

Leave of Absence

Approved by: Trust Board

Last reviewed: October 2026

Next review due: July 2027

LEAVE OF ABSENCE

1. Aims

This policy aims to:

- Set out our Trust's approach to staff sickness, including the procedures for reporting sickness and how we manage sickness absence fairly
- Support all parties in managing staff sickness and absence effectively and consistently, to ensure a fair and transparent approach across the Trust that complies with our duties under the Equality Act 2010
- Set out our approach to requests for time off outside of annual leave or leave covered by other policies
- Help create and maintain a happy and healthy working culture in which staff are encouraged to look after their physical and mental wellbeing

This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time following consultation with unions. We may depart from the terms of this policy where exceptional circumstances dictate.

2. Legislation and guidance

This policy meets the requirements of:

- [Data Protection Act 2018](#)
- [Employment Rights Act 1996](#)
- [Employment Rights Act 2025](#)
- The Equality and Human Rights Commission's employment [code of practice](#)
- [Equality Act 2010](#)
- [Health and Safety at Work etc. Act 1974](#)
- The Department for Education's statutory guidance on [induction for early career teachers \(England\)](#)
- [The Statutory Sick Pay \(General\) Regulations 1982](#)
- The UK General Data Protection Regulation (UK GDPR)

It also reflects best practice guidance set out in:

- [Acas guidance on holiday and leave](#)
- Health and Safety Executive (HSE) guidance on [incident reporting in schools](#)

Some of our staff have a contract that specifically incorporates conditions from:

- [School Teachers' Pay and Conditions Document \(STPCD\)](#)
- [Conditions of Service for School Teachers in England and Wales](#) (the Burgundy Book)
- [The National Agreement on Pay and Conditions of Service](#) for support staff (the Green Book)

These will continue to apply due to the [Transfer of Undertakings \(Protection of Employment\) \(TUPE\) Regulations 2006](#), which protect employees' terms and conditions when a maintained school becomes an academy.

As such, this policy complies with the STPCD, the Burgundy Book and the Green Book.

This policy complies with our funding agreement and articles of association.

3. Scope

3.1 Eligibility

This policy applies to all staff who are employed directly by The Claxton Trust.

Self-employed workers, volunteers and agency workers are not covered by this policy.

4. Data protection

All discussions and sensitive medical and personal information about staff members' sickness and other absence will be treated confidentially by all parties concerned. This data will be processed lawfully and stored in line with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Please refer to our privacy notice for staff members for more detail on how data will be processed, published on our website.

5. Roles and responsibilities

5.1 Headteacher

The headteacher is responsible for:

- Ensuring this policy is applied consistently across our school and that it is in line with equality legislation
- Ensuring all staff are aware of this policy and their responsibilities
- Final approval or rejection of all requests for time off
- Liaising with payroll promptly if a staff member's pay needs to be adjusted as a result of their absence
- Monitoring staff absence and following the procedures on managing staff absence if 'trigger points' are surpassed (see sections 17 and 18 for more information)

5.2 Line managers

Line managers have day-to-day responsibility for this policy. If staff have questions about this policy, they should refer to their line manager in the first instance.

Line managers are responsible for:

- Considering all valid requests for time off equally, fairly and according to the needs of the school and pupils
- Supporting staff confidentially and sensitively, and in line with the UK GDPR and the Data Protection Act 2018
- Promoting positive working arrangements, including monitoring workload and maintaining effective communication with staff
- Giving due regard to equality legislation and taking any disability requirements into consideration

5.3 Governing board of trustees

The board will approve this policy and hold the headteacher to account for its implementation.

5.4 Other staff

Staff are expected to:

- Follow the procedures set out in this policy
- Adhere to the stated timescales when responding to or appealing the Trust's requests or decisions

6. EMERGENCY LEAVE OF ABSENCE

Emergency leave refers to unplanned leave requested less than 24 hours in advance, due to unforeseen circumstances.

Employees must notify their line manager as soon as possible in case of an emergency.

In case of unexpected employee sickness, the Health & Attendance policy must be followed.

6.1 Minor emergencies

Minor emergencies are unforeseen circumstances which involve the employee directly (e.g., home issues, unexpected care disruptions, minor personal crisis). Leave may be approved as unpaid.

For minor dependant emergencies (e.g., sudden illness), only the first day of absence is approved and paid, whilst the employee makes emergency care arrangements.

6.2 Serious emergencies

Compassionate and emergency leave can be requested when employees need to take time off work to deal with a serious emergency or crisis, either for themselves or involving a dependant.

The headteacher can approve up to five paid leave days per year (pro-rated for part-timers) for compassionate and emergency leave.

The leave is to deal with the immediate issues and to sort out long-term arrangements if necessary. The circumstances under which employees will be approved to take compassionate and emergency leave are:

- serious incident involving a dependant or immediate family member (e.g., birth, serious illness, injury, assault, death)
- serious personal crisis
- unexpected termination of care arrangements

7. PLANNED LEAVE OF ABSENCE

Planned leave of absence is defined as any situation of which an employee has had more than 24-hour prior knowledge.

Our Trust recognises that it is not possible to cover all circumstances where it is reasonable to grant leave. If there is a specific or exceptional situation not covered by this policy, staff should discuss their need for time off with their line manager.

7.1 Bereavement

We encourage staff experiencing bereavement to reach out to their manager so they can discuss:

- Whether and when the staff member will take compassionate leave. We will be guided by the wishes of the staff member on this
- How the Trust can support the staff member during this difficult time

Leave will be approved and paid for one day off to attend the ceremony of an immediate family member of the employee. 'Immediate family' is defined as parent, husband, wife, civil partner, cohabiting partner, sibling, grandparent, or child.

Additional leave may be requested as compassionate emergency leave.

7.2 Statutory parental bereavement leave and pay

Beyond compassionate leave, staff may be eligible for statutory parental bereavement leave and pay in cases where:

- A child (under the age of 18) dies
- A child is stillborn after 24 weeks of pregnancy
- There's an abortion after 24 weeks of pregnancy if, in very limited circumstances, an abortion takes place after 24 weeks where the mother's life is at risk or the baby would be born with a severe disability

Read the government's [guidance on statutory parental bereavement and pay](#) to find out more.

7.3 Early career teachers (ECTs) serving induction

Where an ECT has been absent for 30 days or more (or equivalent for part-time ECTs), per year of their induction, their induction period will be extended by the aggregate total number of days absent. If the ECT is unable to serve the extension in our Trust, they will need to complete 1 or more terms in a new school or institution.

This does not apply to ECTs taking:

- Statutory maternity leave
- Statutory paternity leave
- Shared parental leave
- Statutory adoption leave
- Parental bereavement leave
- Carer's leave
- Neonatal care leave

7.4 Jury service, witness/subpoenas, and magistrate duty

If a staff member is summoned for jury service, they should speak to their line manager as soon as possible to allow time to arrange cover.

The jury citation letter will require to be produced, to be checked by the line manager prior to authorisation of paid leave by the headteacher.

Employees subject to a witness summons or subpoena will be allowed paid time off work to attend court.

If a staff member is a magistrate, the Trust will grant the employee up to 13 full days or 26 half days off for their duties per year. This would be unpaid.

7.5 Trade union duties and activities

Staff who represent a trade union that is recognised by our Trust for collective bargaining purposes are entitled to reasonable paid time off to carry out their duties in connection with:

- Negotiations in relation to collective bargaining and connected functions
- Information and consultation over collective redundancies or TUPE transfers
- Agreeing new terms for the workforce following a TUPE transfer in an insolvency situation
- Undergoing training in aspects of industrial relations relevant to those duties, which has been approved by the TUC or by the representative's trade union

Staff who represent a recognised trade union are entitled to reasonable unpaid time off to carry out trade union activities, such as attending union meetings or meetings with union officials, but excluding activities which consist of industrial action.

7.6 Moving house

Up to two days' unpaid leave will be approved.

7.7 Weddings

Leave to attend your own wedding, or the wedding of an immediate family member, will only be approved for one day's unpaid leave.

Additional leave of absence related to wedding arrangements will not normally be granted during the school term. Only in very exceptional circumstances (for example when a husband, wife, civil partner, or cohabiting partner is to be in the armed forces and is unable to take leave during the school holiday period) will such requests be considered.

7.8 One-off significant family events

One off, significant family events e.g., child's graduation, may be approved as unpaid, subject to adequate notice so that replacement cover can be arranged if necessary.

Holidays to celebrate anniversaries, birthdays and recurrent events are not considered to be one-off and will not normally be approved.

7.9 Religious festivals

Employees who celebrate holidays or festivals on days other than those allocated by the local governing body and who have fixed annual leave (e.g., term-time) will be allowed, subject to the requirements of the school, up to a maximum of two of their working days, with pay to participate in such religious festivals.

7.10 Public duties

Employees may be approved up to eighteen days leave per annum paid leave to perform the duties of the office of Leader, Mayor, JP, or Chair of Local Authorities.

For employees who are school or college governors, up to three days per annum paid leave may be approved.

Additional unpaid leave for performing public duties will be subject to approval by the headteacher.

7.11 Severe weather conditions

Severe weather will usually have been identified and alerts issued by the [Met Office](#). There may be circumstances when the employee is unable to attend work due to severe weather, but the school remains open as usual. All reasonable effort should be made to attend work. Alternative arrangements may be agreed with the headteacher, e.g., working from home or at a different location. Where this is not possible, non-attendance will normally be treated as unpaid leave.

7.12 Job interviews

The local governing body recognises the increasing tendency for prospective employers to require interviewees to attend for more than one day, especially for school management posts. There is also a growing tendency to expect prospective candidates to undertake a preliminary visit before the formal interviews.

To maintain a fair balance between the operational needs of the school and to minimise the burden on other employees, and to be fair to employees who will be seeking to further their career in the education sector, the local governing body will grant leave of absence for interviews as follows:

- Up to a maximum of five days paid leave of absence for interviews, to cover both formal and informal stages of the process, during any one academic year.
- Further leave of absence for this purpose will normally be on an unpaid basis.

- For support staff any days beyond the initial five days could be made up during holiday periods, instead of being on an unpaid basis, provided that their work can be conducted during holiday time.

7.13 Other exceptional reasons

All other requests will be considered as 'other exceptional reasons' on a case-by-case basis. If there is no legal requirement to approve the leave, then the decision is entirely at the discretion of the headteacher. If approved, such requests are likely to be unpaid.

8. Carry-over of annual leave

The Trust expects employees who are covered by local government terms and conditions of employment to take their full entitlement of leave in each leave year, which runs from September to August. Where this is not possible, with the knowledge of and by arrangement with the headteacher, employees may carry forward five days to the next annual leave year, provided this is taken prior to 31 May.

9. Approval and Appeals

All approvals of absence will depend on a full consideration of the nature of the request, the attendance record of the employee, and the impact on the school. Consideration may be given to whether an attendance improvement plan needs to be put in place to support the employee to improve their attendance record.

If an employee disagrees with the decision made by the headteacher, in the first instance, they should request a meeting with the headteacher to seek further clarification of the reasons why leave has not been granted.

After meeting with the headteacher, if an employee is still not satisfied, they have the right of appeal where they feel that extenuating circumstances have not been fully recognised in the consideration of an application.

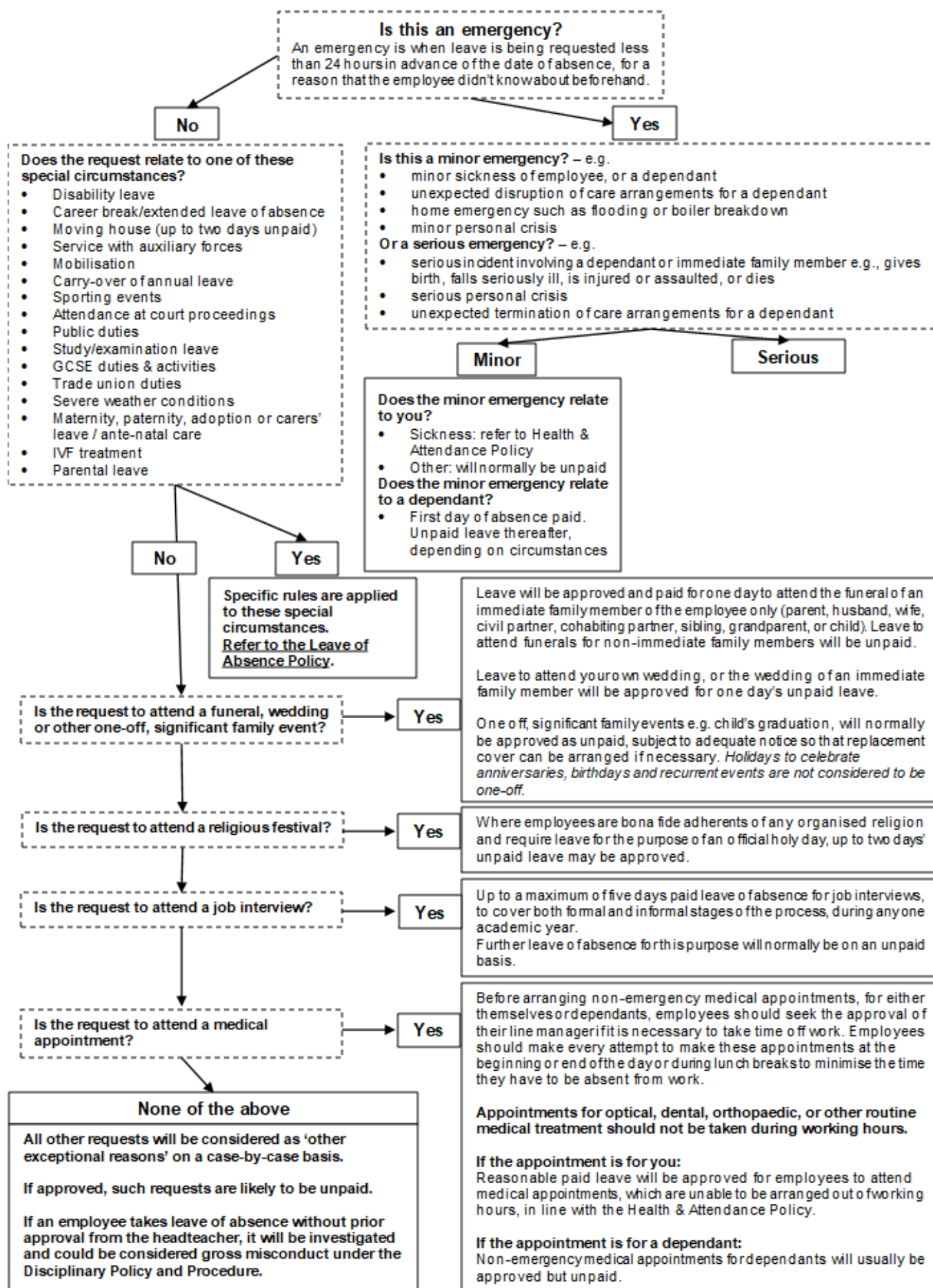
Appeals should be addressed, in writing, to the chair of governors within five working days of receipt of the initial response to the request for leave. The appeal will be reviewed by the chair of governors, who will either uphold the initial decision, or ask the headteacher to reconsider their decision. The outcome will be communicated in writing to the employee within five working days.

No further appeals will be considered.

10. Monitoring arrangements

This policy will be monitored, reviewed and approved annually by the board of trustees.

Appendix 1: Flow Chart



Appendix 2: Holiday entitlements for local government employees

The leave year runs from the 1 September to the following 31 August. For school-based employees working 52 weeks per year, leave will normally be taken during the school holidays. Only in exceptional circumstances and with the express consent of the headteacher can leave be taken at other times or carried forward to the next leave year.

Annual leave entitlement for school-based employees working 52 weeks per year is in accordance with the following table:

TABLE A			
Grade	Less than 5 Years continuous service	5 to 10 Years continuous service	10 or more years continuous service
HB to H7	24	28	29
H8 to H9	26	28	29
M1 to M5	28	30	31
All entitlements incorporate the concessionary day			

Annual leave entitlements will be pro rata for part-time employees working less than 52 weeks per year. Employees engaged on a term time only basis will not be permitted to take leave at any other time except during school holiday periods unless express consent from the headteacher has been given.

Appendix 3: Career breaks

It is recognised that during an employees' working life there will be times when personal commitments may take priority over work e.g., bringing up children, longer term care for sick or dependent relatives, or pursuing a course of further education. The school may be able to accommodate such personal commitments, where operationally practicable, through career breaks. Employees should also consider flexible working requests depending on their individual needs.

Career breaks enable employees to take an unpaid break from work for personal reasons whilst maintaining continuity of service with the school. The employee should try to give as much notice as possible to commence a career break (ideally 3 months), but a shorter notice can be accepted at the headteacher's discretion for example where a dependent needs care at short notice.

Except for continuity of service, all other terms of the employment contract with the school will be suspended. On return, at an agreed date following the career break, the employee will be able to return to the same or similar post within the school without competitive selection. (See below regarding restructures whilst an employee is absent on a career break)

A career break may be considered appropriate for example:

- to extend a period of maternity/adoption leave
- to care for dependants
- to enter full-time education
- extended foreign travel.

These reasons are not all inclusive and others may be considered, except for taking up other full-time paid employment.

Employees who are on a career break may in exceptional circumstances assume a part-time role for example to support a university course or extended travel. Permission must be sought from the school before taking this up.

Eligibility

All permanent employees with at least two years continuous service with the school regardless of the number of hours worked are eligible to apply for a career break.

Length of career break

The minimum length of break is three months, for teaching and classroom-based staff the expectation would be for this to equate to a term, and the maximum is one year. There is no limit to the number of career breaks an employee can take, providing they return to work at the school for a minimum of two years between each break.

Pensions Deductions

Pension deductions will not automatically be made during a Career Break. If an employee wishes to request to pay Additional Pension Contributions (APCs) to cover the amount of pension 'lost' during this period, they should make an election to the Local Pensions Partnership (LPP) within 30 days of returning to work.