



## **Compassionate & Dependents Leave including Leave of Absence Requests**

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## **PROCEDURE FOR THE MANAGEMENT OF LEAVE OF ABSENCE**

### **Introduction**

1. Member of staff have a statutory right to take a reasonable amount of unpaid time off during working hours to deal with family emergencies. This right is available to all staff regardless of length of service. It is helpful that staff and managers have an awareness of the extent of the statutory provision and details are provided below.
2. Academy policy is to be sympathetic to the needs of staff at a time of family emergency and to provide support in the form of paid leave where this is reasonable in the circumstances (see below)
3. It is impossible for a policy to cover every kind of family emergency and it is recognised that the impact of such an emergency will vary from one employee to the next. However, there is a need for the Academy to set a framework for how it will normally deal with such situations so that staff and managers are aware of the facilities available to them.
4. This policy should be read in conjunction with the Academy's other policies dealing with family leave, i.e. maternity, adoption and paternity leave.

### **Statutory Provision**

5. Every employee, regardless of his or her age and length of service, has the legal right to be permitted a reasonable amount of unpaid time off work in order to provide assistance or take appropriate action:
  - i. When the employee's wife or partner gives birth
  - ii. When a dependant is suddenly taken ill, or has been injured or assaulted
  - iii. When a dependant dies (e.g. making funeral arrangements and / or attending the funeral)
  - iv. To make arrangements when existing arrangements for the care of a dependant have unexpectedly come to an end or been disrupted
  - v. When one of the employee's children is involved in an incident
6. A 'dependant' for these purposes includes the employee's husband, wife, partner, child or parent; and any such person (such as an elderly grandparent, aunt or uncle) who lives in the same household as the employee and who is dependant on the employee for care or assistance when ill or injured. It also includes a person who reasonably relies on the employee for assistance or care when taken ill or injured.
7. It should be emphasised that the statutory right to time off for dependants does not include the right to time off to provide care beyond a reasonable amount necessary to deal with the immediate crisis.

## **Academy Compassionate and Dependants Leave**

8. The Academy recognises the limitations of the statutory provision, particularly that it is unpaid. Accordingly, paid compassionate leave is available to you in the event of a bereavement or serious illness / injury of a dependant as defined above but also close family relatives whether or not a dependant of yours. This would include your husband / wife / partner's child or parent.

9. Staff will be eligible for up to a maximum of 3 days paid compassionate and / or dependants leave in any year at the Academy's discretion. A year commences at the beginning of the Academic year, i.e. September – August..

10. The Academy would consider applications for leave in the case of individuals treated as close relatives but not included above.

11. The Head Teacher, will determine the number of days granted to you, in consultation with your line manager giving consideration to the details in your application. It is important therefore, that you communicate with your line manager and the Head Teacher as soon as reasonably practicable the reason for your absence and how long the period of absence is expected to last.

12. You should be aware that there may be occasions when the Academy fully and sympathetically understands your need for time off to deal with an unforeseen family situation but concludes that it does not warrant granting the paid compassionate leave, or you have exceeded the number of days of paid compassionate leave. Examples would include non-serious illness of children. In these situations the Academy would reasonably expect you to cover the time absent through time off without pay.

13. In recognition that staff are not able to book annual leave during term time employees can make a case to the Head teacher for time off to attend family weddings, move house, religious observance and medical appointments for employees and their dependents.