



Girls' Learning Trust

SPECIAL DISCRETIONARY LEAVE POLICY

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PART A - POLICY

1. POLICY STATEMENT

- 1.1 The Girls' Learning Trust (The Trust) recognises that at some stages during their working lives, employees may need to take time off to fulfil their personal commitments, including domestic and family responsibilities. The Trust also acknowledges that employees have certain statutory rights in respect of time off work.
- 1.2 To safeguard the provision of high-quality education and outcomes for our students, the Trust expects a high level of attendance and requires each employee to take responsibility for achieving and maintaining good attendance.
- 1.3 When managing requests for time off, the Trust must carefully balance its commitment to supporting and promoting a culture of positive work life balance, while also ensuring the needs of the Trust are protected.
- 1.4 Special discretionary leave is a general term used to describe paid or unpaid time off work which is available in addition to annual leave and other types of statutory leave (i.e. for parents and carers) to help employees manage their lives outside work. It is available wholly at the discretion of the Trust. The Trust will give due consideration to requests made under these provisions, which will be viewed sympathetically, and each case considered on its own merits.
- 1.5 Special discretionary leave is not a contractual right, and the Trust reserves the right to decline requests where this would have a detrimental impact on the operation of the school or Trust or cause undue disruption to colleagues or students.
- 1.6 Any decision is final and there is no right of appeal.
- 1.7 The aims of this policy and procedure are to:
 - Explain the types of discretionary leave available.
 - Set out the procedure for how this should be requested.
- 1.8 This policy should be read with reference to the following policies, which can be located on the GLT Staff Zone:
 - GLT Sickness Absence Policy
 - GLT Family Leave Policy

2. SCOPE

- 2.1 This policy applies to all staff who are employed by the Trust.
- 2.2 This policy does not apply to casual workers (e.g. zero-hour contracts), agency workers, self-employed contractors, supply staff or anyone who is not an employee of a school or the Trust.

- 2.3 This policy may be amended at any time. The procedures set out in Part B may also be varied as appropriate.
- 2.4 The maximum amount of special discretionary leave described under each section within the Framework in Appendix 1 is not pro-rated for part time staff.

3. LEGISLATION & DEFINITIONS

- 3.1 Statutory leave is the legal minimum amount of time off that employees are entitled to. While the time off may be guaranteed under specific legislation, whether the time off should be paid or unpaid will differ according to the type of leave. For example, employees are entitled to time off to deal with an emergency involving a dependent, however the employer does not need to ensure pay for this time off.
- 3.2 Where there is a statutory requirement to facilitate time off, this will be made clear in the Special Discretionary Leave Framework in Appendix 1. This framework also clarifies where any eligibility requirements are in place in relation to the statutory allowance.

PART B - PROCEDURE

4. REASON FOR TIME OFF

- 4.1 The Special Discretionary Leave Framework in Appendix 1 outlines the different types of time off which may be requested under this policy.
- 4.2 The Framework also explains the procedure employees will need to follow for each type of request. Employees should note that the procedure is not the same for each type of special discretionary leave.
- 4.3 It is expected that in most circumstances, as a matter of courtesy, employees will speak with their line managers before adding their absence to Every HR. This will help ensure an effective discussion about the absence. It is accepted that this may not be possible for all instances of absence.
- 4.4 It is the responsibility of employees to ensure that the correct procedure has been followed in making a request. Any deviation from the procedure may result in the request being denied.

5. MAXIMUM TIME OFF UNDER THESE PROVISIONS

- 5.1 It should be noted that special discretionary leave is exceptional, and the Trust will not usually grant a combined total of more than 10 days with pay and 10 days without pay in any rolling 12-month period for time off within these provisions.
- 5.2 Exceptions to 5.1 are in relation to bereavement leave, compassionate leave and time off for jury service.
- 5.3 There are several categories of special discretionary leave in this policy. Employees should note that they may not be granted leave if the total amount that they have requested, or has previously been granted, is considered to be excessive.
- 5.4 Line managers will be responsible for determining whether the leave can be agreed from an operational perspective and will be first approvers of any request on EveryHR. As second approver, a member of the senior leadership team will determine whether the employee has reached the limit of their entitlement and therefore whether the leave should be paid or unpaid.
- 5.5 The leave should not be considered as approved until it has been approved by both first and second approvers.

6. SUSPECTED ABUSE OF SPECIAL LEAVE PROVISIONS

- 6.1 It is expected that employees will only request and take leave specifically for the purpose stated.
- 6.2 Where it is suspected that a fraudulent request has been made, or that leave has not been used for the stated purpose, the Trust may investigate the matter and refer it to the GLT Disciplinary Policy.

7. UNAUTHORISED ABSENCE

- 7.1 Where an employee fails to adhere to the notification requirements set out in the Framework in **Appendix 1**, or takes leave where it has previously been refused, any absence may be regarded as unauthorised and, after appropriate investigation, referred to the Disciplinary Policy.

8. PENSION CONTRIBUTIONS

- 8.1 Employees should refer to the conditions of the Local Government Pension Scheme and the Teachers' Pension Scheme for provisions relating to pension contributions during periods of unpaid discretionary leave.

- 8.2 Pension payments will continue to be made during periods of paid leave.

APPENDIX 1 – SPECIAL DISCRETIONARY LEAVE FRAMEWORK

This Framework describes the maximum amount of leave which may be granted for each of the specific reasons.

Type of special discretionary leave	Indicative Approach	Request for Time Off Procedure
Bereavement Leave	<p>In the event of the death of an immediate family member, employees may be granted up to 2 weeks paid bereavement leave at the discretion of the Headteacher, CEO or COO, who may need to undertake reasonable and sensitive enquiries into the situation when considering requests.</p> <p>An immediate family member is defined as:</p> <ul style="list-style-type: none"> ▪ Spouse or civil partner ▪ Partner ▪ Parent (including stepparent) ▪ Child, including: <ul style="list-style-type: none"> ○ Stepchild ○ Where a child is stillborn after 24 weeks of pregnancy ○ Where a pregnancy is terminated after 24 weeks ▪ Sibling ▪ Grandparent ▪ Grandchild <p>This does not affect an employee’s entitlements to other types of statutory leave (i.e. maternity and paternity leave).</p>	<ul style="list-style-type: none"> ▪ In the first instance, the employee should speak with the relevant member of the Executive team (Headteacher, COO or CEO) as soon as reasonably practicable. ▪ The member of the Executive team will add the request to Every HR to ensure appropriate recording of the time off. They will also approve the request on Every. ▪ Following approval, the cover team will be notified via Every to ensure effective cover can be arranged.

<p>Parental bereavement leave (Jack's Law) (Statutory Entitlement)</p>	<p>Beyond paid bereavement and compassionate leave, employees may be eligible for two weeks' statutory paid parental bereavement leave in cases where:</p> <ul style="list-style-type: none"> ▪ A child under the age of 18 dies ▪ A child is stillborn after 24 weeks of pregnancy ▪ A pregnancy is terminated after 24 weeks <p>Please read the government's guidance on Parent Bereavement Leave to find out more.</p> <p>This does not affect an employee's entitlements to other types of statutory leave (i.e. maternity and paternity leave) however Parental Bereavement Leave must start after the other leave has ended but does not have to be taken immediately after.</p>	<ul style="list-style-type: none"> ▪ In the first instance the Employee should speak with the relevant member of the Executive team (Headteacher, COO or CEO) as soon as reasonably practicable. ▪ The member of the Executive team will add the request to Every HR to ensure appropriate recording of the time off. They will also approve the request on Every. ▪ Following approval, the cover team will be notified via Every to ensure effective cover can be arranged.
<p>Carer's Leave (Statutory Entitlement)</p>	<p>Employee's are entitled to take up to one week of unpaid leave in a rolling 12 month period. This must be to give or arrange care for a dependent who has:</p> <ul style="list-style-type: none"> ▪ A physical or mental illness or injury that means they need care for more than 3 months. ▪ A disability as defined by the Equality Act 2010. ▪ Care needs because of their old age. <p>A dependent is defined as an employee's:</p> <ul style="list-style-type: none"> ▪ Spouse or civil partner ▪ Child or parent ▪ Any person who lives in the same household (other than a lodger or similar) 	<ul style="list-style-type: none"> ▪ Where possible, employees should inform their line manager in advance of submitting a request to Every. ▪ The employee should make their request via their Every HR record, under General Absence. ▪ The request must be made at least 4 weeks in advance of the requirement. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.

	<ul style="list-style-type: none"> ▪ Any other person who would reasonably rely on the employee to provide or arrange care. This does not have to be a family member. <p>A week means the length of time the employee usually works over 7 days.</p> <p>This may be taken as a full week or as separate days.</p> <p>Carer's leave is designed to cover planned time off to look after dependents. Employees needing to take emergency time off should refer to Emergency Time Off for Dependents.</p>	
Compassionate Leave	<p>Compassionate leave may be granted to allow an employee to attend to an urgent or unforeseen personal circumstances or to deal with serious illness of a close friend or relative or to attend a funeral.</p> <p>Up to 3 days paid leave may be granted per event.</p>	<ul style="list-style-type: none"> ▪ The employee should inform their line manager & cover as soon as possible. ▪ The employee should add the request to their Every HR record under General Absence, providing as much notice and detail as possible. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team. ▪ In emergency situations, the employee should call into cover and cover will add the leave via Cover 7.
Domestic leave	<p>This type of leave may be used to accompany a child or dependent to a medical appointment, to attend to a domestic crisis (e.g., fire, flood, burglary, emergency vet appointment), to attend to a family crisis, or to attend their child's parent's evening, sports day, nativity play, or school appointment.</p>	<ul style="list-style-type: none"> ▪ Where possible, employees should inform their line manager in advance of submitting a request to Every. ▪ The employee should request via Every, under General Absence. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.

	<p>The Trust may, at its discretion, grant up to 2 days or 14 hours paid time off in any rolling 12-month period. Each request will be considered on its individual circumstances, as well as consideration being given to the number and pattern of any previous requests.</p>	<ul style="list-style-type: none"> ▪ Following approval, the cover team will be notified via Every to ensure effective cover can be arranged. ▪ In emergency situations, the employee should call into cover and cover will add the leave via Cover 7.
<p>Emergency Time Off for Dependents (Statutory Entitlement)</p>	<p>The Trust has a statutory obligation to grant a reasonable period of unpaid time off work to deal with unforeseen or emergency situations involving a dependant who relies on the employee for assistance. The Trust will, at its discretion, grant up to 3 days paid emergency time off in any rolling 12-month period. Each request will be considered on its individual circumstances, as well as consideration being given to the number and pattern of any previous requests.</p> <p>A dependent is defined as:</p> <ul style="list-style-type: none"> ▪ The employee’s spouse, civil partner, child or parent (this may include stepchildren). ▪ Any person who lives at the same house as the employee (other than a lodger, tenant, boarder or employee). ▪ Any other person who would reasonably rely on the employee for assistance in the event of illness or injury or to make arrangements for care. <p>An emergency is defined as:</p> <ul style="list-style-type: none"> ▪ Illness, injury or assault. ▪ Having a baby. ▪ Disruption of care arrangements. ▪ If the employee’s child is involved in an incident during school time. 	<ul style="list-style-type: none"> ▪ The employee should inform their line manager & cover as soon as possible. Details of the reason for emergency time off must be provided. ▪ A member of the Cover team will add this leave to Cover 7. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.

	Employees are not entitled to emergency time off if they knew about the situation beforehand. For example, to take a child to hospital for an appointment. Please refer to Domestic Leave.	
Exams & Study Leave	<p>Paid leave for study leave or to sit an exam related to career development within the Trust.</p> <p>Up to one day per exam may be granted.</p>	<ul style="list-style-type: none"> ▪ The employee should make their request via their Every HR record, under General Absence. ▪ The request must be made at least 4 weeks in advance of the exam or study leave period. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
Graduation	<p>Paid leave of up to one day for an employee's own graduation.</p> <p>Unpaid leave of up to one day for the graduation of a family member but Time Off in Lieu or Annual Leave may be used as an alternative if applicable.</p>	<ul style="list-style-type: none"> ▪ The employee should make their request via their Every HR record, under General Absence. ▪ The request must be made at least 4 weeks in advance of the graduation. ▪ In the 'details' section the request must state whether it relates to the employee or a member of their family. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
Inductions at educational establishment	Paid leave to attend an induction at another educational establishment.	<ul style="list-style-type: none"> ▪ The employee should make their request via their Every HR record, under General Absence. ▪ The request should be made at least 2 weeks in advance of the induction. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.

Interviews	<p>Paid leave will be given to attend up to 3 interviews in any rolling 12-month period.</p> <p>All other interviews will be unpaid.</p>	<ul style="list-style-type: none"> ▪ The employee should make their request via their Every HR record, under General Absence. ▪ The request should be made at least 1 week in advance of the interview. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
<p>Jury Service / Subpoenaed Witness</p> <p>(Statutory Entitlement)</p>	<p>Although not a statutory requirement, the Trust will grant employees up to 2 weeks paid leave for jury service.</p> <p>The employee should advise their line manager as soon as practicable and provide a copy of the jury summons from the court.</p> <p>Should an employee not be required to attend court for any whole or part day they should notify their line manager. The Trust may require an employee to return to work for this period.</p> <p>If the jury service ends before the expected 2 week period, the employee will be expected to return to work.</p> <p>If the jury service extends beyond 2 weeks, the employee can claim for loss of earnings from the court. Any additional remuneration will be at the discretion of the Trust's CEO.</p> <p>Please see the government website for further information on how jury service works.</p>	<ul style="list-style-type: none"> ▪ In the first instance the employee should speak with the Headteacher or COO. ▪ Once verbally approved, the employee should request the absence via their Every HR record, under General Absence. ▪ A copy of the Jury Summons should be uploaded as a file to the absence record. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
<p>Medical & Dental Appointments (relating to individual employee)</p>	<p>Where possible, it is expected that these will be made outside of normal working hours or during school closure periods.</p>	<ul style="list-style-type: none"> ▪ The employee should make their request via their Every HR record, under General Absence. ▪ Where there is evidence of the appointment this must be uploaded to the absence in Every.

	<p>If the employee is undergoing a period of unavoidable medical treatment involving regular appointments, or undergoing fertility treatment and IVF, reasonable time off may be given.</p> <p>Each case will be considered on an individual basis.</p>	<ul style="list-style-type: none"> ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team. ▪ In emergency situations, the employee should call into cover and cover will add the leave via Cover 7.
Moving House	<p>Where possible, it is expected this is arranged to occur during a school closure period.</p> <p>However, where this is not possible a total of one day's paid leave may be granted. This will be only be for the day of the physical move.</p>	<ul style="list-style-type: none"> ▪ The employee should speak to their line manager in person as soon as they become aware of their scheduled move date. ▪ Once agreed verbally, the employee should request the absence via their Every HR record, under General Absence. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
Parental Leave (Statutory Entitlement)	<p>Eligible employees can take unpaid parental leave to look after their child's welfare.</p> <p>An eligible employee is defined as one who:</p> <ul style="list-style-type: none"> ▪ Has been employed with the Trust for more than one year. ▪ Is named on the child's birth or adoption certificate. ▪ Is not a foster parent. ▪ Has a child under the age of 18. <p>Where they meet the eligibility requirements, employees are entitled to 18 weeks' leave for each child or adopted child, up to their 18th birthday.</p>	<ul style="list-style-type: none"> ▪ The employee should speak to their line manager in person as soon as practicable. ▪ Once verbally agreed, the employee should request the absence via their Every HR record, under General Absence. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.

	<p>The limit on how much parental leave each parent can take in a year is 4 weeks for each child.</p> <p>Parental leave applies to each child and not to an individual's job - for example if an employee has used 10 weeks with a previous employer, they can use up to 8 weeks with their new employer.</p> <p>Employees must take parental leave as whole weeks rather than individual days.</p>	
<p>Public Duties (i.e. Magistrate / Justice of the Peace / Employment Tribunal panel member / Local Councillor / School or Trust Governor (Statutory Entitlement)</p>	<p>It is a statutory entitlement that employees be given reasonable unpaid time off for certain public duties.</p> <p>The Trust will grant reasonable paid leave to employees for the specific purpose of undertaking certain public duties.</p> <p>Paid time off under the provisions should not exceed a total of 5 days in any 12-month period.</p>	<ul style="list-style-type: none"> ▪ The employee should inform their line manager in person as soon as practicable. ▪ The line manager may usually involve a senior manager to discuss whether operationally this request can be granted. ▪ Once verbally approved, the employee should request the absence via their Every HR record, under General Absence. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
<p>Religious Observance</p>	<p>The Trust recognises that there may be occasions where employees may wish to request time off during their usual working hours or to alter their usual working patterns for religious or cultural observance.</p> <p>Up to one day paid leave per rolling 12 months for recognised religious observance will be granted.</p> <p>Requests for longer than one day will generally be unpaid. Annual leave or Time Off In Lieu may also be used if applicable.</p>	<ul style="list-style-type: none"> ▪ The employee should speak to their line manager as soon as practicable. ▪ Once verbally agreed, the employee should request the absence via Every HR, General Absence. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.

<p>Reservists</p> <p>(Statutory Entitlement)</p>	<p>Employees who are a reservist with the following organisations are entitled to request time off under this provision:</p> <ul style="list-style-type: none"> ▪ Territorial Army ▪ Royal Navy Reserve ▪ Royal Auxiliary Air Force ▪ Royal Marines Reserve <p>Employees should seek to undertake training activities at weekends and outside of the Trust term where possible.</p> <p>Where training takes place during the school term, the Trust may grant up to 5 days paid leave in any year.</p>	<ul style="list-style-type: none"> ▪ The employee should speak to their line manager in person as soon as practicable. ▪ The line manager may usually involve a senior leader or Headteacher to discuss whether this is operationally feasible. ▪ Once verbally agreed, the employee should request the absence via their Every HR record, under General Absence. ▪ The Line Manager will approve via Every and second approval will go to a member of the Senior Leadership Team.
<p>Time Off In Lieu (TOIL)</p>	<p>For support staff, the Trust recognises that the nature of some work means that on occasion staff will be needed to work outside their usual contracted hours. In these instances TOIL should be agreed with their line manager in advance and can only be accrued in full hours or more. This will not be applicable for teaching staff.</p> <p>TOIL is only accrued after an additional 30 minutes has been worked.</p> <p>It is generally expected that no more than 10 hours of TOIL may be accumulated in any one month. The maximum amount of TOIL may be calculated on a pro-rata basis for part-time employees.</p> <p>TOIL should be redeemed within one month of accrual. If it has not been taken within 3 months it will be lost, and no monetary compensation will be offered.</p>	<ul style="list-style-type: none"> ▪ The employee should agree that work outside of contractual hours is required with their line manager, in advance of working additional hours. ▪ Once accrued, the employee should add the TOIL to their Every HR record, for approval by their line manager. ▪ TOIL will need to be used within a 3-month period.
<p>Trade Union / Safety Representatives</p>	<p>Paid leave in accordance with legislation.</p>	<ul style="list-style-type: none"> ▪ The employee should make their request via their Every HR record, under General Absence.

(Statutory Entitlement)		<ul style="list-style-type: none"> ▪ Headteachers would approve this request.
Unpaid Leave	<p>The Trust may exceptionally grant unpaid leave for no more than 10 days for reasons other than those specified in this procedure within a rolling 12-month period.</p>	<ul style="list-style-type: none"> ▪ The employee should speak with the Headteacher or COO regarding the reason for unpaid leave. ▪ Once approved, the employee should add the absence to their Every HR record, under General Absence. ▪ This will be approved by the Headteacher or COO.