



Staff Leave of Absence

Approval Arrangements

All statutory policies in the Trust are ultimately the responsibility of the Trust Board. To enable it to discharge this responsibility appropriately and in collaboration with the constituent schools, the Trust Board will

1. set a full Trust wide policy, which applies in the same way to all schools
2. require individual schools to set a policy (In most cases with Trust-provided guidance) appropriate to the needs and circumstances of an individual school

This is a level 1 policy which was approved by the CEO for implementation in the Tenax Schools Trust and supersedes any previous Leave of Absence policy.

Approval Body:	Chief Executive Officer
Date Approved:	3 July 2025
Author:	HR Director
Next Review:	Jul 2028
Review period:	3 years
Version:	1.0

This policy has been adopted following consultation with recognized trade unions

1 Ethos

The vision of the Tenax Schools Trust is to achieve excellence by working together so that all may feel loved and liberated to serve a thriving society. We are committed to education providing life changing, transformative opportunities to every child and young person in our schools.

We recognise the vital contribution made by every employee, to providing this transformative education. Our Trust is a place where everyone should be able to flourish in a loving and hospitable community, where all are treated with dignity and respect. Each employee, in all their unique difference should be able to thrive, irrespective of physical appearance, age, gender, race, religion, ethnicity, socio-economic background, academic ability, disability, sexual orientation, marital status or gender identity.

The individual identity of each school is valued equally, whether of faith designation or none.

2 Aims

The Trust's schools, entities and central services operations are guided by our vision of delivering excellence together, securing a transformative education for every child and young person.

The education sector, by its very nature, requires most staff to be present in school throughout the school day, and on all specified term-time days. However, aspects of personal, family and domestic life do not occur to the same timetable. This policy sets out the ways in which we can support our employees to balance such external needs with their ability to deliver excellence in their work.

3 Legislation and Guidance

This policy should be read in conjunction with our other Trust policies including our:

Staff Medical Leave Policy
Staff Wellbeing Toolkit
Tenax Family Leave Policies
Discipline and Conduct Policy

These are available at <https://www.tenaxschoolstrust.co.uk/our-policies/>

Legislation relevant to this policy includes:

Employment Rights Act 1996
Parental Leave Regulations 2013
The Parental Bereavement Leave Regulations 2020
The Carer's Leave Act 2023
The Neonatal Care (Leave and Pay) Act 2023

Where statutory provisions do not apply, paid leave in this policy is non-contractual and at the discretion of the Trust.

4 Scope

This policy and procedure applies to all employees of Tenax Schools Trust, including the Chief Executive Officer.

5 Introduction

The Trust recognizes the importance of its employees role-modelling consistent and reliable attendance at school, in line with the expectations of pupil attendance levels. Consistent provision to the children and young people in our school communities is a key driver in our pursuit of excellence.

However, employees have different responsibilities and challenges to their pupils, and there are times when employees need to take time away from work in response to personal or family needs or unplanned domestic difficulties, such as plumbing emergencies or travel problems. Headteachers and line managers will approach such situations with compassion, whilst balancing the needs of the school or business unit to provide excellence in education, and the provision of safe, efficient and effective services.

The table at Appendix 1 sets out the types of leave that may be requested, and the relevant provisions for pay. It is noted however, that every situation is unique, and discretion may be used when approving leave, or considering approving leave in excess of the limits set out in Appendix 1.

Cumulative paid leave for all non-sickness absence will normally be capped at 10 days per academic year, excluding any periods of parental bereavement leave.

6 Key definitions:

Immediate family – includes spouse or civil partner, father, mother, father-in-law, mother-in-law, step-father, step-mother, step-child, sibling. This definition may be extended or amended at the discretion of the line manager where an individual's personal circumstances require it, for example, the case of foster carers/guardians or atypical living arrangements.

Parental bereavement – the loss of a child born alive, or after 24 weeks of pregnancy, up until the age of 18.

Serious illness or injury – will normally be defined as an illness or injury that requires hospital in-patient treatment, or would otherwise require in-patient treatment if care were not provided in another setting e.g. hospice, hospital-at-home arrangement.

Long-term care need – a dependent has a long-term care need if they have any of the following:

- A disability as defined under the Equality Act 2010
- An illness or injury that is likely to need care for at least 3 months
- A care need related to old age.

References to a “week” for notice purposes means one calendar week. References to a “week” for pay/leave purposes means an employee's normal working days per week.

7 Requests for Leave

Requests for leave must be made in advance wherever possible, using the notice periods in Appendix 1. Where leave is requested for an unplanned event, employees must use the normal agreed school absence reporting procedure.

Each request for leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent for the same, or another employee to be granted leave in similar circumstances. The decision of the Headteacher/line manager is final and there is no right of appeal.

It is expected that employees will only request and take leave specifically for the purpose stated. Where it is suspected that a fraudulent request has been made, this will be investigated in line with the Trust's Discipline and Conduct policy. This may include:

- Failure to follow the notification requirements set out in the school's procedure
- Taking leave without seeking prior authorisation
- Not using the leave for the purpose it was requested.

Should a request for leave be denied, and the employee subsequently takes leave over the requested period, this may be investigated in line with the Trust's Discipline and Conduct Policy.

8 Travel and other arrangements

Employees must not book travel or accommodation relating to requested leave before receiving written confirmation that their leave request has been approved. The Trust is not responsible for any financial losses incurred in such circumstances.

9 Career breaks or sabbaticals

The Trust will consider any request for a career break or longer term period of unpaid leave of absence based on individual circumstances, and taking account of the needs of the school or business unit. Long-term leave is capped at one calendar year. Employee's should make any request in writing, setting out the period of leave requested, with the reason for the request. Leave in excess of one term (based on a 6-term academic year) must be approved by the executive team.

Requests for a career break to take up other paid employment will not be considered.

10 Pay

Where paid leave is given, this will be paid at the normal contracted rate, for the contracted hours due to be worked.

Where unpaid leave is given, the pay deduction will be calculated using the individual's normal hourly rate x the number of hours absence. The salary adjustment for planned unpaid leave, will be made in the month in which the leave is taken. Adjustments for unplanned unpaid leave may be made retrospectively subject to payroll processing deadlines.

11 Supporting Consistent Attendance

This policy is designed to support employees who need to take a leave of absence unrelated to their own health or medical needs. The limits contained in Appendix 1 are guidelines for each absence type, and are not targets. Where an individual's absence from work impacts the operation of the school or business unit, or their own performance, the Trust may apply the same trigger points for formal reviews of an individual's attendance as detailed in the Staff Medical Leave policy.

Appendix 1

Reason for Absence	Notice required	Approved limit per academic year	Pay arrangements
Death of an immediate family member (see Appendix 2)	Unplanned absence reporting procedure	Up to 10 days	With pay
Death of a child under the age of 18 (Parental bereavement – see Appendix 2)	Unplanned absence reporting procedure	10 days	With pay
Wedding of a family member	Minimum of 4 weeks	1 day	With pay
Serious illness or injury of immediate family member	Unplanned absence reporting procedure	Up to 10 days	With pay
Child receiving hospital care within first 28 days after birth	See Family Leave Policies for detail		
Childcare or care of older or disabled person	Unplanned absence reporting procedure	Up to 10 days, or 3 periods of leave	Unpaid
Care of dependent with long-term care needs	As soon as reasonably practical	Up to 1 week, taken in full or half days	Unpaid
Urgent family business or emergencies at home	Unplanned absence reporting procedure	Up to 2 days	Unpaid
Attend hospital appointment of close family member	Minimum of 1 week	At manager's discretion	Unpaid
Attendance at interviews	Minimum of 1 week	At manager's discretion	Teaching staff – with pay Non-teaching staff, flexi-time or unpaid
Adverse weather event	Unplanned absence reporting procedure	At manager's discretion	Unpaid*
Attendance at own, or immediate family member's graduation ceremony	Minimum of 1 week	1 day	With pay
Moving house	Minimum of 1 week	1 day	With pay
Family leave (Maternity, Paternity, Shared Parental Leave and Adoption)	See relevant Family policy for full details		
Training/study leave where the course is not funded by the Trust	Minimum of 1 week	At manager's discretion	Unpaid
Jury service		As required by court summons	Paid
Court proceedings as a witness	Minimum of 1 week	As required by court summons	Paid

Personal legal proceedings (e.g. divorce, family court issues etc)	Minimum of 1 week	As required by court summons	Unpaid
Attendance at religious ceremony or observation of religious festival	Minimum of 4 weeks	At manager's discretion	Unpaid
Undertaking a religious pilgrimage, undertaken as an obligation of an individual's faith	Minimum of 4 weeks	At manager's discretion	Unpaid
Public duties	Minimum of 4 weeks	At manager's discretion	Unpaid
Special constables, retained fire-fighters and reservists	See Appendix 3		

*should a school be closed to pupils and staff preparing for or following an adverse weather event, employees will receive full pay for the period of complete closure. Unpaid leave is available where an employee is unable to travel to their school, or another Trust premises to work, and they are unable to work from home.

Appendix 2: Bereavement and pregnancy loss

General

Periods of leave following a bereavement will be handled with compassion. The Trust recognises that everyone experiences grief differently and that with the complexities of modern families, an employee's closest relationships may be with more distant relatives or with friends/foster carers. Further complexities arise where these are long distance relationships.

There is no statutory leave for most bereavements, but the Trust's Leave of Absence provisions will normally provide sufficient time away from work. However there may be times where a bereavement leads to, or contributes to, a health issue, in which instance further absence should be covered by a medical certificate. Extended absences will be managed under the long-term medical absence procedure.

Absence reporting

Employees should notify their school/line manager of their bereavement and need for time off as soon as possible. The Trust recognises how difficult it can be to contact others in the immediate aftermath of a bereavement, and whilst we encourage employees to report their absence in line with normal school procedures, or by speaking to their line manager, employees who find it easier to make initial contact with their school by email may do so without detriment.

Pregnancy loss

In the sad event of pregnancy loss, including in the event of an ectopic pregnancy, before or during the 24th week of pregnancy employees are not be able to claim statutory maternity pay or contractual maternity pay. Normal sick pay entitlements will apply for any resulting sickness absence in accordance with the Trust's Medical Leave Policy. Partners are able to take Personal/Carer's Leave for either their own wellbeing, or to support a partner following the loss of a pregnancy.

Parental bereavement leave

Parental Bereavement Leave is specific to instances where a baby is born alive before or during the 24th week of pregnancy but subsequently dies, in cases of a stillbirth after 24 weeks of pregnancy, or where a child under the age of eighteen dies. Parental bereavement leave gives employees the right to take up to two weeks paid leave following the death of a child. If more than one child dies, employees are entitled to two weeks' leave in respect of each child.

Employees can take this leave if they are the child's:

- birth parent
- natural parent (the person who gave birth to the child who has since been adopted, but has a court order to allow them to continue having access to the child)
- adoptive parent, if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy

- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Parental bereavement leave can be taken within 56 weeks of the date of the death or stillbirth of the child, either in a single two-week block, or as separate one-week blocks. Employees do not need to give notice to take parental bereavement leave if this is taken in the first 8 weeks following the death of the child. Taking parental bereavement leave after this time usually requires 1 week's notice.

Parental bereavement leave is granted at full pay, to include any entitlement to statutory parental bereavement pay.

In the event of a neonatal death, the legal name for time off is maternity, paternity, adoption and shared parental leave. However, the Trust recognizes that the use of this language may be upsetting to affected employees if their baby has died. The Trust will be sensitive to employees' preference for the language used to refer to these statutory leave types.

Emotional support following bereavement is available from the school/Trust chaplaincy, or for further support please speak to Human Resources.

Appendix 3: Time off for Special Constables, Retained Fire Fighters and Reservists

Any employee who is, or becomes a Special Constable, Retained Fire Fighter or Reservist must notify their Headteacher or line manager, and may be required to provide evidence of their position. They may be required to confirm on an annual basis that they still hold such post.

Employees requesting leave under these provisions must do so in writing, giving as much notice as practical, and in any case, enough notice for the school to assess the impact of granting leave. This may be longer for periods of leave requested in school term time than in school closure periods.

The Headteacher will consider requests carefully, but may decline requests where this will have a detrimental impact on the operation of the school, the education of the pupils/students, or cause undue disruption to other staff.

Employees should seek to undertake training activities at weekends, or during school closure periods wherever possible. Where time off is requested for training, a maximum of two weeks leave will be given in any year.

Type of Leave	Applies to:	Notification requirements	Paid or unpaid
Non-statutory Leave			
Reservist Training	All employees	Minimum of three weeks before the start of the leave	Unpaid
Reservist Mobilisation	All employees	As soon as mobilisation instruction is received	Unpaid – employee will receive payment directly from the MoD
Special Constables / Retained Fire Fighters - training	All employees	Minimum of three weeks before the proposed leave	Unpaid
Special Constables / Retained Fire Fighters	All employees	Reasonable time at the discretion of the headteacher	Reasonable paid leave