

Compassionate Leave Policy & Procedure

Introduction

The Governors recognise individuals need to be supported when coping with situations where family circumstances must take priority over work. The Compassionate Leave Policy addresses this need and represents an integral part of the School's commitment to being an employer of choice. Requests for compassionate leave should be discussed and agreed between the Head Teacher and employee. There is no automatic right to this leave.

Existing Right to Time Off

Employees have a legal right to take unpaid time off to deal with certain unexpected or sudden emergencies and to make any necessary long-term arrangements. This right covers situations where a dependant:

- falls ill, or has been injured or assaulted;
- is having a baby;
- needs long-term care arrangements to be made;
- dies; or
- has an unexpected breakdown or disruption to their care arrangements.

The right also covers unexpected incidents involving the employee's child during school hours and the breakdown of childcare arrangements.

The legal right to unpaid time off is supplemented by the School's provisions on Special Leave which allow up to 3 days paid leave to be granted in cases of emergency.

Bereavement Leave

3 days paid leave should be granted in the case of a bereavement of a husband, wife or partner, parent or parental figure, father-in-law or mother-in-law, sister, brother or child. Any further leave

requirements should be considered under the Compassionate Leave or Absence Management Policies. In the case of any other family member 1 day's paid leave to attend the funeral should be allowed.

What is Compassionate Leave?

Compassionate Leave extends the provisions that exist to deal with an immediate crisis or family incident to situations where longer-term support is required. Compassionate Leave may be granted in the case of bereavement, or serious illness which requires the employee to devote their time to the **long-term** care of a dependant.

Compassionate Leave is paid leave that is offset against an employee's sickness entitlement. If an individual has 6 number of weeks compassionate leave, then 6 number of weeks would be deducted from their current sick pay entitlement but it would not be recorded as sickness absence.

The entitlement to Compassionate Leave will reflect the employee's entitlement to sick pay. This means that the entitlement will consist of full pay and half pay elements which are linked to an employee's length of service.

Compassionate Leave should be managed with sensitivity, but contact should be maintained with the employee on a weekly basis where possible. Long periods of compassionate leave should not be agreed in advance. Should the employee go into half pay, a meeting will need to be arranged to discuss the likelihood of returning to work, and options available. These might include:

- Phased return to work
- Voluntary reduced working time
- Permanent/temporary change to working pattern
- Career break
- Home working

If an early return to work does not appear likely then the individual should be informed that failure to return to work could ultimately put their employment with the School at risk and lead to the termination of their employment. A further meeting to discuss options will need to be arranged towards the end of their sick pay entitlement.

Who Counts as a Dependant?

A dependant is the husband, wife, partner or civil partner, parent or parent figure, father or mother-in-law, sister, brother, or child of the employee. It also includes someone who lives in the same household as a member of the family. For example, this could be an elderly aunt or grandparent who lives in the household. It does not include tenants or boarders living in the family home, or someone who lives in the household as an employee, such as a live-in housekeeper.

A dependant may also be someone who reasonably relies on the employee for assistance where the employee is the primary carer, for example, an aunt who lives nearby.

Procedure

Any individual wishing to take Compassionate Leave must seek approval from their Head Teacher who will liaise with the School's HR Adviser if necessary. A Compassionate Leave form must be completed indicating the reason for the request and anticipated time off work required. Contact and review arrangements should be made clear to the employee.

All Compassionate Leave requests are agreed at the discretion of the Head Teacher. There is no right of appeal should a request not be agreed. The Head Teacher may wish to seek advice from Occupational Health on typical recovery periods/care requirements if the request is to provide care for a dependent during illness or following surgery. However Occupational Health may only be able to provide advice on generic illness/surgery(i.e. hip replacement), but not specific or complex cases. It may be appropriate to explore other options, for example, reducing working hours or flexible working, prior to approving Compassionate Leave. An employee may need support with more short-term arrangements rather than around the provision of long-term care. In this case other options should be considered i.e. annual leave, increased flexibility around working hours/times or unpaid leave.

Examples of when compassionate leave would be appropriate

Employee is sole carer of parent, who is seriously/terminally ill. Employee needs to be at home to care for parent and expects to have to do so for a number of months.

Employee's partner dies, and is unable to make a return to work following bereavement leave.

Examples of when compassionate leave may not be appropriate

Employee's partner is going into hospital for a planned operation next week. Employee requests time off work to be with partner and to care for them for around 2 weeks once discharged from hospital;

Employee's child has an accident at school and is taken to hospital. Employee needs time away from work to be with child in hospital and to care for child for a week or two at home afterwards;

In the cases where Compassionate Leave is not appropriate, managers should consider other ways in which the employee can be supported; Annual Leave, Flexible Working Hours Policy, Stuck not Sick, Parental Leave etc.

Support

An offer of an Occupational Health referral should be made if applicable, so that any necessary support or counselling can be offered. This is particularly important, as employees need not visit their GP for a medical certificate if they are taking Compassionate Leave and therefore are potentially less likely to receive any medical intervention.

Sick Pay Entitlement

HR Payroll will need to be kept informed about any Compassionate Leave that is granted in order to enable the necessary adjustments to the employee's sick pay entitlement to be made. Should an employee move into half or nil pay as a result of being on Compassionate Leave, the HR Payroll Team will notify the Head Teacher and Schools HR Adviser. The Head Teacher should then confirm this in writing to the employee and arrange to discuss potential implications. The Head Teacher should liaise with HR Services when an employee reaches this point.

Throughout the leave period, communication between employee and Head Teacher is key. The Head Teacher must ensure that the individual is kept updated with any developments and opportunities at work. This should also make the transition back to work smoother.

Equality and Diversity Statement

The Governing Board and School are committed to promoting equality and valuing diversity. An equality check was carried out in 2017 and no equality implications were identified in this policy.

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