



Washwood Heath
Multi Academy Trust

Special Leave of Absence Procedure

Prepared by:	Director of HR in consultation with Heads of Academy
Applies to:	Teachers and Support Staff in all WHMAT Academies
Approved by:	Board of Directors on 23.11.16
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1. Commitment & purpose

- 1.1 Washwood Heath Multi Academy Trust (“WHMAT”) is committed to providing the very best education for all pupils, through high quality teaching and learning. It also recognises that there may be occasions where employees need to request time off work during term time.
- 1.2 Special leave of Absence is time off work which **may** be granted for a variety of reasons (see appendix 1), during term time. This may be granted in addition to maternity/paternity/adoption/parental leave, may be planned or unplanned, and may be paid or unpaid.
- 1.3 This policy aims to provide a framework for the fair and consistent treatment of all employees across WHMAT when a special leave of absence request is made.

2. Application

- 2.1 This procedure applies to all employees employed by (“WHMAT”), including those on probation and fixed term appointments, and is based on the Birmingham Leave of Absence Scheme for teachers.

3. Expectations from employees

- 3.1 Employees are obliged to attend work under their contracts of employment. In the case of teachers, there is a statutory obligation to be available for work on the 195 days specified by the employer. For support staff employed on a term time only basis there are parallel contractual requirements.
- 3.2 For staff who are employed all year round there is an expectation that they will take annual leave during school holidays unless there are exceptional circumstances. With this in mind, Academy term dates are published in advance and are available on individual Academy websites and on the Birmingham City Council website. Employees are responsible for keeping themselves up to date on key dates.
- 3.3 Employees with caring responsibilities are urged to plan in advance for the possibility that normal caring arrangements may be disrupted at any time, for example, if a child’s nursery or school is closed unexpectedly.
- 3.4 Employees **must not** book or take holidays during term time unless this has been agreed by their line manager, and/or there are exceptional circumstances. They are responsible for ensuring that this information is shared with family and friends, so there can be no misunderstanding over ‘surprise’ holidays for which the head of academy, Chief Executive Officer (“CEO”) or appropriate committee have decided that special leave will not be granted.
- 3.5 Requests for special leave from head office staff should be addressed to the CEO, who will liaise accordingly with trust directors in the event of appeals.

4. Discretion of heads of academy & local governing bodies

- 4.1 Under the leave of absence scheme which is part of a teachers’ condition of service, heads of academy have discretion to grant a limited amount of special leave to employees in certain specific circumstances, and subject to specified limits (see appendix 1). This discretion is to be exercised subject to the needs of WHMAT. Any requests outside of the

head of academy's discretion are a matter for the CEO, with a right of appeal to the board of directors.

- 4.2 Special leave of absence will only be considered in the exceptional circumstances outlined in this procedure. In order for WHMAT to make arrangements for cover, all requests for special leave under this policy **must be made as soon as possible (and ideally at least 10 working days before the event in question)** using the form at appendix 2. This is to ensure that the relevant head of academy has time to consider the nature of the request, weigh up the impact of granting the request and, where necessary, to refer any request outside of their discretion to the CEO for consideration. It is recognised, that in certain circumstances i.e. time off for dependants or funerals, employees may not be able to meet these notice requirements or complete the necessary form until they are back at work.

5. Taking special leave when permission has been turned down

- 5.1 All WHMAT employees should be aware that taking unauthorised leave is a breach of their contract, and may lead to a deduction of pay. Breach of contract is also a disciplinary matter and disciplinary action may therefore be taken, which could potentially lead to termination of their contract of employment with WHMAT.

6. Part 1 of the scheme – Head of academy's limited discretion

- 6.1 The limited discretions available to heads of academy (or to the CEO in the case of head office staff) allow them to grant special leave of absence, subject to the needs of the Academy, for specified reasons and within specified limits (see Appendix 1). In most cases the scheme specifies that special leave, if granted, is paid. Attached to each reason is a commentary which is not part of the scheme but which has been prepared by the local authority, in consultation with unions, to assist heads of academy in the application of this procedure.

7. Part 2 of the scheme – Decisions by Chief Executive Officer ("CEO")

- 7.1 The CEO of WHMAT is responsible for decisions about special leave of absence, which fall outside of the head of academy's/CEO's discretion (see appendix 1), including applications for special leave from the head of academy.
- 7.2 The head of academy is responsible for passing requests promptly to the CEO if they fall outside of their discretion under this procedure. The CEO will then be responsible for ensuring that the matter is given due consideration in line with appendices 1 and 3 of this procedure.

8. Managing requests for special leave of absence

- 8.1 The **employee** will:
- a) Complete the leave of absence request form at appendix 2 and email it to the head of academy (or CEO in the case of head office staff) for consideration **as soon as reasonably possible and ideally at least 10 working days' before the leave is required. It is appreciated that in exceptional circumstances such as unexpected time off for dependants or emergencies, the employee will not be able to do this until s/he has returned to work).** The subject line of the email should include the words LOA request and the date of your request (i.e. when you wish the leave to start). The employee should keep a copy of the form for themselves. A form should be completed and handed to the head of academy (or

CEO for head office staff) even if less than a half day out of work is required i.e. to attend a child's assembly;

- b) Speak to their line manager immediately if they become aware of an emergency scenario at work, which means they may need to leave work early. The employee should explain the reason for the absence; and how long s/he expects to be absent from work. The line manager shall maintain regular contact with the employee and ensure that a copy of the form at appendix 2 is completed and passed promptly to the head of academy (or CEO in the case of head office staff) for consideration. The employee must actively seek alternative longer-term arrangements for the care of a dependant as soon as possible after the emergency occurs;
- c) Ensure that leave is not booked or taken until prior authorisation has been approved (unless there are exceptional circumstances);
- d) If they wish to appeal against the outcome reached by the head of academy or the CEO in relation to their request, forward an appeal letter to the Clerk to the local governing body within 5 working days of receiving the leave request form back from the head of academy or CEO as appropriate. The appeal letter should clearly state their specific grounds of appeal and should include any supporting paperwork.

8.2 The head of academy (or other appropriate manager including CEO for head office staff) will:

- a) Ensure that all leave of absence requests received are considered within a reasonable period, and are promptly passed to the CEO for consideration if they fall outside of their discretion (or to trust directors in the case of head office staff) (see appendix 1);
- b) If a request falls within their discretion, inform the employee orally and/or (via the completed form at appendix 2) within a reasonable period. The completed form should clarify, whether or not it has been granted, if leave will be with or without salary and the reasons for turning it down as appropriate;
- c) Pass a copy of the completed form to internal cover managers as soon as possible after it has been considered, and ideally within 48 hours of the request being received;
- d) Remind all employees on an annual basis (ideally at the beginning of each new academic year) that they must apply for special leave, in reasonable time, having regard to the fact that some requests will be outside their discretion and have to be referred to the CEO (or trust directors in the case of head office staff);
- e) Explain that if requests for special leave become frequent, a head of academy (or CEO in the case of head office staff) may need to discuss the personal reasons with individual employees because the frequency is incompatible with the needs of the academy;
- f) Draw all new employees' attention to the special leave of absence procedure as part of the induction process (maintaining a signed record from them to confirm that they have read and understood it), and also at the beginning of each academic year;
- g) Remind all employees at appropriate intervals that they are expected to consider their responsibilities under their contracts of employment and how to reconcile them with family

needs, in particular to try to plan in advance for the possibility that normal care arrangements may be disrupted;

- h) Invite employees to apply – at the beginning of the academic year where possible, otherwise as soon as possible – for leave of absence for **unavoidable religious ceremonies**, so that plans for cover can be made in good time, on the understanding that the leave is only for religious ceremonies which have to be observed unavoidably and cannot be observed outside of working hours;
- i) For audit purposes, and so that the trust directors can understand the impact that special leave of absence requests are having on the trust, maintain a log of number of requests being received, types of request, whether or not they were granted and/or paid, and duration of leave granted.

8.3 In the event that a request for leave of absence falls outside of the head of academy's discretion and is received by the CEO (see appendix 1), they shall:

- a) Consider the employee's request for special leave of absence (based on the paperwork) and take into account the factors at appendix 3 (advice to be provided by MAT HR as appropriate);
- b) Confirm the outcome to the employee in writing (by supplying a copy of the form at appendix 2) within a reasonable period.

8.4 In the event that an employee appeals against the decision taken by the head of academy or CEO, the **appeals committee** (to comprise 3 impartial trust directors), shall:

- a) Consider the employee's appeal letter and any relevant supporting evidence from the employee or from the original decision-maker (i.e. the head of academy or CEO who made the original decision) and decide whether or not to:

- stick with the original decision not to grant the leave as requested (i.e. to dismiss the employee's appeal); or

- to grant the leave of absence request (i.e. to uphold the employee's appeal);

- b) Confirm in writing to the employee within a reasonable period the outcome of the appeal. This letter to include clarification that this matter is now concluded and that there is no further right of appeal.

9. **Leave of absence requests from heads of academy**

9.1 If a head of academy wishes to apply for special leave of absence for a reason which they ordinarily have the discretion to grant without referral to the CEO, they should complete the form at appendix 2 (together with any supporting evidence) as far in advance as possible and forward this to the CEO in the first instance. The CEO will then follow the guidance given in the table for part 1 of the procedure, as the CEO is exercising in respect of the head of academy, the powers which a head of academy would exercise for other employees. Written notification of the decision should be provided by the CEO to the head of academy within a reasonable period, with confirmation of their right of appeal to an impartial appeals committee comprising 3 impartial trust directors.

9.2 If a head of academy's request for leave of absence relates to a reason or period of time falling outside of their normal discretion (see appendix 1), they should complete the same form. However, this should be considered by a local governing body committee in the first instance, with any appeal being heard by an impartial appeals committee comprising trust directors. The committees should have regard to the same guidance and timescales re notification of decisions as for all other employees contained within this Policy.

10. **Leave of absence requests from the CEO**

10.1 Requests for special leave of absence from the CEO should be discussed directly with the Chair of Directors, with any appeal being heard by an impartial committee of trust directors.

Appendix 1 – Types of Special Leave with head of academy’s discretion

Reason for absence	Head of Academy’s Discretion (period of time they may ordinarily allow)	With or without salary	Comment and advice
Death and funeral of a close relative	Up to 3 days, plus up to 2 days for travelling	With salary	<p>A close relative is defined as “parent, husband, wife, brother, sister, child, grandparent, grandchild, parent-in-law, daughter or son-in-law” and classes with these “a person standing in special relationship to the employee”. This would include a partner or step-parent or sibling.</p> <p>This provision overlaps with the statutory right for reasonable time off for dependants, unpaid, under the Employment Rights Act 1996 as amended. The Act provides that an employee is entitled to be permitted by his or her employer to take a reasonable amount of time off during the employee’s working hours in order to take action which is necessary in consequence of the death of a dependant.</p> <p>It may be appropriate for the CEO and/or committee of governors (where appropriate) to grant extra paid leave, over and above that open to the head of academy’s discretion, to take account of any extra time required for travel, depending on where relative lives.</p>
Funeral of a close friend	Up to 1 day	With salary	<p>The leave of absence scheme does not give the head of academy discretion to grant extra time for travelling to the funeral of a close friend (as distinct from that of a close relative). If additional time is requested, this should be referred to the CEO.</p>

Illness of immediate family member	Up to 3 days per academic year	With salary	<p>This provision overlaps with the statutory right for reasonable time off for dependants, unpaid, under employment law. Designed by government to support parents and others with caring responsibilities in the context of a society where support from relatives is not necessarily available, where Government encourages parents to work and where people seek the advantages of paid employment.</p> <p>There is no definition in the legislation of “reasonable”. However, employees have a duty under their contracts of employment to be available for work, unless they are sick or on maternity leave (or paternity leave, parental leave etc.). As part of that duty they should make arrangements for the regular care of dependants who need such care. Problems arise when these normal care arrangements are disrupted. The question at issue is whether it is reasonable to expect an employee to have alternative arrangements. Usually this question is asked when a child of an employee is too ill to go to school or to the childcare provider, and the employee has no relative or friend able to care for the child at home.</p> <p>There has not been much case law on the interpretation of ‘reasonable’ in this context. One employment tribunal case heard that both the normal care arrangements and the alternative care arrangements on which the employee had relied when normal care had been disrupted previously were unavailable on a particular day and found that the employee’s request for that day off work was reasonable, even though the unavailability of both arrangements was known in advance. “Unexpected” disruption or termination of arrangements for the care of a dependant is therefore not the same as “sudden”. Even if the disruption is</p>
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			<p>known some time in advance the test of reasonableness may still be met. In this case the employee had alternative arrangements, so it offers no guidance on the reasonableness of time off when no alternative arrangements have been made.</p> <p>However, the terminology of the legislation offers some guidance. It relates to the time when circumstances arise, by using the phrase “when a dependant falls ill” rather than when a dependant is ill. It also makes specific provision for time off to make arrangements for the provision of care for a dependant who is ill or injured, so it does not envisage that the right to reasonable time off will extend to caring for a dependant for the whole duration of the illness.</p> <p>By its definition of a dependant the legislation also acknowledges that an employee may only be called upon to provide care in an emergency rather than on a regular basis and in respect of these dependants (who are likely to be adults) cannot be expected to have either normal or alternative care arrangements in place.</p> <p>As the leave of absence scheme allows heads of academy to exercise their discretion to grant up to three days’ paid leave per academic year due to the illness of a member of staff’s immediate family, it implies that granting such leave would be reasonable. However, the leave of absence scheme as a whole is discretionary and subject to the needs of the MAT. The Head of Academy has to balance those needs with the circumstances of the employee, and with precedents and fairness, having regard to the maxim that good employees are an academy’s most valuable asset.</p>
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			<p>(Neither the statutory right to time off for dependants nor the head teacher's discretion to grant leave of absence extends to requests for indefinite leave to nurse a relative suffering from a serious, long illness and such matters should be referred to the the CEO or appropriate committee, which is advised to consider requests to nurse a terminally sick relative or partner, close friend or companion with particular sympathy, granting paid leave of absence in the first instance and reviewing the situation monthly.</p> <p>Visits to (rather than nursing) a terminally ill person resident in the United Kingdom or easily accessible countries in Europe can normally be arranged at weekends or during school holidays, and, depending on the prognosis and the timing of school holidays, can also be arranged during holidays if the person lives further away, but if death is imminent it would be appropriate to grant paid leave of absence during the working week, up to a maximum of ten days. If the illness is not terminal any leave beyond that granted under the head teacher's discretion should be unpaid.)</p>
<p>Wedding of close relative or close friend</p>	<p>1 day plus up to 2 days for travelling if necessary</p>	<p>With salary</p>	<p>Although the leave of absence scheme does not refer to civil partnerships, the same rules should be followed, in order to comply with the Equality Act.</p> <p>Time off for weddings is not a right.</p> <p>Heads of academy do not have discretion to grant leave of absence for employees' own weddings. Employees are expected to arrange their own weddings at weekends or during school holidays and not to seek any time off work for the wedding or the honeymoon. Heads of Academy are advised to ensure that this expectation is fully understood, employees' requests for time off during term-time for their own weddings are highly likely to be</p>

			<p>denied by the CEO, even in cases when weddings are arranged not by the bride and groom but by their families.</p> <p>Employees should be invited, wherever practicable, to advise close relatives planning a wedding that contracts of employment in academies do not enable them to take annual leave during school terms, so that they would have to apply for special leave to attend a wedding of a close relative or close friend taking place during school hours, and that the result of such an application would depend on the needs of the academy. This could therefore lead to a request for leave of absence being denied.</p> <p>A close relative is defined as “parent, husband, wife, brother, sister, child, grandparent, grandchild, parent-in-law, daughter or son-in-law” and also “a person standing in special relationship to the employee”.</p> <p>An application for absence in excess of 3 days must be referred to the CEO as the head of academy does not have discretion to grant more than the day of the wedding, and up to two days for travelling if necessary.</p> <p>Heads of Academy do not have discretion to grant special leave for rehearsals for weddings.</p>
Member of staffs’ graduation from University (or their immediate family member)	1 day plus up to 2 days for travelling if necessary	With salary	
Other very urgent and special personal reasons which could not reasonably have been	Up to 3 days per academic year	With salary	The maximum number of days applies to each occasion on which leave is granted. There is no annual or termly limit, but all requests for special leave of absence are to be considered with

foreseen			<p>regard to the merits of the individual case and the needs of the academy. If such requests become frequent, the head of academy may need to discuss the personal reasons with the employee and explain that the frequency is incompatible with the needs of the academy.</p> <p>Requests for leave also covered by a statutory right to reasonable time off should be considered in relation to the legal requirements relating to time off for dependants.</p>
Moving house	Up to 2 days if employee has relocated from outside of midlands (up to 1 day for removals in other circumstances)	With salary	Time off for removals is not a right, and if an employee is not constrained by completion dates and can arrange to move at a weekend or during a school holiday the employee should do so.
Interview for other post	As may be necessary and reasonable	With salary	This could include reasonable time off for a visit arranged for applicants at the invitation of the potential new employer
Attendance at a religious ceremony where the employee's religion requires it unavoidably	<p>Up to 2 days per academic year</p> <p>Additional days as necessary</p>	<p>With salary</p> <p>Without salary</p>	Religious ceremonies may, or may not, form part of a religious festival. Some important religious festivals may not include ceremonies but may nonetheless require observance; others may not <u>require</u> observance or will be celebrated on the nearest weekend to the due date. There may be differences in the importance attached to particular ceremonies or festivals between different branches of the same religion. The authority's information is that the following will require observance unavoidably:

		<p><i>Yom Kippur (for Jews)</i></p> <p><i>the Jewish New Year (for Orthodox Jews)</i></p> <p><i>Eid-ul-Fitr or Eid-ul-Adha (according to the particular branch of Islam)</i></p> <p><i>Divali (Hindus)</i></p> <p><i>Either the Birthday of Guru Nanak or Baisakhi/Vaisakhi (according to the particular branch of Sikhism)</i></p> <p><i>Birthday of Emperor Haile Selassie (Rastafarians).</i></p> <p>Paid leave of absence should be granted for the day on which these unavoidable religious observances fall if that day is during the school term and not at a weekend or half-term holiday. Heads of academy are advised to invite employees to apply for leave of absence at the beginning of the academic year where possible, otherwise as soon as possible, so that plans for cover can be made in good time.</p> <p>In some schools, it can be predicted that a significant number of employees, or of a particular category of employee (such as lunchtime supervisors), will request leave of absence for a religious ceremony which their faith <u>requires</u> them to observe. If granting leave of absence to all of those employees would lead to real problems in the running of the school, then the governing body is advised instead to consider changing the term dates as permitted by the resolution of the former Education and Lifelong Learning Advisory Team in 2001 which refers specifically and only to a “demonstrable need on the ground of religious observance”. The Advisory Team decided that this reason was sufficiently compelling to allow schools to depart from the standard term</p>
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			<p>dates. Where the religious affiliations of employees reflect those of pupils, changing term dates would accommodate the needs of both.</p> <p>Before changing the school’s term dates, a governing body should consult both parents and staff and should consider</p> <ul style="list-style-type: none"> • how to achieve the least possible disruption to children’s education • the need to give plenty of notice – this should be at least two terms – to all involved, parents and staff, because of the impact on childcare arrangements and holiday bookings <p>Designating the day of a religious festival a training day is not an option, because those employees observing that festival could claim that they have been deprived of the opportunity of training on that day and have therefore suffered unlawful discrimination on the grounds of their religion. Nor is it legal to give the school an extra day’s holiday, because statutory regulations require schools to open for pupils for 380 sessions (190 days).</p> <p>The governing body has discretion to grant additional days either with salary or without. The governing body also has discretion to grant leave of absence, with salary or without, for festivals or ceremonies which adherents of the faith regard as important but which are not absolutely obligatory. To enable employees with religious faith fully to practise their religion, members of the authority’s Standing Advisory Council on Religious Education recommend governing bodies to go beyond the current leave of absence scheme by granting employees leave of absence for the most important religious festivals in addition to those where</p>
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			<p>observance is regarded as unavoidable. This discretion is for the governing body to exercise through the appropriate committee or to authorise the head teacher to act by formal delegation. The head teacher does not have that discretion under the leave of absence scheme and must obtain authorisation from the governing body to exceed the scheme's provisions.</p> <p>The CEO is advised to grant paid leave when an employee wishes to attend the ordination (or equivalent) of a member of his or her immediate family and unpaid leave for attendance as a delegate to the General Synod or parallel religious assembly.</p> <p>It is recommended that in exceptional circumstances, when pilgrimage is required of a believer and cannot be undertaken during school holidays, unpaid leave should be granted because of the religious duty attached to it. (Pilgrimage to Mecca is required of every Muslim at least once in his or her lifetime and pilgrimage to the Golden Temple at Amritsar of Sikhs likewise.)</p> <p>There is no legal requirement to provide time or facilities in the workplace for religious or belief observance. If a room is available and its use for prayer would not disrupt the work of the school, it would be good practice to permit such use. However, schools must be careful to ensure that there is no direct or indirect discrimination or perception of unfairness between different employees in giving such permission.</p>
To participate as an amateur in national, regional or county matches or competitions	Up to 3 days per term	With salary	Evidence of matches/competitions may be requested
To participate in musical performances at the highest	Up to 3 days per	With salary	Evidence of times/shows may be requested

professional levels	term		
Study and examination leave:			
(1) For Open University Degree	Up to 10 days in any 3-year period plus the days of the examination	With salary	
(ii) For part-time degree or degree equivalent	Up to 10 days over the normal period of the course, plus the days of the examinations	With salary	
(iii) Other professionally relevant examinations	The days of the examinations	With salary	
To give lectures and talks away from school within the UK at the invitation of educational bodies	As may be reasonable	With salary	As the invitation will have been extended because of expertise gained in the teaching profession and in particular in the teacher's current role, and as the teacher will be giving the lecture in working time, the CEO should ensure that any fees in respect of the engagement are paid to the local governing body.
Attendance at Examination Board Meetings			If the CEO grants paid leave, the fees must be paid to the academy, in recognition of the fact that the employee would

<p>(1) Chief and Deputy Chief Examiners/ Moderators</p> <p>(ii) Assistant Examiners/ Moderators</p>	<p>Up to 10 days per annum</p> <p>Up to 5 days per annum</p>	<p>With salary*</p> <p>With salary*</p> <p>*with the Board reimbursing the school</p>	<p>otherwise be paid twice for the same period of employment and in order to pay for cover in the employee's absence.</p>
<p>Attendance at annual training camp as voluntary member of the Armed Forces Reserves or as a Commissioned Officer accredited and/or posted to the cadet units of one of the three services.</p>	<p>Two weeks, or the duration of the period of training whichever is the less, in any one full year</p>	<p>With salary</p>	<p>Evidence of attendance may be requested</p>
<p>Attendance at approved in-service training and professional development activities</p>	<p>5 days per annum</p>	<p>With pay</p>	<p>The School Teachers' Pay and Conditions Document provides that all staff in the school should have access to advice, training and developmental opportunities appropriate to their needs, including needs identified in objectives or in planning and review statements in accordance with the policies of the governing body.</p> <p>Training and professional development required of employees</p>

			<p>during their employment is undertaken on the direction of the head of academy during working time and therefore this provision should not appear within the leave of absence scheme, because leave of absence is not applicable.</p> <p>An employee may wish to attend other training which, though not essential to the job or approved as part of professional development under the School Teachers' Pay and Conditions Document, will be for the mutual benefit of the employee and the school.</p>
To stand as a candidate at a Local Government Election	1 day (polling day)	Without pay	
Unavoidable medical/hospital appointments	Unlimited (but see comments opposite)	With pay	<p>Employees will be asked to provide evidence of all appointments (including evidence of appointments in respect of dependents) and, where possible, to attach them to their request form at appendix 2. If the employee is unable to attach the evidence to the form, they must email this to the head of academy for audit purposes.</p> <p>Efforts should be made to book dental and/or GP appointments at the beginning or end of the academy day to minimise disruption to pupils and colleagues. N.B – If pattern and frequency of appointments is having negative impact on pupils' education, the head of academy should seek HR advice in first instance. Depending on the circumstances, this may lead to time being granted as unpaid, and/or a request for time to be made up in lieu</p>
Time off to attend assemblies/sports days etc. of children	Up to 3 times per academic year	With pay	<p>Heads of Academy are entitled to turn requests down if goodwill is being abused and/or too many requests are being made in an academic year. Requests for more than 3 in an academic year</p>

			should be approved by CEO (or committee as appropriate)
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APPENDIX 2

**WASHWOOD HEATH MULTI ACADEMY TRUST- REQUEST FOR SPECIAL LEAVE
OF ABSENCE**

<u>For Internal Use Only</u>
Date Received:

Once completed – please email request to the Head of Academy with the subject line “Leave of Absence Request”. Please give as much notice as possible – at least 10 working days’, unless there are exceptional circumstances. Approved requests will be passed to relevant cover staff.

EMPLOYEE NAME:	JOB TITLE/CLASS:	DATE OF REQUEST:
Nature/reasons for absence (attach evidence in case of medical appointment for employee or dependant):		
Employee signature:		
Date of absence(s):	Requested start time (including travel): E.g. All day/am/pm/from 1.30	Cover required? Yes/No (state which periods)
Head of Academy approval/CEO approval in case of head office staff (tick as appropriate):		

Yes

No

Date of decision

Reasons for turning down (where appropriate)

Signature

Referral to CEO (or appropriate committee) – tick as appropriate:

Yes

No

Date of decision

Decision by CEO (or appeals committee):

Yes/granted

No/not granted

Date of decision

Reasons for decision

Signature	
Approved with pay:	Date:
Approved without pay:	Date:
Not approved:	Date:

APPENDIX 3

Advice and Guidance for CEO and/or Appeals Committee when considering requests for Special Leave of Absence falling outside of head's discretion

In considering requests for special leave of absence the CEO and/or appeals committee involved should consider the following:

- Is the purpose of the leave a matter of life, death or health?
- Could the purpose be achieved in any other way?
- Could the purpose be achieved at another time (out of academy hours)?
- Could the refusal of the request be construed as direct or indirect unlawful discrimination?
- Would it be good employment practice to grant the request in this case?
- What would be the cost of granting the request, both in terms of cost implication and the quality of education for pupils?
- Can the expenditure be justified by the circumstances of the case?
- Would the grant of leave of absence set an undesirable precedent?
- Should the decision be influenced by previous cases if there has been no change in policy or practice in the meantime?
- Should the decision be influenced by public relations considerations?

It is advised that requests to nurse a terminally ill dependant be treated with particular sympathy, granting paid special leave of absence for a limited period in the first instance then reviewing the situation regularly.

Visits to (rather than nursing) a terminally ill person resident in the United Kingdom or easily accessible parts of Europe can normally be arranged at weekends or during school holidays. If the person lives further away, depending on the prognosis and the timing of school holidays, visits should normally be arranged during school holidays. If, however death is imminent it would be appropriate to grant paid leave of absence during term time, up to a maximum of 10 days.