in-law or brother- in-law.	A total of not more than 3 working days in any one year in respect of any one of the persons named.
4. Serious domestic difficulties arising out of the illness of a person named in (1) or (2) above.	<p>A total of not more than 5 working days in any one year in respect of any one of the persons named, provided always that immediate notification of the difficulty is conveyed to the Headteacher/Head of Service.</p> <p><i>Note: This right is to allow the employee time to make alternative arrangements (i.e. is not time to provide the care) and should be limited to urgent cases of real need.</i></p> <p>By law, the decision can consider the care not only of dependents, but also of any person who reasonably relies on the employee to decide for the provision of care. Consideration can also be given to the circumstances of the employee – e.g. number and length of previous absences and dates, but must not consider any operational disruption caused by the absence.</p>

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REASONS FOR LEAVE REQUEST:	PERIOD DURING WHICH SALARY WILL BE PAID
<p>5. The funeral of the partner, parent, child, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, or a person who stands <i>in loco parentis</i>, or of a relative of other degree if resident with the applicant at the time of death, or of the next of kin or of a person in respect of whom it is appropriate to attend a funeral in a formal representative capacity.</p>	<p>Not more than 1 working day, or if the funeral takes place at more than half a day's journey from school and leave has not been allowed under (1) or (2) a period not exceeding 3 working days.</p>
<p>6. In exceptional circumstances the serious illness or death or the funeral of a close personal friend resident with the applicant at the time of illness, or death or the serious illness, death or funeral of a relative other than those specified in paragraph 4) above.</p>	<p>Up to 3 working days in any one academic year.</p>
<p>7. The wedding of the parent, brother, sister, child of the applicant or of the person who stands <i>in loco parentis</i> to the member of staff or to whom the member of staff stands <i>in loco parentis</i>.</p>	<p>1 working day, or if the wedding takes place more than half a day's journey from school, up to 3 working days.</p> <p><i>Note: it is expected that a member of staff's own marriage arrangements will not entail application for leave of absence. Such leave will be granted only in exceptional circumstances when refusal would involve hardship and, unless the Governing Board otherwise determine, will be without salary.</i></p>
<p>8. Moving to a new house.</p>	<p>1 working day in any one academic year.</p>
<p>9. To attend an interview for another post in a Local Authority or other school.</p>	<p>Up to 3 working days in any academic year.</p> <p><i>Note: In a redundancy situation, attendance at interviews is a statutory right.</i></p>
<p>10. The ceremony or presentation or investiture with an honour or decoration of the applicant, parent, or the partner, child of the application or of a person to whom the applicant stands <i>in loco parentis</i>, or the person who stands <i>in loco parentis</i> to the applicant.</p>	<p>Not exceeding 1 working day in any academic year.</p>
<p>11. The presentation for a degree of the applicant or the partner, parent or child or a person who stands <i>in loco parentis</i> to the applicant or to whom the applicant stands <i>in loco parentis</i>.</p>	<p>Not more than 2 working days in any academic year.</p>

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12. Service as a witness on subpoena or other direction from a Court, including Jury Service, at the request of the police, or owing to compulsory legal business directly connected with the teacher's school duties.	The period necessary for the purpose provided that any fees (but not out-of-pocket expenses) shall be paid to the Council or the school.
13. Representation of country as an amateur in an international sporting event or sporting trial or in a managerial or judicial capacity.	Not exceeding 5 working days or such longer period as may in exceptional circumstances be permitted.
14. The observance of a Religious Festival of Obligation.	Not exceeding 3 working days in any one year. <i>(See notes at foot of document.)</i>
15. Service as a Justice of the Peace.	Up to 10 working days in any one year.
16. Service as a member of a Local Authority or in the fulfilment of other duties of a public character, including attendance at national conferences or national joint negotiating bodies.	Up to 10 working days in any one year.
17. Duties arising from appointment as a Governor in a maintained school.	Up to 4 working days per year.
18. Attendance in an official capacity at meetings of examining bodies approved by the Local Authority.	Period necessary to attend.
19. Visiting Examiners' attendance at schools for the purpose of assessment of practical and oral work.	Not exceeding 5 working days in any one year.
20. Examinations	<p>Time off for examinations would normally only be granted in situations where the employee is receiving financial and/or time support from the school for that programme of study i.e. where the qualification is linked to their job roles/responsibilities or continuing professional development and applies to examinations that must be sat during working days. It is at the Headteacher (or Governing Board)'s discretion as to whether such leave is granted and whether it is paid or unpaid, but time off will be limited to the time of the examinations.</p> <p>This provision does not apply to driving tests (times for which can be selected) or for the written papers (which can be taken during evenings), unless this is an integral requirement of that person's work.</p> <p>In situations where employees are undertaking a programme of study that is not financially or time</p>

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	supported, but that requires sitting an examination in work time, the Headteacher (or Governing Board) may wish to exercise discretion to grant leave of absence providing the qualification will enhance the employee's professional development as an employee of the school
21. Paternity Leave	Up to 10 working days in accordance with statutory entitlement. Please refer to the parental leave policy for details
22. Ante-natal care	Time off as required to attend appointments. <i>Proof of all appointments should be attached to the request</i>
23. Routine Medical Appointments.	Routine appointments such as GP, dentist and optician appointments should be made outside of an employee's normal school working hours.
24. Non-Routine Medical Appointments	<p>For non-routine appointments, such as emergency dentist appointments, hospital out-patient appointments/ treatment or NHS physiotherapy appointments, employees should make every effort to arrange appointments outside of their school working hours.</p> <p>Where this proves impossible the employee must request the time off and provide proof of the appointment prior to attendance. In such cases, the employee will be granted up to three hours' time off for the appointment. Where more than three hours is required for the appointment, subject to agreement, the school may grant additional time.</p> <p>If an employee needs to attend a medical appointment related to a disability and is covered by the Equality Act (2010), the leave will be classified as disability leave and the Headteacher will consider what is reasonable time off to attend. An outpatient appointment is not normally recorded as sick leave. However, if an employee is admitted to hospital, or cannot attend work due to sickness following a hospital procedure, or does not return to work following an outpatient appointment this will be recorded as sick leave.</p> <p><i>Please note that time off in such circumstances relates only to the employee's own appointments i.e. it would not cover attendance at a dependant child's hospital appointment. Evidence of the appointment should be provided with the application for leave of absence</i></p>

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25. Ongoing Medical Treatment	<p>For ongoing regular treatment, the individual circumstances of each case must be considered. Options may include the use of annual leave (where the employee has a leave entitlement that can be taken at times other than school closure periods), allowing the employee to work the hours missed at another time, unpaid leave, reduced working week, adjustment of work patterns etc.</p> <p>Adjustments may be for a temporary or permanent period according to need and the school's ability to support the option.</p>
26. Fertility Treatment	<p>Whilst there is no legal right to paid time off for fertility treatment, it is recognised that undergoing fertility treatment may be stressful and an individual may need support during this time. As such, the Headteacher (or Governing Board) may grant up to 5 working days' leave within each academic year for an employee to attend appointments relating to their fertility treatment (this is reduced for part time employees in line with their weekly hours).</p> <p><i>Employees must have at least 26 weeks' continuous service with school at time of the first medical appointment in connection with fertility treatment to qualify for the paid time off.</i></p>

NOTES ON POINT 14: Leave for Religious Obligation in Term Time

1. Reference should be made to the SHAP calendar of religious festivals, although this is not exhaustive. <http://www.shapcalendar.org.uk/calendar.html>
2. Headteachers and Heads of Service should carefully consider the circumstances of each application to avoid discrimination based on religious belief, particularly regarding a consistent approach to different religions. Staff should be aware of the budgetary, health and safety, organisational and other implications of taking these days.
3. Headteachers should adopt an appropriate timescale in which staff have to request this leave. It is reasonable that at least a term's notice should be expected. If a festival is not linked to a specific date, the period within which the festival falls should be given as an indication of the anticipated day/s of religious obligation.
4. Where a group of staff are taking the same day, a Headteacher can consider using the flexible occasional day.
5. There is no 'time off in lieu' allowed e.g. where the religious festival occurs at a weekend or outside term time.
6. It is vital that a culture of community cohesion is maintained in each organisation.

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