

Testwood School Emergency and Special Leave Policy	
Key Responsibility area:	JP/SPP/NS/3
Last Review:	May 2023
Next Review:	May 2024

Revision History

Version	Date	Amendments	Initials
V1 2019	March 2019	Absence for childcare – amendment. 1 day per term only paid.	J Barker
V2	29.04.20	Covid 19 Update Appendix 1	JB
V3	26.04.21	Covid 19 Update Appendix 2	JP
V4	24.05.22	Section 9 (Terms) updated and April 22 added to Appendix	JP
V5	05.05.23	Dates revised and final paragraph of Appendix added	JP

Refer to capability procedure

1. Principles

- We recognise that staff will from time to time need to request Emergency or Special leave for genuine emergencies or for urgent or pressing personal reasons.
- There is an entitlement to unpaid emergency and special leave for a range of reasons; paid leave, however, is always discretionary and this discretion is exercised by the Headteacher on behalf of the Trustees.
- The Emergency and Special Leave Policy will apply to all employees of the School equally.
- Decisions on granting Emergency and Special Leave will be taken on the basis of the principles and protocols outlined in this document, and not on judgements about the impact on teaching, the cost or other similar issues.
- The granting of Emergency and Special leave will be monitored for all staff and form part of the wider monitoring of absence in the School.

2. Who can take emergency leave and what is it for?

- All employees are entitled in law (Employment Relations Act 1999) to unpaid time off work to deal with an emergency involving a dependant. The amount of time you are entitled to take is whatever is sufficient for you to make alternative arrangements and it is expected that 1 or 2 days will usually be sufficient. A dependant is defined as:

- your spouse, child or parent;
- someone living in the same household (other than a tenant or lodger);
- any other person who relies on you for help.

- In addition to this entitlement to unpaid leave employees are entitled to be considered for paid time off in certain emergencies. Governing Bodies have the discretion to decide whether or not to grant this but it is recommended that paid leave be agreed in the following circumstances:
 - up to 10 days' leave in the case of the death of a close relative, or other person where you are responsible for finalising the deceased's affairs;
 - sufficient time off to attend the funeral of a close relative;
 - up to 3 days' leave in a period of a rolling year in cases of illness in your immediate family.

4. In the past, requests for leave of absence for other urgent or personal reasons have also been considered, for example:

- a) moving house.
- b) attending the weddings of relatives or friends.
- c) attending funerals not covered by paragraph 2 above.
- d) playing representative games, e.g. for the County.

5. Study Leave

Requests for study and examination leave will also be considered, for example for taking a relevant Degree or similar qualification.

6. Notifying the School

You must notify the school of your intention to take unpaid Emergency Leave or to request paid Emergency Leave at the earliest possible opportunity, giving full details of the circumstances and how long you expect to be absent. This should be addressed to the Headteacher.

7. Longer Periods of Leave

Governing Bodies can approve additional unpaid leave up to a maximum of 12 months. Applications should be addressed to the Headteacher in the first instance.

8. Other Relevant Policies

Adopted model Absence Policy from Hampshire County Council

	Legal Entitlement	Trustees Discretion (recommended)
Dependant gives birth.	Unpaid for 1 or 2 days as necessary.	Paid leave will be considered in line with the Paternity scheme. In other cases unpaid leave will be granted.
Death of dependant.	Unpaid for 1 or 2 days as necessary.	Paid for 1 or 2 days as necessary.
Attendance at funeral of dependant.	Unpaid for 1 or 2 days as necessary.	Paid for 1 or 2 days as necessary.
Finalising affairs of dependant.	Unpaid for 1 or 2 days as necessary.	Paid for up to 10 days as necessary.
Attendance at funeral of other relative or friend.	None.	1 day paid leave for a close relative; 1 day unpaid in other cases.
Sickness of dependant.	Unpaid for a few days as necessary.	1 day paid leave per term to arrange care, further time to be unpaid.
Unexpected incident involving dependent child during school hours/trip.	Unpaid for 1 or 2 days as necessary.	Paid for 1 day, then unpaid thereafter.
Sickness of other close Relative.	None.	Paid for 1 day, then unpaid thereafter.
Breakdown in care arrangements for dependant.	Unpaid for 1 or 2 days as necessary.	Paid for first day up to a maximum of 3 days in a rolling year. You may be asked for details as to how the care of dependants is shared with the other partner/rest of the family, in terms of time off work.

Moving house, Wedding of relative/friend, religious festivals, seeing relatives off abroad, playing representative sport.	None.	Paid for 1 day in one rolling year in total. In all these cases it is for the person requesting leave to make the case for the 'special' (i.e. urgent personal) nature of the absence, especially where more than one day is requested.
Study and exams for relevant qualification.	None	Paid for up to 6 days per 3 year course + exam days.

	Legal Entitlement	Trustees Discretion (recommended)
Planned medical appointments.	None.	Not covered. Paid leave may be granted for parts of the day if there is a clear emergency (e.g. critical dental treatment) or a clear special case (e.g. a consultant's appointment). As with all leave, this must be cleared as per the Absence Policy first.
Domestic emergencies (e.g. car breakdowns, visits of plumbers, deliveries etc.).	None.	Not covered. Only unpaid leave will be granted and only then in extremely urgent circumstances. Requests must be cleared as per the Absence Policy.
Inclement weather, failure of public transport etc.	None.	If Testwood is closed then staff should work at home under the direction of their line manager. If Testwood is open staff should make effort to attend but judge for themselves whether it is safe to travel. Staff should not feel under pressure and place themselves at risk in inclement weather. Under these circumstances, staff should be prepared to give an account of the work they did at home. Staff unable to account for the work undertaken or to demonstrate why absence was necessary will normally have salary deducted.
Family celebrations i.e. graduation, family weddings.	None.	Graduation of son/daughter/spouse 1 day paid. Family weddings at Headteacher's discretion with unpaid leave.
New School INSET.	None.	One day paid at Headteacher's discretion at a time mutually convenient to both schools.
Interviews.	None.	Staff should meet directly with Headteacher to discuss. Monitoring of time taken will be recorded in a rolling year of days taken. If the number exceeds discretionary number from Pay & Conditions Policy, Headteacher will inform in writing when total days exceed this figure.
Court appearance of employee.	Unpaid as necessary.	Unpaid leave as necessary.
Court appearance of dependant/spouse	None.	Not covered: Only unpaid leave will be granted and only in extremely urgent circumstances. Requests must be cleared as per the Absence Policy.
Union duties.	As per county agreement	
Jury service.	Paid as necessary.	Paid as necessary.

This list is illustrative, not exhaustive

9. Terms

‘Rolling Year’ – a request for leave of absence on 1 June will be evaluated by looking at similar leave requests in the year up to 1 June. All requests will look back at the previous 12 months at the time of request.

Refer to Pay and Conditions Policy.

This policy was approved by the Trustees and will be reviewed annually.

Date policy agreed: May 2023

Date of review: May 2024

Signature of Chair of Trustees:

Date: May 2023

Appendix

April 2020

1. From January 2020, the Corona Virus affected significant numbers of people across the world. Staff at Testwood School were requested to inform the Headteacher if they were:
 - a) Suffering from symptoms of the virus (7 days self-isolation)
 - b) Living with someone suffering from symptoms of the virus (14 days self-isolation)
 - c) Medically vulnerable (i.e. having had or been diagnosed with a condition that meant they were more likely to be at risk of serious complications if they caught the Corona Virus (12 weeks self-isolation).
 - d) Living with or someone they supported/who was dependent on them who was medically vulnerable (EHCP, with social worker, care leavers or those at discretion of Headteacher as needing to be in school). Staff in the categories A-C above were not expected to attend school but to work from home. Full pay applies to all (b, c, d and e). Statutory sick pay would apply for those in category A.

April 2021

2.
 - i) From January 2021, the Corona virus continued to affect significant numbers of people. Staff at Testwood were requested to continue to inform the Headteacher as above in Appendix 1.
 - ii) Lateral Flow Tests were conducted in school in order to identify possible Covid infections.
 - iii) In the latter part of the spring term, home test kits were provided to staff for twice weekly testing.
 - iv) Staff were required to inform the Headteacher via the Covid email link under the following circumstances which were passed daily to the DFE for tracking purposes.
 - a) Suspected case
 - b) confirmed case (even if asymptomatic)
 - c) requested to stay at home due to potential contact with a case inside the school
 - d) remaining at home due to potential contact with a case from outside school
 - e) other reasons for absence
 - v) Staff have to inform the Headteacher if they intend to travel outside of the UK due to the need to quarantine on their return

April 2022

3.
 - i) Until September 2022, Testwood will continue to use the Headteacher's discretion with regard to absence for Covid and for Covid related childcare. From September 2022 onwards, it is expected that Testwood will return to the ESL guidance, as outlined in section 8 of the policy.

April 2023

4. The Headteacher will use discretion with regard to Covid and Covid related childcare.
 - ii) Staff with diagnosis of Long Covid or with symptoms of Long Covid, should speak to the Headteacher about the management of their condition.