



# Time off for Dependants Policy

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**Author/owner: Board of Trustees**  
**Review: Triennial**

**NB.** 'Trustees' means the Directors referred to in the Trust's Articles of Association

## History of most recent policy changes

Version	Date	Page	Change	Origin of Change e.g. TU request, Change in legislation
V1.0	January 2023			

## Contents

History of most recent policy changes .....	2
1.0 Objective, scope and principles.....	4
2.0 Reasonable Time Off.....	4
3.0 Exercising the right to take time off.....	4
4.0 Examples .....	5

## 1.0 Objective, scope and principles

The law recognises and we respect that there may be occasions when you will need to take time off work to deal with unexpected events involving one of your dependants. The purpose of this policy is to set out the circumstances in which we will give employees paid or unpaid time off work to deal with such situations. The Trust will also have regard to any relevant duties under the Equality Act 2010 or Human Rights Act 1998 when making any decisions under this policy.

No-one who takes time off in accordance with this policy will be subjected to any detriment.

This policy is not contractual and may be amended at any time. This policy does not affect your rights under the Employment Rights Act 1996.

This policy applies to employees only. It does not apply to agency workers, consultants, self employed contractors, volunteers or casual workers.

The Trust board of directors has overall responsibility for the operation of this policy who will keep this under review.

Any questions you may have about the day-to-day application of this policy should be referred to your line manager, Head Teacher or the Tarka Learning Partnership Human Resources Leader in the first instance.

## 2.0 Reasonable Time Off

You have a right to take a reasonable amount of [unpaid] time off work when it is necessary to:

- (a) provide assistance when a dependant falls ill, gives birth, is injured or assaulted;
- (b) make longer-term care arrangements for a dependant who is ill or injured;
- (c) take action required in consequence of the death of a dependant;
- (d) deal with the unexpected disruption, termination or breakdown of arrangements for the care of a dependant (such as a child-minder falling ill); and/or
- (e) deal with an unexpected incident involving your child while a school or another educational establishment is responsible for them.

A dependant for the purposes of this policy is:

- (a) your spouse, civil partner, parent or child;
- (b) a person who lives in the same household as you, but who is not your tenant, lodger, boarder or employee; or
- (c) anyone else who reasonably relies on you to provide assistance, make arrangements or take action of the kind referred to above.

This policy applies to time off to take action which is necessary because of an immediate or unexpected crisis.

This policy does not apply where you need to take planned time off or provide longer-term care for a dependant. If this is the case, you should take advice from your line manager, Head Teacher or the Human Resources Leader.

Whether action is considered necessary will depend on the circumstances, including nature of the problem, the closeness of the relationship between you and the dependant, and whether anyone else is available to assist. Action is unlikely to be considered necessary if you knew of a problem in advance but did not try to make alternative care arrangements.

Reasonable time off in relation to a particular problem will not normally be more than one or two days. However, we will always consider each set of circumstances on their facts.

Employees must familiarise themselves and comply with all school and Tarka Learning Partnership policies and procedures.

### 3.0 Exercising the right to take time off

You will only be entitled to time off under this policy if, as soon as is reasonably practicable, you tell [your line manager or the Head Teacher]:

- (a) the reason for your absence; and
- (b) how long you expect to be away from work.

If you fail to notify us as set out above, you may be subject to disciplinary proceedings under our Disciplinary Procedure for taking unauthorised time off.

We may in some cases ask you to provide evidence for your reasons for taking the time off, either in advance or on your return to work. Suspected abuse of this policy will be dealt with as a disciplinary issue under our Disciplinary Procedure.

### 4.0 Examples

It is important to note that the entitlement is to take a reasonable amount of time off to deal with unexpected or emergency situations involving dependants. For example, where a dependant has a long term health condition, then this policy would not apply for general care. It would apply where that person had an unexpected issue with their health.

For childcare responsibilities, again this would not apply where an employee could reasonably have found alternative care. Employees are expected to use this policy responsibly and to consider reasonable alternative where appropriate. If an employee has long term or expected needs then they may be able to take time off as annual leave or use other leave.

If a person has other responsibilities involving dependants which are longer term then consideration can be given to other policies such as making a request for flexible working.

It should be noted that under the law the Trust is not obliged to offer any paid leave in emergencies. The Trust has made a policy decision to allow up to 2 days paid leave only per year on one occasion only. For example, if a child required emergency and unexpected care for 1-2 days that would be paid. If it was one day only then that would be paid but any subsequent days would be unpaid. Any additional time above two days shall be unpaid.

The Trust reserves the right to refuse requests for leave where the Trust considers that the request is not reasonable. Such decisions will be made sensitively and on a case by case and full taking into account any individual circumstances. If a request for leave is refused then any absence may be regarded as unauthorised.

