

The Heath Family Multi Academy Trust
Non-holiday Leave including Time Off for Dependants Rights

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1 POLICY STATEMENT

- 1.1 This policy reflects the statutory right to take reasonable unpaid time off work to take necessary action in respect of dependants in accordance with the Employment Rights Act 1996.
- 1.2 The Heath Family Multi Academy Trust respects that there will be occasions when you will need to take time off work to deal with unexpected events involving one of your dependants.
- 1.3 This policy gives all employees the right to take a reasonable amount of unpaid time off work to deal with certain situations affecting their dependants.
- 1.4 No-one who takes time off in accordance with this policy will be subjected to any detriment.
- 1.5 This policy does not apply to agency workers, casual staff or volunteers.

2 PERSONNEL RESPONSIBLE FOR IMPLEMENTING THE POLICY

- 2.1 The Heath Family Multi Academy Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Heath Family Multi Academy Trust has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Principal/Head Teacher.
- 2.2 The Senior Leadership Team has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

3 DEFINITIONS

- 3.1 A **dependant** for the purpose of this policy is:
 - 3.1.1 your spouse, civil partner, parent or child;
 - 3.1.2 a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee;
 - 3.1.3 anyone else who reasonably relies on you to provide assistance, make arrangements or take action of the kind referred to in paragraph 4.
- 3.2 **Reasonable time** for the purpose of this policy will not normally be more than a day or two. However, the Heath Family Multi Academy Trust will always consider each set of circumstances on their facts.

4 THE RIGHT TO REASONABLE UNPAID TIME OFF

- 4.1 All employees have a right to take a reasonable amount of unpaid time off work when it is necessary to:
- 4.1.1 provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
 - 4.1.2 make longer-term care arrangements for a dependent who is ill or injured;
 - 4.1.3 take action required in consequence of the death of a dependant;
 - 4.1.4 deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant; and/or
 - 4.1.5 deal with an unexpected incident involving their child during school hours.
- 4.2 Employees are only entitled to take time off under this policy to provide personal care for a dependant where there is an immediate crisis. If you know well in advance that you wish to take time off to care for a dependant yourself, rather than arrange for someone else to do so, this policy will not apply to you.
- 4.3 You should take advice from your **Principal/Head Teacher** or the Heath Family Multi Academy Trust if you need to take time off work in the circumstances set out in paragraph 4.2.
- 4.4 For the right to take time off under this policy to arise, it must be necessary for you to take action in relation to a dependant. The requirement to take action will depend on the nature of the problem, the closeness of the relationship between you, and whether someone else is available to assist. Action is unlikely to be considered necessary if you knew in advance that a problem might arise but didn't make alternative arrangements for a dependant's care.

5 EXERCISING THE RIGHT TO TAKE TIME OFF

- 5.1 You will only be entitled to take time off under this policy, if as soon as is reasonably practicable, you tell your **Principal/Head Teacher** or the Heath Family Multi Academy Trust:
- 5.1.1 the reason for your absence; and
 - 5.1.2 how long you expect to be away from work.
- 5.2 If you fail to provide the notification required in paragraph 5.1 you may be subject to disciplinary proceedings (under the Heath Family Multi Academy Trust's Disciplinary Policy) for taking unauthorised time off.

6 ABUSE OF THE POLICY

- 6.1 Where it is possible to do so in advance or when you return to work after taking time off under this policy, the Heath Family Multi Academy Trust might ask you to provide evidence for your reasons for taking the time off.
- 6.2 Suspected abuse of this policy will be dealt with as a disciplinary issue (under the Heath Family Multi Academy Trust's Disciplinary Policy).

7 DISCRETIONARY RIGHTS

- 7.1 In addition to the statutory right to dependant's leave the Heath Family Multi Academy Trust also has discretion to allow additional time off, with pay, in the following scenarios:
 - 7.1.1 compassionate leave
 - 7.1.2 bereavement leave or to attend a funeral
 - 7.1.3 a house move
 - 7.1.4 graduation ceremony
 - 7.1.5 another absence similar to those listed above.
- 7.2 If leave is granted with pay it will be at the absolute discretion of the Heath Family Multi Academy Trust and leave with pay will only be granted for a day or two.
- 7.3 The Heath Family Multi Academy Trust may allow a combination of paid and unpaid leave in its absolute discretion depending on the circumstances.