



Special Leave Policy & Procedure

Last Update: September 2024 (version 3.0)

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Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	Summer 2020	HR Manager	All Plymouth CAST staff	New Policy
2.0	July 2022	Adelle Pope - HR Manager	All Plymouth CAST staff	Policy Review
3.0	July 2024	Adelle Pope - HR Manager	All Plymouth CAST staff	Policy Review

Approvals

This policy requires the following approvals:

Board	Chair	CEO	Date Approved	Version	Date for Review
✓	✓	✓	Summer 2020	1.0	September 2022
✓	✓	✓	22nd July 2022	2.0	September 2024
✓	✓	✓	19th July 2024	3..0	September 2027

National/Local Policy

This policy must be localised by Academies

This policy must not be changed, it is a CAST/National Policy (only change logo, contact details and any yellow highlights)

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement? Yes No

If yes, the policy status is: Consulted and Approved Consulted and Not Approved Awaiting

Consultation

1. Vision and Values

- 1.1 Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
- 1.2 Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing an education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust

2. Introduction

- 2.1. Plymouth CAST expects all its employees to recognise their obligations to their school, the public, pupils and other employees and to provide consistently high standards of education and performance at all times and in accordance with CAST's mission and ethos.
- 2.2. However, Plymouth CAST recognises that there will be occasions when employees unavoidably need to be absent from work during their contracted working time. Some absences may be able to be requested with notice, whilst others may be immediate.

3. Purpose

- 3.1. To achieve high quality and efficient education and good employee relations this policy aims to:
 - 3.1.1. set out the framework for a clear and consistent application of granting Leave of Absence across the Plymouth CAST Multi-Trust Academy.
- 3.2. All decisions will be made in line with this policy. The spirit of granting absence requests will be made in accordance with CAST's ethos.

4. Scope

- 3.1 This policy applies to all Plymouth CAST employees.

5. Equal Opportunities

- 5.1. The Special Leave policy must always be applied fairly and in accordance with employment law and Plymouth CAST Equal Opportunities Policy including the duty to make reasonable adjustments for disabled employees.

6. Responsibilities

- 6.1. The day to day operation of each Plymouth CAST school is the responsibility of the Head teacher/Executive Headteacher with support and challenge being provided by the Education and Standards Manager and this is discharged through each school's Senior Management Team. The operation of the Head Office function rests with the CEO, delegated through the Chief Finance and Operating Officer and Director of Education. It is important that pupils, staff, parents and local stakeholders recognise and support this. However, ultimate accountability for Plymouth CAST as a multi-Academy Trust rests with the Plymouth CAST Board. Therefore, any decisions that have an impact on resources, such as staffing, structures, or compliance must be referred to the Plymouth CAST Board if they exceed delegated authority. This is essential to ensure that the legal obligations of Plymouth CAST are met and that the Trust maintains robust systems and processes that deliver effective governance.
- 6.2. It is the School Improvement Officers (SIO) responsibility to work closely with the Head teacher/Executive Headteacher and management team to ensure everyone concerned has a full and accurate picture of each school's strengths and any areas for improvement. ESMs will work with schools to identify strategies for improvement, with support, where appropriate, from within the Plymouth CAST network.
- 6.3. It is the role of Plymouth CAST HR (and where appropriate, the School Business Manager) to provide clear HR policies, procedures and guidance, to support schools in the delivery of consistent and high standards of performance within a dignified working environment, in which all employees can take pride and enjoyment in their work.
- 6.4. Management and employee representatives who may be involved in responding to requests for special leave should be familiar with the provisions of the Special Leave Policy.
- 6.5. Advice should be sought from CAST HR if there is any doubt on how to respond to a request for special leave.

7. Absence in Context

- 7.1. Absences can pose a serious problem for schools in terms of disruption to teaching schemes, pupils' learning and other areas of work. The Headteacher/Executive Headteacher are committed to managing attendance, so that any disruption to the pupils' education or the impact on the effective running of the school is minimised. Equally it recognises that during the course of employment, employees may occasionally be absent from work.
- 7.2. Requests from any school based employee for absence to be taken during term time must be regarded as the exception. Requests for leave of absence for the purpose of taking holidays and/or contributing to holidays will not be granted except in exceptional circumstances.

7.3. This policy gives details of entitlements for employees in relation to absence.

8. Approval for Special Leave

- 8.1. All employees will be required to follow standard CAST Procedures when requesting leave of absence and for reporting absence.
- 8.2. Authorised paid and unpaid absence from work for the reasons given in this policy requires prior approval.
- 8.3. Requests for paid or unpaid leave must be made in writing to the employee's line manager with full reasons for the request. The request should be made as soon as it is known that it will be required, and in any case not less than 4 weeks in advance of the proposed absence, except in exceptional circumstances.
- 8.4. For school-based employees the request will be signed off by the Headteacher or Executive Headteacher and for Central office employees it will be signed off by the CEO.
- 8.5. Requests for leave of absence will be considered taking into account:
 - 8.5.1. the principles of this policy,
 - 8.5.2. the best interests of the children and the school,
 - 8.5.3. treating staff in a fair, reasonable and consistent way,
 - 8.5.4. national and local terms and conditions of employment.

9. Compassionate leave

- 9.1. The Trust recognises that employees may be faced with difficult personal circumstances at times, including situations involving the serious illness or death of a close relative or individual of significance to them. During these situations, employees may need to take time away from work and any request for special leave will be handled sensitively by line managers and/or Headteacher/Executive Headteacher and in recognition that bereavement and funeral practices will differ amongst religions.
- 9.2. Compassionate leave will be granted to employees who:
 - 9.2.1. need to care for a dependant or close relative who is seriously ill;
 - 9.2.2. requires compassionate leave due to the death of a dependant, close relative or person of significance.
 - 9.2.3. Suffers a miscarriage or stillbirth
- 9.3. Line managers and/or Headteacher/Executive Headteacher should discuss the individual circumstances with the employee, including the relationship that the staff member had with the person, the likely duration of leave required and consideration of any other additional support which should be provided to the employee. They should also be

mindful that long term bereavement may lead to the employee suffering from a condition which constitutes a disability as defined by the Equality Act, such as depression or other mental health illnesses. In these circumstances advice should be sought from occupational health advisors which should inform discussions between the employee

and their line manager and/or Headteacher/Executive Headteacher and any additional support to be provided to the employee.

- 9.4. For the purposes of this policy, a close relative is defined as a spouse or partner, child, stepchild, grandchild, parent, stepparent, grandparent, brother or sister, stepbrother or stepsister. A “person of significance” will be determined by the individual circumstances of the situation.
- 9.5. The member of staff should contact their line manager and/or Headteacher/Executive Headteacher as soon as possible in order that a discussion can take place to identify any appropriate support to be provided to the employee, including any special leave of absence.
- 9.6. Paid compassionate leave of normally up to 5 working days, may be given to a member of staff. If the employee requires longer periods of leave, the line manager and/or Headteacher/Executive Headteacher should discuss this sensitively with the employee. Options to provide continued support to the employee should be considered and discussed with them, including an extension of the special paid leave, annual leave, unpaid leave, or temporary adjustments to working patterns, hours and/or responsibilities.
- 9.7. In circumstances where an employee’s baby is stillborn after the 24th week of pregnancy, or where a baby dies after birth, the employee will still qualify for maternity leave and pay or paternity leave and pay, subject to the normal eligibility criteria. Further details can be found in the Plymouth CAST Family Friendly Policy section 5.9 and 6.9.
- 9.8. As individual circumstances may vary, it is recommended that each application for compassionate leave is assessed individually by the line manager and/or Headteacher/Executive Headteacher, taking the following into consideration:
 - 9.8.1. the relationship and caring responsibilities between the individual and the employee.
 - 9.8.2. the nature and extent of any illness or treatment required.
 - 9.8.3. the impact of the bereavement or illness on the employee.
 - 9.8.4. any practical arrangements the employee needs to make, including if they are involved in making funeral arrangements.
 - 9.8.5. whether there may be a requirement to travel or attend a funeral or ceremony; and
 - 9.8.6. the business needs and demands of the organisation at that time and the capacity to make alternative arrangements to cover duties.

10. Parental Bereavement Leave

- 10.1. The Parental Bereavement (Leave and Pay) Act 2018, which entitles parents of children who die before their 18th birthdays to at least two weeks' paid bereavement leave, which came into effect on 6 April 2020.
- 10.2. Leave will be a universal right for all employees with any kind of parental responsibility for a child under the age of 18 who dies on or after 6 April 2020. The right will be to two weeks' paid leave for employees who have completed 26 weeks' service, paid at the actual rate of pay. The right will also apply to parents of still born babies once 24 weeks of a pregnancy have elapsed. It will be possible to take the leave as a single block of two weeks, or as two separate blocks of one week, during the 56 weeks following the child's death.

11. Funerals

- 11.1. This is only applicable to a close relative. For the purposes of this policy, a close relative is defined as a spouse or partner, child, stepchild, grandchild, parent, stepparent, grandparent, brother or sister, stepbrother or stepsister. A "person of significance" will be determined by the individual circumstances of the situation. The employee's line manager will determine whether the 'person of significance' meets the requirement. should the employee be unhappy with the decision they should escalate this to the next manager up, for example if the Headteacher made the initial decision, the employee could escalate this to the Education and Standards Manager.
 - 11.1.1. 1 day's paid leave depending on the circumstances
 - 11.1.2. a further 2 school days' paid leave for travelling if out of County
 - 11.1.3. if an employee intends to attend an overseas funeral then the line manager and/or Headteacher/Executive Headteacher have the discretion to grant additional unpaid leave

12. Time off for Dependants/Emergency Leave

- 12.1. Emergency leave is intended to cover genuine and **unforeseen** emergencies involving dependants, or **unexpected** domestic emergencies. If however, an employee knows in advance that they are going to need time off (for instance to take their child to a hospital appointment), they should speak to their line manager and/or Headteacher/Executive Headteacher about the possibility of taking such time off.
- 12.2. **Emergencies involving dependants.** A line manager and/or Headteacher/Executive Headteacher may allow an employee to take paid leave to deal with unforeseen emergencies involving dependants in accordance with these provisions. Under certain circumstances this leave may be taken together with compassionate leave.
- 12.3. Normally up to 5 working days' paid leave will be granted in any rolling 12-month period (with a limit of 2 working days' paid leave permitted on any single occasion):

- 12.3.1. To deal with an unexpected disruption or breakdown in care arrangements for a dependant, for example, when a childminder is unavailable; or when a nursery or school is unexpectedly closed.
- 12.3.2. If a dependant falls ill, gives birth or has been involved in an accident or suffers some form of assault or harm.
- 12.3.3. To make appropriate care arrangements for a dependant who is ill, injured or in need of other forms of significant emergency care.
- 12.3.4. To deal with an incident or emergency involving an employee's child while they are at nursery, school or college.
- 12.4. The 5 working days' paid leave entitlement above will be pro-rated for part-time employees.
- 12.5. A 'dependant' is defined under this policy as an employee's spouse, civil partner, child (biological, adopted or fostered or for whom the employee has a legitimate responsibility), parent or someone who lives with the employee as part of their family (but is not a lodger or boarder). A dependant may also be someone who does not necessarily live at the same address as the employee but reasonably relies on the employee for assistance or to arrange provision of care if they fall ill, give birth, are injured or assaulted, or where care arrangements break down unexpectedly. This may be where the employee is the primary carer or the only person who can help in an emergency, for example where an employee is a registered carer.
- 12.6. Leave for emergencies involving dependants as set out above should be reasonable in the particular circumstances of the emergency; it should be sufficient to deal with the immediate problem and to arrange alternative longer-term care if required. It is anticipated that in the majority of cases one or two days of leave on any one occasion will be sufficient. Where there are longer term care requirements, it may be more appropriate to request annual leave, parental leave, or flexible working as appropriate.
- 12.7. Additionally, employees have a statutory right to reasonable time off (unpaid) in order to make arrangements to deal with unforeseen emergencies involving dependants. As such, where paid leave has been exhausted under these provisions, employees may be entitled to unpaid leave in the circumstances.

13. Carer's Leave for Dependants

- 13.1 The Carer's Leave Act 2023 gives employees the right to a maximum of a week's unpaid leave in any 12-month period. Carer's leave is intended to allow eligible employees to provide or arrange care for a dependant with a long-term care need.
- 13.2 The purpose of the Carer's leave is different from Time Off for Dependants (Section 12 of the Plymouth CAST Special Leave Policy) which is intended for emergency caring situations whereas Carer's leave is available for planned and foreseen caring commitments. Carer's leave is also different from unpaid parental leave (Section 10 of the Plymouth CAST Family Friendly Policy) as Carer's leave is available for a wider range of caring situations, excluding general childcare (except where the child meets the definition of a dependant with a long-term care need.)

13.3 Eligibility:

13.3.1 To be eligible for Carer's leave you must:

- Be an employee of Plymouth CAST and have started day one of employment;
- Be providing long-term care for a dependant.
- Have not exceeded your entitlement set out in paragraph 13.4.

13.3.2 A 'dependant' is defined under this policy as an employee's spouse, civil partner, child (biological, adopted or fostered or for whom the employee has a legitimate responsibility), parent or someone who lives with the employee as part of their family (but is not a lodger or boarder). A dependant may also be someone who does not necessarily live at the same address as the employee but reasonably relies on the employee to provide or arrange care.

13.3.3 A dependant has a "long-term care need" if:

- They have an illness or injury which is likely to require care for more than three months;
- They have a disability under the Equality Act 2010; or
- They require care for a reason connected with old age.

13.4 Carer's leave is an entitlement to a maximum of one week's unpaid leave in a 12-month period.

13.4.1 A 'week's leave' should be determined by the number of days normally worked (or required to be worked) by an employee in a particular period.

13.4.2 Carer's leave can be taken in half or full days, up to and including taking a consecutive week of leave at once. The minimum requirement for employee's using Carer's leave is half of a working day at a time.

13.4.2.1 A working day meaning the employee's usual working pattern.

13.4.3 One week is the maximum, irrespective of how many dependants an employee has.

13.5 Notice:

13.5.1 Notice of intention to take Carer's leave must be given to the employee's line manager / Headteacher. The notice period employees are required to give to take Carer's leave is either:

- twice the length of time that needs to be taken in advance of the earliest day of leave; or
- three days in advance of the earliest day or part day specified in the notice.

Whichever is the earliest.

13.5.2 Employees may wish to give their notice to take Carer's leave in writing. However, employees are required to complete a special leave request form/request through the payroll portal which will confirm the following in their notice:

- That the employee is entitled to take Carer's leave (they meet the eligibility criteria stated in section 13.3); and
- The day(s) or part of a day that will be taken.

13.5.3 Where an employee fails to give notice before the relevant date, it is at the Headteachers / Line Managers discretion whether they will grant Carer's leave.

13.6 There is no requirement for the employee to supply evidence to support their request to take Carer's leave.

13.7 Postponement

13.7.1 A request for Carer's leave from an eligible employee cannot be refused. However, Plymouth CAST may postpone the request for Carer's leave if they reasonably consider that the operation of the business would be unduly disrupted if the leave was approved.

13.7.2 If a request is postponed, the employer must agree to permit the employee to take a period of Carer's leave of the same duration as identified in the notice and beginning on a date determined by the employer after consulting with the employee. The postponed date must be no later than one month after the earliest day, or part day, of the employee's original request.

13.7.3 The employee must be given notice in writing of the postponement which:

- States the reason for postponement; and
- Sets out the agreed revised dates the employee can take Carer's leave.

Notice of postponement must be given to the employee as soon as reasonably practicable but not later than 7 days day of the request or before the earliest day, or part day, requested in the employee's notice: whichever is earliest.

13.7.4 Additionally, employees taking Carer's leave will have the same employment protections as associated with other forms of family related leave. This includes protection from dismissal or detriment as a result of having taken the leave. Employee's will be entitled to return to the same job they were doing immediately before they took the Carer's leave.

14. Unexpected Domestic and Other Emergencies

14.1. An employee may take up to 1 day of paid leave (or annual leave) if they experience a severe and unexpected domestic emergency (unrelated to children or dependants) necessitating the employee's presence at home. In exceptional circumstances, the manager may grant one additional day, but this will be unpaid. Other severe emergencies are also included here, and examples are provided below. Any additional time off should be taken as annual leave.

14.2. Examples of an emergency include but are not limited to:

13.2.1. Fire or flood at the employee's home. A burglary at the employee's home.

13.2.2. A road accident or other similar accident involving the employee (excluding time off for illness or injury where the sickness absence policy will apply).

13.2.3. The breakdown or theft of the employee's car.

14.3. In determining whether a request for emergency leave should be granted the following factors should be taken into consideration:

13.3.1. The nature and extent of the emergency.

13.3.2. The availability of others to deal with the emergency.

13.3.3. The likely impact of the emergency on the employee.

15. Weddings

15.1. Employees will be granted one day **without pay** to attend the wedding of close relatives or persons of significance. Line managers and/or Headteacher/Executive Headteacher have discretion to increase this provision where a wedding is not being arranged locally, but there is no guarantee for paid leave. Only 1 absence can be requested in a rolling 12-month period.

16. Graduation Ceremony

16.1. Employees will be granted one day with pay to attend their own graduation ceremony or the graduation ceremony of their child, this can include step children. Employees will be granted one day unpaid to attend the graduation of a member of the employee's close relatives and person of significance.

17. Examinations and Study Leave

17.1. Paid leave of absence for one day will be granted for all employees for final revision prior to sitting a recognised relevant examination (relating to their job role).

17.2. Employees are entitled to paid leave of absence for sitting approved examinations relating to their job role.

18. Moving House

18.1. Employees will be granted one day with pay in one school year if the day of the move is unavoidably on a weekday in term time. School based employees should arrange house moves during school closure or at weekends where possible.

19. Essential Civic and Public Duties

19.1. The Trust will grant reasonable unpaid special leave to those employees who hold the following public positions (as defined in s.50 of the Employment Rights Act 1996). Where the employee is unable to claim through the courts the leave will be paid by the Trust and in cases where there is a cap on the claim, the Trust will top the difference in salary:

19.1.1. Magistrate or Justice of the Peace.

19.1.2. Member of a Local Authority.

19.1.3. Member of any statutory tribunal.

- 19.1.4. Member of an independent monitoring board for a prison or a prison visiting committee.
- 19.1.5. Member of a relevant education body e.g. school board or equivalent education establishment.
- 19.1.6. Member of a relevant health body e.g. National Health Service Trust or a Health Board.
- 19.1.7. Member of a Police Authority.
- 19.1.8. Member of the Environment Agency
- 19.2. The public body may also require the individual to attend training, additional meetings, or committees in order for them to fully perform their function. For the purposes of the leave application, these should be considered to be part of the individual's public duties.
- 19.3. In considering whether the leave application is 'reasonable', the line manager and/or Headteacher/Executive Headteacher will take the following factors into account:
 - 18.3.1. How much time off is generally required for the performance of the office in question.
 - 18.3.2. How much time off is required for the performance of the particular duty on the particular occasion.
 - 18.3.3. How much time off has already been granted to the employee for public duties.
 - 18.3.4. The employee's involvement in current departmental activities and the effect of their absence on the operational requirements of the department.
- 19.4. In all cases, employees must notify their line manager and/or Headteacher/Executive Headteacher, on appointment, if they hold membership of any of the organisations listed above, and seek prior approval, if they take up membership of such organisations during their employment.
- 19.5. An individual should discuss their requirements for time off as early as possible in the application process and submit their leave application as soon as they have confirmation of the dates of their public service. Employees should provide any additional documentation to their line manager and/or Headteacher/Executive Headteacher as required as evidence of the request and/or dates and times of their attendance.
- 19.6. Employees may also be considered for a period of unpaid special leave for the following reasons, however these will be considered on a case by case basis depending upon the specific circumstances.
 - 18.6.1. To serve as a Special Advisor to the British Government (appointed under the Constitutional Reform and Governance Act 2010).
 - 18.6.2. To serve or stand for election as Member of Parliament.
 - 18.6.3. To serve as a Political Agent to candidates or prospective candidates in parliamentary elections.
 - 18.6.4. To serve or stand for election in local government as an elected or co-opted member of a local authority.

20. Approved Union/Professional Association activities for Accredited Representative

- 20.1. Please see separate guidance contained in the facilities agreement for schools.

21. Governing Body/Board Duties

- 21.1. Where either a teacher or member of the support staff is also a Governor in their own school, they will be given necessary time with pay to attend meetings etc.
- 21.2. Where either a teacher or member of the support staff is a Governor at either a different school from their place of work or other educational establishment, they will be permitted a maximum of 4 half days paid in any period of 12 months to support the carrying out of these duties.

22. Jury service

- 22.1. Paid leave of absence will be granted for jury service subject to the arrangements outlined below. The employee should contact their line manager as soon they receive the notification that they are required to attend court. This will also ensure that, where necessary, arrangements can be made to cover their absence.
- 22.2. Jury service normally lasts for 10 working days but may be longer. The employee should provide their line manager with a copy of the jury service letter and any other relevant documentation.
- 22.3. In the event of the employee not being required to serve on a particular day, the employee would normally be expected to report to work. However, the line manager and/or Headteacher/Executive Headteacher will consider whether this requirement is appropriate given the location of the court if the employee has travelled to it and the individual circumstances including the nature of any case. Employees should contact their line manager and/or Headteacher/Executive Headteacher to discuss if attendance at work is required in these circumstances.

23. Attendance in Court as a Witness

- 23.1. If in a private capacity, an employee is summoned to appear as a witness in third party proceedings or is required to give evidence in their own court proceedings they may request annual leave or in certain circumstances paid leave may be granted with the agreement of their line manager and/or Headteacher/Executive Headteacher.
- 23.2. Where unpaid leave or annual leave has been granted, the employee may retain any compensation for loss of earnings or other sums payable or ordered by the court. The employee may also retain any travelling and subsistence allowances received from the court.
- 23.3. Where an employee is called by the Trust to act as a witness on the Trust's behalf at an Employment Tribunal hearing or any other court proceedings, the employee will continue to receive their full pay, as this will be deemed part of their normal duties.

24. Legal Custody/Imprisonment

- 24.1. If an employee is detained in legal custody or imprisoned, the case should be dealt with under the Plymouth CAST Disciplinary Policy.
- 24.2. Any decision will be based on:-
 - 23.2.1. the length of the sentence
 - 23.2.2. the job done by the employee
 - 23.2.3. his/her length of service
 - 23.2.4. the circumstances underlying the reasons for the sentence
 - 23.2.5. The relevance of the conviction to the individuals role
- 24.3. An employee will not necessarily be dismissed because of his/her conviction for a criminal offence, but the employee's position will be considered on its merits. An acquittal of criminal charge shall not of itself preclude disciplinary action where such action would otherwise be appropriate, subject to the terms of the disciplinary procedure. Where a long-term sentence is passed, this can be grounds for dismissal.

25. Time off for Medical Appointments

- 25.1. The Trust will support employees by providing paid time off work to enable them to access medical attention in the event of a medical emergency relating to their own health.
- 25.2. The Trust fully understands that there are occasions whereby employees need to attend non-emergency medical appointments and it is important that they are able to do so. In order to minimise disruption, the Trust expects employees to schedule such appointments outside of their normal working time where at all possible. On occasions that this is not possible, employees should schedule appointments to minimise the disruption to the organisation, such as at the beginning or end of the working day wherever possible. Employees must provide their line manager and/or Headteacher/Executive Headteacher with as much notice as possible if they require time off work to attend such appointments.
- 25.3. Routine appointments such as dental or optician appointments should ideally be booked during the school holidays or at weekends to minimise disruption.
- 25.4. Where an employee is unable to schedule a doctor/hospital appointment outside of the working day, then time off with pay will be granted for an appointment made during working hours at the discretion of the employee's line manager and/or Headteacher/Executive Headteacher. The employee would need to provide a copy of the appointment letter.
- 25.5. In circumstances in which an employee suffers from a long term ongoing medical condition which constitutes a disability as defined by the Equality Act, the line manager and/or Headteacher/Executive Headteacher should authorise paid special leave of absence to enable the employee to attend relevant medical appointments which are not possible to be made outside of the employee's normal working hours. Further advice

may be obtained from Occupational Health to inform the discussions and agreements made with the employee.

- 25.6. Line managers and/or Headteacher/Executive Headteacher should ensure that the application of this policy does not directly or indirectly discriminate against employees who have a protected characteristic, or who associate with someone who has a protected characteristic, in accordance with the Equality Act 2010. Further advice can be sought from the central HR Team.

26. Medical Screening

- 26.1. Necessary time off will be granted for the purposes of medical screening e.g. cancer screening, where this is required by the employee's medical advisors.

27. Elective Surgery

- 27.1. In respect of elective surgery, employees will only qualify for sick pay if they provide evidence from their GP that they meet the criteria for having such treatment i.e. that it is necessary for physical or psychological reasons. The employee will be required to provide doctors certificates for the whole period of absence. In all other cases of elective surgery, the employee will be required to take annual leave, or unpaid leave if this is agreed.

28. Fertility treatment

- 28.1. Individuals who are following a course of fertility treatment and have been employed by the Trust for one continuous year are eligible to apply for fertility treatment leave. This includes employees with same-sex partners and single persons. Eligible employees who may request one of the entitlements below:
 - 28.1.1. **Female employees-** Up to five days paid leave within a 12-month period to cover necessary treatment during a fertility treatment cycle.
 - 28.1.2. **Partners-** Up to two days paid leave within a 12-month period to cover necessary treatment and to provide support during a fertility treatment cycle.
- 28.2. The 12-month period runs from the first day that leave is taken for the purposes of fertility treatment. Any unused entitlement to paid leave for fertility treatment during the 12-month period may not be carried forward and is forfeited.
- 28.3. If an employee requires additional time off, they may take a period of annual leave or unpaid leave by agreement with their line manager and/or Headteacher/Executive Headteacher. Alternatively, depending on the treatment being undertaken, an employee may wish to consider making an application for temporary flexible working.
- 28.4. If an employee becomes ill as a result of or during infertility treatment, subject to their compliance with the Absence Management policy, they should receive statutory or contractual sick pay in the usual way.

29. Gender Reassignment

- 29.1. Requests for time off for medical treatment relating to gender reassignment will be managed and recorded in accordance with the Trust's Absence Management procedures. Time off for these purposes will be treated no more or less favourably than time off for illness or other medical appointments.
- 29.2. Reasonable requests for time off for non-medical treatment related to gender reassignment will be considered subject to operational requirements. Normally annual leave or unpaid leave will be considered for these purposes.
- 29.3. An employee may also request to take a period of leave before returning to work in their new gender. This should be discussed with their line manager and/or Headteacher/Executive Headteacher and annual leave or unpaid leave considered subject to operational requirements.
- 29.4. In all cases requests for time off should be discussed with an employee's line manager and/or Headteacher/Executive Headteacher at least 4 weeks prior to the commencement of the requested period.

30. Time off for Religious Observance

- 30.1. Ensuring equality of opportunity, promoting an inclusive culture and valuing diversity are core to the ethos of the Trust. Therefore, the Trust is committed to celebrating and supporting diversity across the workforce. Requests for short term flexible working arrangements or time off to observe religious or cultural tradition will be considered sympathetically and will be accommodated wherever possible.
- 30.2. Requests should be given with as much notice as possible to the employee's line manager and/or Headteacher/Executive Headteacher so that full consideration to the individual circumstances can be given.
- 30.3. Where possible employees actively practising the relevant religion will be granted paid leave for 1 day within a rolling 12-month period when a significant festival falls during a normal working day.
- 30.4. Where religious observance lasts for more than one day during a normal working week the line manager and/or Headteacher/Executive Headteacher will make a decision as to whether additional leave can be accommodated, including considering whether the additional leave can be granted on an unpaid, or annual leave basis.
- 30.5. Employees remaining in the workplace during specific religious days and festivals may also wish for a private space for prayer or meditation during this time. Where possible, the Trust will ensure an appropriate space is available to them for this purpose.

31. Time off to attend interviews

- 31.1. The Trust recognises that employees may have a desire to progress their career with another organisation that is not part of the Plymouth CAST Trust, resulting in the need to attend a job interview.

- 31.2. The Trust at the discretion of the line manager and/or Headteacher/Executive Headteacher will normally grant employees up to 5 days in any rolling 12 months period of paid leave to attend those interviews that cannot be arranged outside of working time. Staff members must provide as much notice as possible to limit the impact on the organisation.
- 31.3. The line manager and/or Headteacher/Executive Headteacher may request to see evidence of the interview. The amount of time off will be agreed locally, taking into account the time of the interview, the length of attendance required at the interview, the location of the interview and the employee's role. There is not an automatic entitlement to a full day off.
- 31.4. If employees intend to visit a school/or work location as part of considering whether to apply for a job or following a job offer being made, they should arrange such visits during their own time where at all possible.
- 31.5. Employees whose posts have been identified as at risk of redundancy may also have a statutory entitlement to reasonable paid leave to attend interviews. Further advice can be sought from the central HR Team.

32. Sabbaticals and Career Breaks

- 32.1. All applications for sabbatical leave / career break will be considered in accordance with the [Plymouth CAST Sabbatical Policy](#).

33. Adverse weather conditions and travel disruptions

- 33.1. The Trust recognises that on occasion exceptionally poor weather conditions or unexpected travel disruptions can make it difficult or unsafe for employees to attend work. Employees should make every effort to get to work where it is safe to do so but if they do not think that this is possible then they should contact their line Manager and/or Headteacher/Executive Headteacher as soon as possible to discuss the reasons that travel is impossible or unsafe and to request special leave. If authorised, special leave will ordinarily be granted on a paid basis.
- 33.2. In exceptional circumstances where the school/office is closed and employees have been informed that they are not required to attend work, they will be paid their normal salary for the duration of the closure. However, where possible, employees should continue to work from home.
- 33.3. When there are exceptionally poor weather conditions, such as snow, if employees are going to be late arriving at their place of work, they should report the circumstances to their line manager and/or Headteacher/Executive Headteacher in accordance with local procedures. In these circumstances and in situations whereby employees are granted early release from work due to adverse weather conditions, the employee would not ordinarily suffer any loss of pay.
- 33.4. If employees are scheduled to be working offsite, for example attending a training course or external meeting, but are unable to attend due to adverse weather conditions

or travel disruptions, they should report this to their line manager and/or Headteacher/Executive Headteacher. They should make every effort to report to their usual place of work instead, unless those adverse weather conditions or travel disruptions make this also impossible or unsafe to do so.

34. Support Staff Pensions Arrangements

- 34.1. Where an employee is in the Local Government Pension Scheme and wishes to take authorised unpaid leave other than for maternity, adoption or paternity reasons, where other forms are in place, they must complete an unpaid leave request form. Under the Local Government Pension Scheme, unpaid leave is not treated as pensionable and will reduce the amount of pension earned during the year if an employee does not elect to pay Additional Pension Contributions (APC's). Employees can elect to pay additional pension contributions to buy back the 'lost' pension during the period of authorised unpaid leave subject to the terms of the scheme. This should be checked with the LGPS prior to the absence.

35. Unexplained/Uncertified Absence

- 35.1. As soon as it becomes apparent that an employee is absent without an acceptable explanation or medical certificate, the line manager/Headteacher/Executive Headteacher should write to the employee, guidance from HR should be sought. The letter should note the date from which the employee was absent and that no medical certificate or satisfactory explanation has been received. It should remind the employee of his/her obligations and say he/she will not be paid beyond the last date at which he/she was either present at work or absent with an explanation. The letter should also invite the employee to a meeting and give the date and time.
- 35.2. If, within a calendar week, there is no response or no acceptable mitigating circumstances, a further letter should be sent by recorded delivery (and also by ordinary post in case the person does not accept delivery of the recorded item). It should refer to the earlier letter, state the lack of response and explain that unless the employee returns by a specified date (a week later) or unless a medical certificate or acceptable explanation covering the whole period of absence is received by that date, a hearing will be convened to consider the employee's dismissal. The letter should state that if the employee fails to attend the hearing on the date and time provided, a decision will be considered in his/her absence which is likely to result in dismissal for breach of contract of employment. The letter should also include the right to be accompanied by a work colleague or trade union representative.
- 35.3. If there has been no acceptable response by the specified date, the line manager/Headteacher/Executive Headteacher should convene a panel where the employee's dismissal is considered. The employee should be notified in writing of the hearing and include in the letter the fact that if the employee does not attend the hearing a decision may be taken in his/her absence.
- 35.4. If the employee is dismissed at the hearing (irrespective of whether s/he attended the hearing), s/he has the right of appeal. The employee will be informed of this in writing.

35.5. Employees returning to work within the above time periods, who are unable to provide satisfactory reasons for their absence, may be subject to disciplinary action in accordance with the disciplinary procedure and where the employment contract permits, unauthorised absence may be unpaid. Employees who return to work and provide medical confirmation of their absence may also be subject to disciplinary procedure for failing to follow the school’s procedure for the reporting of sickness.

36. Review

The content of this procedure may be subject to revision from time to time following consultation with the recognised trade unions.

History of policy changes

Date	Page	Details of the change	Agreed by
24.07.2020	All	Board Approval for adoption	CAST Board
July 2022	8	12- Title now includes the wording ‘Time off for dependants’ to provide for clarity.	SELT/JCC/Board of Directors
July 2022	11	16.1- Clarification that paid leave for revision/exams will only apply for exams relating to their job role.	SELT/JCC/Board of Directors
July 2022	11	19.1- Facilities being updated separately.	SELT/JCC/Board of Directors
19th July 2024	8	Section 13- New section covering Carer’s Leave for Dependants	SELT/JCC/Board of Directors
19th July 2024	13	Removal of 22.4- The employee serving as a juror must claim the allowance for loss of earnings to which they are entitled to under the Jurors Allowance regulations and pay this back to the school/Trust. If a part-time employee undertakes jury service on a non-working day, the payment from court for this day would not need to be paid to the school. The employee will receive a Certificate of Loss of Earnings form with the jury service letter, this form will enable the employee to receive reimbursement, up to a limit, for loss of earnings incurred due to being absent from work due to jury service.	SELT/JCC/Board of Directors
19th July 2024	13	Removal of 22.5- The relevant Trust/school finance administrator should support the employee to complete the form, including providing details of a daily rate of pay.	SELT/JCC/Board of Directors

		<p>The form should then be returned by the employee to Her Majesty's Court & Tribunal Service (HMCTS) as soon as possible after Jury Service has been completed. The employee will be paid as normal by the school/Trust until their reimbursement has been processed, which will normally be 7 to 10 days after submission of the claim. As soon as the claim has been received, the employee must present the employer with the receipt for the reimbursement. The Trust/school will then make the appropriate deduction from the employee's next salary payment.</p>	
19th July 2024	17	<p>32.1- Remove "Employees wishing to make an application for sabbatical leave/career break should do so in writing to the CEO of the Trust, stating the proposed objectives and duration of the sabbatical/career break and the perceived benefits for the Trust and the employee" and replace with "All applications for sabbatical leave / career break will be considered in accordance with the Plymouth CAST Sabbatical Policy".</p>	SELT/JCC/Board of Directors
19th July 2024	17	<p>32.2- Remove- "The CEO will consider any such request against business need and sabbatical leave/career break, where granted, will be entirely at the CEO's discretion and with such qualifications and conditions as the CEO sees fit. There is no statutory right for an employee to be granted sabbatical leave/career break and requests will usually only be granted when they are at no additional cost to the Trust, such as temporary cover of role. Any career breaks or sabbaticals will be unpaid with no pension contributions. In all cases, approval will not be unreasonably withheld".</p>	SELT/JCC/Board of Directors

Policy to be reviewed by the Plymouth CAST Board in consultation with the JCC as per the policy review schedule or when legislation changes or operational reasons arise.