



Additional Paid and Unpaid Leave Policy

I have come that they may have life and have it to the full
(John10:10)

Policy Overview Info	
Policy	Additional paid and unpaid leave policy
Author	School Leadership and staff
Approval at	Chair of governors
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Signed on behalf of governors	

This policy is taken from the OLHOC Trust Handbook of Statutory policies and should be read in conjunction with the other policies within the document.

ADDITIONAL PAID AND UNPAID LEAVE

This policy applies to employees of the Trust only. It does not form part of any employee's terms and conditions of employment and is not intended to have any contractual effect. The Trust reserves the right to amend this policy at any time.

This Policy should be read in conjunction with the Trust's Annual Leave and family-friendly policies.

There are two separate issues involved in the granting of additional leave: whether or not it should be permitted and, if it is, whether or not salary should be paid. It is the responsibility of the CEO / Principal / Head Teacher to make decisions regarding leave, and whether the leave should be paid. Every effort must be made to ensure that fairness and equity is applied when making such decisions.

This policy does not contain an exhaustive list of reasons as to why additional leave may be requested by employees. However, leave for a reason not listed below may also be granted at the absolute discretion of the CEO / Principal / Head Teacher. All decisions must be based on an objective approach, applied consistently and a record kept of the reasons on which each decision is based.

Employees seeking any additional paid or unpaid leave should submit their requests for time off (and the reasons for the request) in writing to the CEO / Principal / Head Teacher, providing reasonable notice of the request (please see policy below for specific requirements).

1. Bereavement and Compassionate Leave

- 1.1. Bereavement leave is designed to help you cope with the death of a close relative, to deal with necessary arrangements and attend their funeral. The provisions below are separate to entitlements provided under the Parental Bereavement Leave policy.
- 1.2. Compassionate leave is designed to allow you take time off work when you need to deal with necessary arrangements for or assist a close relative who is seriously or critically ill.
- 1.3. For the purposes of this leave, close relatives are a spouse, civil partner or partner, child, stepchild, grandchild, parent, stepparent, parent-in-law, grandparent, brother or sister, stepbrother or stepsister or brother or sister-in-law.
- 1.4. At the Trust's discretion, full-time employees may be granted the following in any 12-month period:
 - 1.4.1. Up to 5 days' paid Bereavement Leave
 - 1.4.2. Up to 5 days paid Compassionate Leave.
- 1.5. The above entitlement will be calculated pro rata for part-time staff, in accordance with their working days/hours when compared with a full-time equivalent employee.
- 1.6. The Trust may exercise its discretion to grant unpaid Compassionate or Bereavement leave in respect of any other relative or close friend, depending on the circumstances of each case.
- 1.7. If you are unable to return to work following a period of Bereavement or Compassionate leave you should contact the CEO / Principal / Head Teacher. It may be appropriate to take a period of sickness absence, annual leave or unpaid leave in those circumstances.
- 1.8. The Trust recognises that this may not always be possible to request Bereavement or Compassionate leave in advance. However, where possible you should make a request to

the CEO / Principal / Head Teacher giving the reasons for your request and the number of days leave you would like to take. Where it is not possible to request leave in advance you should contact the CEO / Principal / Head Teacher as soon as possible.

- 1.9. In exceptional circumstances, the Trust may refuse a request for Compassionate leave. If so the CEO / Principal / Head Teacher will give you a written explanation for the refusal. If you are dissatisfied with this decision you may appeal to the Chair of Governors or make a complaint under the Trust's Grievance Policy and Procedure within five working days of receipt of the written reasons for refusal.

2. Dental and Medical Appointments

- 2.1. Routine dental and medical appointments are not subject to the rules governing sickness absence. Where possible, such appointments should be arranged outside employee's normal working hours or at the very least for the very beginning or very end of the working day to minimise disruption.
- 2.2. Any time taken off for such routine appointments will be considered as unauthorised, unless it taken with the express prior written authorisation from the Trust, at the discretion of the CEO / Principal / Head Teacher. The CEO / Principal / Head Teacher will keep a record of such appointments for absence monitoring purposes.

3. Disability Related Medical Appointments

- 3.1. Disability leave is distinct from sick leave. A reasonable period of paid time off may be granted by the Trust for any employee having a disability as defined by the Equality Act 2010.
- 3.2. Any employee requiring a medical examination relating to their health as affected by their disability is required to provide information of their medical condition to the Trust (following diagnosis of the condition in question) and should give notice of any appointments in advance of any examination as is practicable.

4. Adoption Leave

- 4.1. **Employees are entitled to 52 weeks' Adoption Leave, comprising 26 weeks of Ordinary Adoption Leave and 26 weeks of Additional Adoption Leave.**
- 4.2. **Where a couple adopts jointly, only one person can take Adoption Leave, the other person may be able to take Paternity Leave instead.**
- 4.3. **If a child is placed under a local authority "fostering for adoption" or "concurrent planning" arrangement may also be entitled to Adoption Leave and pay. This also applies to surrogate parents who meet the eligibility criteria and who will be applying for a parental order.**
- 4.4. **In addition to Adoption Leave, qualifying employees with at least 26 weeks' continuous service with the Trust, and whose average weekly earnings are over the lower earnings limit, will be entitled to Statutory Adoption Pay, which is paid at the rate set by the Government.**
- 4.5. **Please refer to the Trust's Adoption Leave Policy for further details.**

5. Time Off for Adoption Appointments

- 5.1. **Eligible employees who are adopting through a UK or overseas adoption agency are entitled to attend a set number of adoptions appointments.**
- 5.2. **The right to time off for adoption appointments also applies to agency workers with at least 12 weeks' continuous service in the same role.**
- 5.3. **Please refer to the Trust's Time off for Adoption Appointments Policy for further details.**

6. Time Off to Receive Ante-Natal Care

- 6.1. Pregnant employees are entitled to take reasonable time off with pay during working hours to receive ante-natal care. The Trust may require an employee who wishes to take time off for this purpose to provide medical certification of her pregnancy and an appointment card (with the exception of the first appointment).
- 6.2. The right time off for ante-natal care also applies to agency workers with at least 12 weeks' continuous service in the same role.
- 6.3. Please refer to the Trust's Time off for Ante-Natal Care Policy for further details.

7. Maternity Leave

- 7.1. **Employees will be entitled to 52 weeks Maternity Leave, comprising 26 weeks of Ordinary Maternity Leave and 26 weeks of Additional Maternity Leave.**
- 7.2. **In addition to Maternity Leave, qualifying employees with at least 26 weeks' continuous service with the Trust, and whose average weekly earnings are over the lower earnings limit, will be entitled to Statutory Maternity Pay, which is paid at the rate set by the Government.**
- 7.3. **Please refer to the Trust's Maternity Policy for further details.**

8. Maternity Support Leave

- 8.1. Maternity support leave of 5 days with pay will be granted to the child's father, civil partner, partner or nominated carer of an expectant mother at or around the time of the birth. A nominated carer will be required to demonstrate that they are the primary provider of support for the mother.

9. Parental Leave

- 9.1. **If eligible, employees are entitled to statutory unpaid parental leave in relation to a child under the age of 18 that they have or expect to have parental responsibility for. The right applies in respect of each child and should be taken in blocks of one week, unless the child is disabled, in which case the leave may be taken in multiples of one day.**
- 9.2. **A maximum of four weeks of parental leave can be taken in any one year.**
- 9.3. **Please refer to the Trust's Parental Leave Policy for further details.**

10. Parental Bereavement Leave

- 10.1. Parental Bereavement Leave applies to employees of the Trust only, irrespective of their length of service.
- 10.2. If eligible, employees will be entitled to two weeks' Parental Bereavement Leave in the event that they lose a child under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy.

- 10.3. The leave may be taken in either a single block of two weeks or in two separate blocks of one week each, to be taken within or after 56 days beginning with the child's death but ending no later than 56 weeks afterwards. This means that the leave can be matched to times when the employee may need it most, for example, in the early days or over the first anniversary).
- 10.4. In addition to Parental Bereavement Leave, qualifying parents with at least 26 weeks' continuous service with the Trust, and whose average weekly earnings are over the lower earnings limit, will be entitled to Statutory Parental Bereavement Pay (SPBP). SPBP is paid at the statutory rate set by the Government or 90% of their average weekly earnings if this is lower.
- 10.5. The Trust provided enhanced Parental Bereavement Pay and further details are contained in the Parental Bereavement Leave Policy.
- 10.6. Where the Trust offers enhanced bereavement/compassionate leave under another policy, which is more generous than that offered under the Parental Bereavement Leave Policy, the employee may choose which leave benefits them more. However, they cannot exercise their right to both entitlements separately in respect of the same child.

11. Paternity Leave

- 11.1. **If eligible, employees are entitled to take either one whole week or two consecutive weeks' Paternity Leave following the birth of their child or the placement of a child for adoption, where the employee has elected not to take Adoption Leave. This entitlement also applies to surrogate parents who meet the eligibility criteria and who will be applying for a parental order.**
- 11.2. In addition to Paternity Leave, qualifying parents with at least 26 weeks' continuous service with the Trust, and whose average weekly earnings are over the lower earnings limit, will be entitled to Statutory Paternity Pay, which is paid at the rate set by the Government or 90% of their average weekly earnings if this is lower.
- 11.3. **Please refer to the Trust's Paternity Policy for further details.**

12. Shared Parental Leave

- 12.1. **Shared Parental Leave provides eligible employees with more flexibility in how to share the care of their child in the first year following birth or after a child has been placed with them for adoption.**
- 12.2. **There is no autonomous right to Shared Parental Leave; the right only arises where the mother or primary adopter chooses to curtail their statutory maternity or adoption leave and share the remaining entitlement.**
- 12.3. **Please refer to the Trust's Shared Parental Leave Policy for further details.**

13. Time Off for Dependants

- 13.1. **All employees have the right to take a reasonable amount of unpaid time off work to deal with certain unforeseen situations affecting their dependants.**
- 13.2. **Please refer to the Trust's Time off for Dependants Policy for further details.**

14. Jury Service

- 14.1. If an employee is required to attend court for jury service, they should notify the CEO / Principal / Head Teacher of the date and estimated length of absence immediately on receipt of the jury summons.
- 14.2. The amount of time off will be granted subject to provision of appropriate evidence in the form of the original jury summons.
- 14.3. Time off for Jury Service will be unpaid and employees should submit a claim to the court for travelling and food expenses and for loss of earnings. The court will supply the employee with a form which they should ask the H.R. Manager to complete for them giving details of the employee's daily rate of pay. Once complete, employees should take this form to the court with them on their first day of Jury Service.
- 14.4. On the first day of return after Jury Service has been completed, the employee should give the CEO / Principal / Head Teacher details of all the days or half days they were actually in court.

15. Public Duties

- 15.1. If an employee requires time off to perform a public duty, for example, as a member of a local authority or governing body of an educational establishment, the reserve armed forces or retained fire fighters, the period of paid time off will be granted at the Trust's absolute discretion.

16. Time Off in Redundancy Situations

- 16.1. Employees under notice of termination of employment by reason of redundancy and who will have at least two years' service on the date that the notice expires are entitled to a reasonable amount of paid time off to look for other work or to make arrangements for re-training.

17. Time Off to Carry Out Trade Union Duties

- 17.1. Employees who are trade union officials or trade union representatives elected in accordance with the rules of the trade union, and who are concerned with employee relations at work, have the right to request reasonable time off with pay during working hours to carry out trade union duties and undergo relevant training for those duties. Any request for time off must be submitted in writing to the CEO / Principal / Head Teacher.
- 17.2. This entitlement applies only to independent trade unions recognised by the Trust for collective bargaining purposes.
- 17.3. The Trust recognises the following trade unions for collective bargaining purposes:
 - 17.3.1. Unison
 - 17.3.2. NAHT
 - 17.3.3. ASCL
 - 17.3.4. ATL
 - 17.3.5. NEU
 - 17.3.6. NASUWT

18. Time Off for Health and Safety Representatives

- 18.1. Under the Health and Safety at Work Act 1974 (as amended) a recognised trade union may appoint, or employees may elect, safety representatives from amongst the Trust's

employees. These representatives are entitled to carry out relevant activities during what would otherwise be normal working hours.

19. Time Off to Take Part in Trade Union Activities

- 19.1. An employee has the right to request a reasonable amount of time off without pay to take part in the activities of their trade unions where the union is an independent trade union recognised by the Trust for collective bargaining purposes. Any request for time off must be submitted in writing to the CEO / Principal / Head Teacher.

20. Secondment

- 20.1. This is prolonged leave of absence concerning mainly the teaching staff, which allows an employee to work for another academy or educational establishment. The employee returns to their substantive role with the Trust at the end of the secondment. Secondments which last more than a couple of years may cause problems of reintegration into the Trust on the employee's return so the Trust will need to consider very carefully any request to be absent for more than a year or two at a time. The granting of any secondment will be at the absolute discretion of the Trust.
- 20.2. Where a secondment is agreed, the leave of absence for secondment will be unpaid if the employee receives a salary from the Trust or educational establishment to which they are seconded. In all other circumstances, the terms of remuneration during a secondment will be at the absolute discretion of the Trust. All benefits and conditions of employment may be suspended during the period of secondment and a return to the employee's substantive position at the end of the secondment cannot be guaranteed.

21. Religious Festivals and Observations

- 21.1. Employees who have particular religious or cultural needs which conflict with normal working arrangements may be allowed to take annual leave, flexi-leave (where applicable) or unpaid leave, subject to service needs. Working arrangements may be adapted to enable such needs to be met, where reasonably practicable. Staff wishing to take leave in accordance with their religious beliefs should give the CEO / Principal / Head Teacher 28 days' written notice of this intention unless it is not practicable to do so (e.g., if you are a new employee).

22. Time Off to Train

- 22.1. The Trust is committed to developing the skills of its employees and recognises that training can benefit the Trust and its staff. Staff should receive training appropriate to their role, subject to operational and budgetary considerations.
- 22.2. Members of the Senior Leadership Team are responsible for identifying and monitoring staff training and development needs on an on-going basis.
- 22.3. The Trust recognises that employees may still have a wish to further develop their skills. Eligible employees have a statutory right to request time off work for study or training.
- 22.4. Employees who wish to undertake any form of training relevant to their role should raise the matter informally with their Line Manager in the first instance.

23. Examination Leave

- 23.1. Examination leave to sit an exam may be given at the Trust's absolute discretion for qualification and short courses. Employees are referred to the particulars of any Training Agreement that they have entered into with the Trust.