



# The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

## Trust Compassionate Leave Statement 2022



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<b>STATEMENT</b>	Trust Compassionate Leave Statement 2022
<b>Legislation/Category: Academy Schools</b>	Recommended
<b>Lead Member of Staff:</b>	Trust Head of HR
<b>Approved by:</b>	Trust Board
<b>Date Approved:</b>	July 2022
<b>Revision Date:</b>	July 2023
<b>Review Frequency:</b>	Annual

## Mission Statement

*All Statements are written in line with our Trust Mission statement:*

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.



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## Introduction

The Bishop Konstant Catholic Academy Trust acknowledges the personal nature of bereavement and grief, and other unexpected/emergency situations, and is committed to supporting employees in practical and reasonable ways.

## Procedure

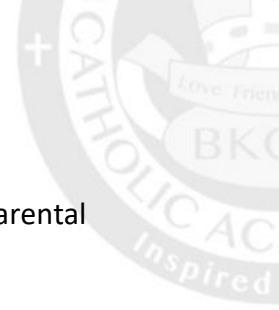
Applications and/or requests made under this section must be made directly to the employee’s line manager.

## Paid leave and Unpaid leave

Compassionate leave is paid or unpaid leave that allows an employee time off to deal with their personal distress and related practical arrangements, primarily, but not limited to, when a member of their family dies.

There are other occasions when an employee may request to take compassionate leave, such as –

- A life threatening injury or serious illness of a relative or dependant.
- For emergency situations, e.g. a child (see the Trust’s Parental Leave Policy) or dependant relative’s hospital appointment or other unplanned emergency events.



- The unexpected labour of a dependant (see the Trust's Paternity Policy or Parental Leave Policy).
- Disruption of care arrangements for a child or dependant relative.
- A child involved in an incident during school time.

These are examples only and this list is not exhaustive.

The Trust acknowledges that bereavement and emergency situations, impacts all individuals differently and the guidelines below are intended to show the minimum paid leave an employee is entitled to in different circumstances. The Trust acknowledges that not all employees will need to take the full allowance, and some employees will need additional time, depending on their relationship with the person who has died and the circumstances of the death or the circumstances of the emergency situation which may have occurred.

An employee should notify their line manager of their need to take leave as soon as possible or, at the latest, on the first day of absence. In exceptional circumstances, applications for leave will be considered after the first day of absence. Line managers have the right to exercise discretion in exceptional circumstances as outlined above. Leave days do not have to be taken consecutively.

Unpaid leave on compassionate grounds may be granted after bereavement or emergency leave application. An employee must consult with their line manager before starting unpaid leave.

**Details of paid and unpaid leave can be found in the table in Index 1 on page 6.**

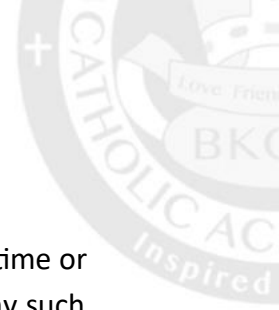
## Annual leave

In the event of a bereavement or personal emergency, an employee may be able to take unpaid leave or annual leave at short notice to supplement their compassionate leave. Requests should be directed to the employee's line manager.

An employee who suffers a family bereavement while on annual leave can convert their annual leave into compassionate leave and take their annual leave at a future date.

## Return to work

In certain circumstances a full return to work may not be possible for an employee following an emergency event or the death of an immediate relative – for example, when the employee's grief is likely to impact on their ability to perform their role, or where new child care arrangements have to be sourced or responsibility for the care of an elderly parent has transferred to the employee.



In such instances the Trust will endeavour to allow a phased return to work on a part-time or reduced hours basis where practicable. Alternative duties may also be considered. Any such arrangement would need to be agreed in advance by the employee's line manager, would be subject to an agreed maximum number of days and would be managed in line with The Trust Flexible Working Policy.

## Employee support

The Trust acknowledges that compassionate leave is intended to support employees in the immediate period around the death of a relative or other emergency situation. However, the process of grief, the natural reaction and adjustment to loss and/or change, may take a significant time and will be personal to each individual.

An employee with any concerns about the grieving process impacting on their work performance should discuss this in confidence with their line manager, to ensure that any reasonable adjustments that may be necessary are discussed and put in place and that the employee is supported in their return to the full range of duties and responsibilities that they had prior to the bereavement or their duties and responsibilities are adjusted (as necessary) with the prior agreement of line manager.

The Trust recognises that the majority of people do not require counselling to cope effectively with their grief or distress. However, for employees wishing to avail themselves of professional help in coming to terms with a significant loss, the organisation will provide details of where the employee can access these services e.g. Catholic Care [Home - Catholic Care \(catholic-care.org.uk\)](https://www.catholic-care.org.uk) or CRUSE [Home - Cruse Bereavement Support](https://www.cruise.org.uk) (where applicable).

## Health and safety

Bereavement and other emergency events can have an impact on concentration, sleep, and decision-making. The health and safety assessment of the workplace will include consideration of the impact of this on employees, their duties and responsibilities, and the context in which they are working.

Any employee who is concerned about their ability to conduct their duties safely in the weeks following such an event, must discuss this with their line manager.

The Trust reserves the right to request an employee to meet the organisation's Occupational Health provider before resuming full duties.



## Culture and diversity

The Trust recognises that different cultures respond to death and other emergency events, in significantly different ways.

Line managers will check whether the employee's religion or culture requires them to observe any particular practices or make special arrangements which would necessitate them being off work at a particular time. Employees should not assume that their line manager is aware of any such requirements and should draw this to their line managers attention as soon as possible.

Line managers who are unsure of how to respond to an employee from a different culture should ask the bereaved employee or someone else from their cultural group about what is appropriate.

## Miscarriage and Stillbirth

Information regarding Miscarriage and Stillbirth can be found in the Trust's Maternity Policy and Procedure.

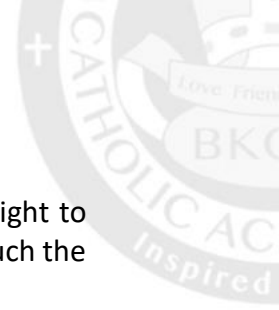
## Parental Bereavement Leave

All employees who are parents or who have parental responsibilities and suffer the loss of a child under the age of 18; or a parent who suffers a stillbirth after 24 weeks of pregnancy (maternity provisions will also apply in these cases) will be entitled to paid Compassionate Leave as detailed below.

Where a member of staff meets the definition of parental responsibility as defined above, then the statutory entitlement of up to 10 days (74 hours) paid Parental Bereavement Leave can be requested. The leave granted does not need to be taken in one or two blocks and can be taken over a number of days, half days or hours. The leave can also be taken up to 56 weeks following the date of the child's death. This is to allow time off to be taken for difficult events such as a birthday, anniversary, inquest or other significant dates.

Any parental bereavement leave required within 56 days of the child's death will need to be requested as soon as reasonably practicable, this can be informal notification such as a phone call or email and then any leave required after 56 days will require 1 weeks' notice and the special leave form completed accordingly.

Where a staff member loses more than one child, they will be entitled to take a separate period of leave for each child.



Schools should note that under the Data Protection Act 2018, employees have the right to keep details of their child's death confidential. The school should be clear as to how much the employee would like colleagues to know and ensure their wishes are respected.

## Change Control

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Changes</b>
1.2			<i>To add another row, move the mouse to the left hand side of the thin line above and click the (+)</i>
1.1			
1.0			

### Monitoring and Review of this Statement

The Trust shall be responsible for reviewing this statement from time to time to ensure that it meets legal requirements and reflects best practice.

The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 08253770, whose registered office is at St Wilfrid's Catholic High School & Sixth Form College, Cutsyke Road, Featherstone WF7 6BD



## Appendix 1

### Taken from the Wakefield Leave of Absence Scheme

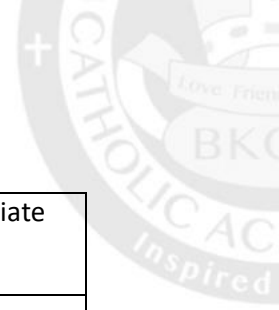
Applications and/or requests made under this section must be put directly to the employee's line manager.

Reason for Absence	Period of Absence (Working Days)	With or without salary	Comment
<b>3.1 Compassionate Leave</b>			
(a) Bereavement and funeral of member of employee's immediate family – son, daughter, father, mother, brother, sister, husband, wife, partner, grandmother, grandfather, grandchild and similar in-law or close relative acting as guardian/parent (no legal standing)	2 days - date of death and day of internment	With salary	Each case should be considered on its merits, taking into account such factors as existence of other relatives to assist with funeral arrangements; closeness of family and relationship and circumstances of the bereavement. The family relationship given in the table are therefore only for guidance. The period of leave indicated in the table may, by discretion, be extended up to a maximum of five days, for any one bereavement if it is felt that the factors surrounding the case warrant this.  The usual maximum number of paid days leave of absence granted under this category will be five in one academic year.
(b) Where more than 2 days absence is required in (a) due to travelling or due to additional absence	As may be approved	With salary	
(c) Bereavement of someone other than the employee's immediate family i.e. cousin, aunt, uncle, nephew, niece, close friend	1 or more days	Without salary	
(d) Funeral of someone other than the employee's immediate family (as in (c) above)	Up to 1 day	With salary	
(e) Where more than 1 days absence is required in (d) e.g. due to travelling	As may be approved	Without salary	

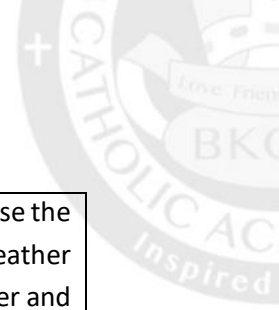




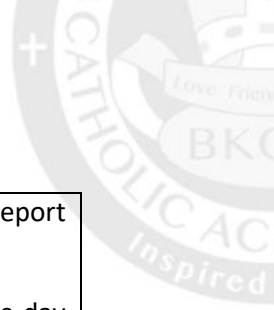
Reason for Absence	Period of Absence (Working Days)	With or without salary	Comment
<b>3.2 Dependants Illness</b>			
Family illness of son, daughter, husband, wife, partner, parents, in-laws, or family member where the employee is the named carer	As may be approved by the Headteacher but normally not more than 5 days in any one year	With salary	<p>The absences have been included to allow a member of staff time to make arrangements for the future care of an elderly relative or child, where that relative either suddenly falls ill or has become too ill to cope on his/her own.</p> <p>When considering requests for this leave, Headteachers should take into account the availability of other appropriate carers within the family unit.</p> <p>In these circumstances, school managers may wish to offer or consider requests for reduced working hours for a specified period.</p>
<b>3.3 Urgent family business</b>			
E.g. house burglary, explosion, gas leak, fire	Up to 1 day per incident	With salary	This is to allow staff time to meet with the police, arrange emergency housing for the family etc. It is only intended to cover emergencies, not general visits to solicitors, sick relatives etc.
<b>3.4 Medical/Dental Appointments</b>			
Attending hospital appointments for emergency dental treatment or medical examinations or treatment. This will include time off to attend screening for breast and	As may be necessary	With salary	<p>This is to allow staff time to attend emergency dental appointments or medical examinations or treatment.</p> <p>This includes time off to attend screening for breast and</p>



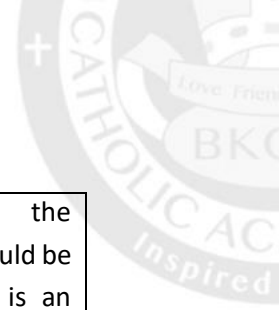
cervical cancer at appropriate intervals			cervical cancer at appropriate intervals.
<b>3.8 Transport failure</b>			
	Up to 1 day – full details of the transport failure must be given at the time of absence	With salary. Salary will be deducted if following an investigation it is considered that the absence was not unavoidable	<p>Response to transport failure is a situation that must rely entirely upon managerial discretion, as no two cases are the same.</p> <p>If there is a major disruption to the public transport system because of a strike or bad weather then it is recommended that staff who use this means of transport and have no other alternative, are treated sympathetically.</p> <p>Equally, if an employee’s car breaks down and they make every effort to come into work as soon as possible by other means, they should be treated sympathetically.</p> <p>When making a decision about payments schools should consider whether they have had to pay for cover and the frequency of an employee’s absence or late arrival.</p> <p>In all other cases the guidance rule should be that employees should not be paid for work that they have not done, acknowledging that schools do not place restrictions on where employees live and that the responsibility for arriving at work lies with the employee.</p>
<b>3.9 Adverse weather conditions.</b>			



<p>If a decision is made to close the school the Headteacher and Governing Body need to decide if employees are required to attend. All staff should be treated in the same way. If the school is open all employees should make every attempt to get to school.</p> <p>a. If not required to attend</p> <p>b. If open and reasonable attempts have been made but still unable to attend</p> <p>c. If no attempt is made</p>	<p>As may be necessary</p> <p>Up to 1 day</p> <p>As may be necessary</p>	<p>With salary</p> <p>With salary</p> <p>Without salary</p>	<p>If a decision is made to close the school due to adverse weather conditions the Headteacher and Governing Body need to decide if employees are required to attend. When using discretion all employees should be treated in the same way.</p> <p>Where employees have been informed that they are not required to attend they should be paid normal salary. This decision should only be made in exceptional circumstances.</p> <p>If the school is open the Headteacher should determine if that the employee has made reasonable attempts to get into school.</p> <p>If a reasonable attempt to attend has been made then the absence should be <b>with pay</b>. The extent to which most means of transportation cease or are seriously disrupted will need to be taken into consideration.</p> <p>If staff do not arrive at school the Headteacher may ask those employees to make up the time, or alternatively the period will be without pay.</p> <p>Employees who arrive late and who remain in school until the end of the day should not suffer any loss of payment.</p> <p>If the school releases employees early they should not suffer any lost of pay. If the employee will be absent or late they must make every effort to</p>
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		<p>telephone the school to report the circumstances.</p> <p>If an employee is ill on the day or days when there are adverse weather conditions, the school's normal sickness reporting and recording procedures apply. employees who are on training course who are unable to attend the training venue should if possible report to school. If they are unable to attend school the above will apply.</p> <p><b>In the case of support employees working employed throughout the year they will be expected to take annual leave or flexi time (if appropriate).</b></p> <p>When considering reasonable adjustments for employees with disabilities who may have particular difficulties in attending work under severe weather conditions, the Headteacher has the discretion to grant paid time off in cases where it is considered appropriate.</p> <p>Absences caused by the urgent need to care for children, elderly, other close relatives whose schools, Day Centres or other establishments may have been closed because of severe weather conditions will be considered under emergency leave. If the Headteacher is satisfied that the member of staff had no alternative but to</p>
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			<p>stay at home with the child/person then pay should be granted. However there is an expectation that all reasonable attempts to make alternative arrangements and/or share the responsibility of care with their partner if appropriate.</p> <p>Note:</p> <p>In applying the above procedures, Headteachers should look flexibly at the alternatives to unpaid leave which are available to them. For example:</p> <ul style="list-style-type: none"> <li>➤ Working from home</li> <li>➤ Flexi time</li> <li>➤ Time in lieu</li> <li>➤ Temporary adjustment to hours</li> <li>➤ Annual leave</li> </ul>
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(This will also apply to the schools within the East Riding and North Yorkshire locations, unless the ER/NY T&C's differ in favour of the employee, in which case those T&C's will be applied.)