

SOUTHWARK SCHOOLS' HR MODEL POLICY

HR Policy:	Leave of Absence
Date of implementation:	
Reviewed and recommended by:	
Signed by Chair:	
School:	

Links to other policies and procedures:

This list is not comprehensive, and the school may choose to include links to additional relevant policies and procedures they have adopted.

Legislation	What it covers
Carer's Leave Act 2023	Provides employees with statutory rights relating to unpaid leave for caring responsibilities.
Dependants' Leave (Time Off for Emergencies)	The Employment Rights Act 1996 provides employees with the right to reasonable unpaid time off to deal with emergencies involving dependants.
Equality Act 2010	The Act requires schools, as employers, to ensure that decisions on leave of absence do not discriminate against staff based on protected characteristics such as sex, pregnancy/maternity, disability, race or religion. It also mandates the public sector equality duty requiring schools to consider equality implications when applying leave policies.
Employment Rights Act 1996	This Act underpins most statutory employee leave entitlements and rights, including time off for dependants, parental leave, maternity, paternity and other statutory family-related leave
Maternity, Paternity, Adoption & Shared Parental Leave	Statutory provisions for maternity, paternity, adoption and shared parental leave apply to school employees as national employment law rights (e.g., up to 52 weeks' maternity leave; statutory paternity leave; adoption leave; shared parental leave arrangements).

Neonatal Care (Leave and Pay) Act 2023	Provides statutory leave and pay for parents whose infants require prolonged neonatal care.
Parental Leave Regulations 2013	These regulations provide the right to 18 weeks' unpaid parental leave per child up to age five (or age 18 if disabled).
Parental Bereavement Leave Regulations 2020	Provides statutory leave and pay entitlements following the death of a child or stillbirth.
Working Time Regulations 1998	These define statutory annual leave entitlements and rest rights for workers, including teachers and support staff (though teachers' statutory leave is deemed to be incorporated into school holiday periods).

Table of Contents

1. Introduction	4
2. Making an Application for Leave	4
Application Process:	4
3. Guidance for Headteachers and Governors on Special Leave of Absence Requests	5
Key Considerations:	5
4. SPECIAL LEAVE OF ABSENCE REQUEST FORM	6
5. FAMILY FRIENDLY LEAVE PROVISIONS	8
6. EMERGENCY PROVISIONS	10
7. PUBLIC DUTIES	12
8. MEDICAL APPOINTMENTS	14
9. OTHER LEAVE PROVISIONS	14



1. Introduction

The Governing Board of (insert school name) recognises that there may be occasions when employees need time away from the workplace due to domestic, personal or family reasons. It is recognised that the provision of special leave assists staff to more effectively manage their personal circumstances. Personal illness or injury are covered by the employee's sickness absence scheme.

The purpose of this policy is to provide all staff with a clear understanding of the circumstances in which staff may apply for special leave and other leave.

Leave will not be automatically granted and the Governing Board/Headteacher will make a decision based on the circumstances, subject to the needs of the school.

The Governing Board will ensure that all employees are treated equally and consistently when applying for leave of absence, in accordance with the school's Equal Opportunities Policy, taking into account differing national and local conditions of employment.

This policy has been adopted by the Governing Body and applies to teaching and support staff. It should be read in conjunction with other relevant documents, e.g. the Burgundy Book and NJC terms and conditions.

2. Making an Application for Leave

- Employees should take reasonable steps to avoid requesting time off.
- All leave requests must be made in advance, unless an emergency occurs.
- In emergency circumstances, staff must notify the Headteacher as soon as possible and provide details upon returning to work.

Application Process:

- a) Complete the special leave of absence form and sent to the Headteacher outlining the reason for the leave and the dates required.
- b) The Headteacher will meet with the staff member to discuss the request and gather necessary information.
- c) A decision will be communicated within five working days of the meeting.
- d) If leave is refused, the employee may appeal in writing to the Chair of Governors, within five working days. The Chair of Governors (or their nominee) will consider the appeal and make a decision.
- e) Any abuse of this policy may result in disciplinary action under the school's Disciplinary Procedure.

3. Guidance for Headteachers and Governors on Special Leave of Absence Requests

This guidance aims to assist headteachers and governors in managing special leave requests by balancing the needs of the school with careful consideration of individual circumstances.

Key Considerations:

a) Nature of the Request:

Assess the circumstances for the request, including the reason, urgency and necessity.

b) Attendance Record:

Review the employee's attendance and previous leave requests over a period of 12 months (academic year).

c) Operational Impact:

Evaluate how the employee's absence may affect school operations, staffing levels, cover arrangements and pupils.

d) Employee Well-being:

Be mindful of the emotional or mental health impacts of the situation and offer appropriate support.

e) Precedents and Consistency:

Ensure consistent decision-making in line with this policy while considering the unique circumstances of the request. Align decisions with past precedents where applicable.

4. SPECIAL LEAVE OF ABSENCE REQUEST FORM

Name of School:

All requests for special leave of absence should be made and authorised in advance, except in emergency situations. If the circumstances are of extreme urgency direct contact should be made in person to the [head teacher] and the form should be completed on the first day of return.

Section 1: For completion by the employee

Name:	
Job title:	
Leave of absence from: dd/mm/yy to: dd/mm/yy Paid / Unpaid *Delete as appropriate	
Total number of days/hours requested:	
Reason for request:	
<p><i>Please provide full details of the circumstances, relatives involved, why this requires your presence and what you have tried to do to try and rearrange if applicable to reduce any impact on your normal working time etc</i></p>	
Signed:	Date: dd/mm/yy

Section 2: For completion by the school office

Special leave (paid/unpaid) taken in 12 months before requested date (days/hours)
Dates:
Reasons:



Section 3: For completion by the [Head Teacher/Other Authorised Person]

Approved / not approved <i>*Delete as appropriate</i>	Paid / unpaid <i>*Delete as appropriate</i>
Comments:	
Signed: Date: dd/mm/yy	

For office use only:

Copy of the form passed to employee

dd/mm/yy

Original form retained on file

dd/mm/yy

Payroll notified of any unpaid leave authorised

dd/mm/yy



There may be other instances of special leave that are not covered under this policy. The school can exercise its discretion in considering and agreeing the request.

5. FAMILY FRIENDLY LEAVE PROVISIONS

Leave Type	Who can apply?	Eligibility	Evidence	Notice	Entitlement	Paid/Unpaid
Adoption Leave	For adopting parents	One adopting parent per adoption	Adoption matching certificate	Within 7 days of matching	Up to 52 weeks	Paid (up to 39 weeks) (statutory rate)
Bereavement Leave	For loss of a child (under 18) or stillbirth	26 weeks' service required for statutory pay	Death certificate	Inform employer ASAP	Up to 2 weeks	Paid (statutory rate)
Bereaved Partner's Paternity Leave	Partner/father where mother/adopter dies	Day one right	Death certificate	ASAP	Up to 52 weeks leave within first year	Pay at employer discretion
Carer's Leave	Employees with dependents	Day one right	Self-certification	Inform employer ASAP	Up to 1 week per year	Unpaid
Maternity Leave	Birth parent	No minimum service for leave	MATB1 form from a doctor/midwife	15 weeks before expected week of childbirth (EWC)	Up to 52 weeks (26 weeks Ordinary + 26 Additional)	Paid (SMP) or (Occupational Maternity Leave)

Neonatal Leave	For parents of babies in neonatal care	Employees with babies requiring hospital care for 7+ days	Medical evidence (hospital stay proof)	Inform employer ASAP	Up to 12 weeks (in addition to other parental leave)	Paid (statutory rate)
Parental Leave	Parents	Day one right	Birth certificate	21 days' notice	18 weeks per child (max 4 weeks/year per child)	Unpaid
Paternity Leave	For fathers/partners after birth	Day one right	Birth certificate or adoption papers	Notice of entitlement: 15 weeks before Expected Week of Childbirth And Notice of intended leave: at least 28 days before the intended leave start date	Up to 2 weeks	Paid (statutory rate)

				<i>NOTE: Transitional arrangements for babies expected between 5 April 2026 and 25 July 2026: 28 days' notice</i>		
Shared Parental Leave	Parents can share leave	Both parents must meet qualifying conditions	Birth/adoption proof, SPL request form	8 weeks' notice	Up to 50 weeks	Paid (statutory rate)
Time Off for Dependants	All employees	Day one right	None required	Inform employer ASAP	Reasonable time off (no set limit)	Unpaid

*Figures as of April 2025

6. EMERGENCY PROVISIONS

No more than 5 paid days can be agreed to in one year (academic year).



Purpose	About the leave	Entitlement	Paid/Unpaid
Serious illness of a close dependent family member	Leave for sudden serious illness of partner, parent, child, or dependent	Period reasonably necessary, normally not more than 3 days	Discretionary
Death of a close dependent family member	Leave for funeral arrangements of a close family member	Period reasonably necessary, but not more than 3 days	Discretionary
Funeral attendance of a close dependent family member	Leave for attending the funeral of a close family member	Period reasonably necessary, allowing for journey time	Discretionary
Serious domestic difficulties caused by breakdown of childminding/nursery arrangements	Leave for sudden, unforeseen breakdown in childminding arrangements	Period reasonably necessary, but not more than 3 days	Discretionary
Unforeseen domestic emergency (e.g. burglary, fire, flood)	Leave for emergencies beyond the employee's control	Not more than 1 day with pay, may be applied retrospectively upon supporting information	Discretionary

7. PUBLIC DUTIES

Public Duty	Recommendation	Entitlement	Paid/Unpaid
Accredited Representatives of Recognised Associations and Unions	Leave for accredited union representatives to carry out their duties	As per the agreement with London Borough of Southwark Council	Paid
Candidate or Agent in Local Government Election	Leave for employees standing as candidates or acting as agents in local government elections	Up to 5 days paid leave, from nomination to election date	Paid
Court Proceedings (Witness)	Leave for employees called to attend court as a witness for a criminal prosecution	Leave with pay, fees must be reimbursed (excluding travel and subsistence)	Paid
Governing Board Duties	Leave to undertake formal governor duties	Up to 5 days or equivalent per academic year	Paid
Jury Service	Leave for employees called for jury service	Leave granted with pay, no court fees (except travel and subsistence)	Paid
Magistrates and Members of Public Bodies	Leave for employees appointed as magistrates or involved with public bodies	Up to 12 working days per year	Paid

Reserve and Cadet Forces	Leave for service with Reserve or Cadet Forces	2 weeks (10 days) with pay for annual camp, pro-rata for part-time; special leave without pay for subsequent weeks	Paid for annual camp, Unpaid for subsequent weeks
Reserve and Cadet Forces (continued)	Leave for short periods of training (normally on weekends)	Special leave with pay at manager's discretion if off-duty or annual leave is not possible	Paid (at discretion)
Reserve and Cadet Forces (continued)	Leave for employees called out or recalled for active service	Job protection under the Reserve Forces (Safeguard of Employment) Act 1985, return to work plan available	Paid (job protection)

8. MEDICAL APPOINTMENTS

Leave Type	Recommendation	Entitlement	Paid/Unpaid
Absence (Medical/Dental Appointments) *	Employees should arrange medical and dental appointments in their own time, or at times causing minimal disruption.	Requests for time off must be accompanied by an official appointment card.	Unpaid (unless arranged during working hours, then may be paid depending on employer's discretion)
Fertility Treatment Leave	Leave for employees undergoing fertility treatment	Up to 5 days per course of treatment, up to 3 courses in one year	Paid

**Note: Where an employee falls sick while on special leave, the absence will be classed as sick leave subject to production of a relevant certificate (i.e. self-certificate or medical certificate).*

9. OTHER LEAVE PROVISIONS

Leave Type	Recommendation	Entitlement	Paid/Unpaid
Job Interviews	Leave for external job interviews, when agreed with the Headteacher	Normally one day paid leave for an interview – any additional requests are discretionary and will be unpaid	First day paid, other days discretionary and unpaid
Religious Festivals	Leave for religious festivals, subject to reasonable notice and service requirements	Up to 3 days per year	Discretionary