



## **62- Special Leave/ Emergency Dependants Leave/ Flexible working**

### **All staff are entitled to**

#### **Non discretionary special leave**

- Unpaid leave for jury service
- Unpaid leave for attendance at court or as a witness
- 1 days unpaid leave when moving home

#### **Discretionary special leave**

- In all cases of discretionary leave the management committee will balance the request made by the member of staff with the needs of the pre-school, and any such grant of leave will be based on such a consideration. In special circumstance leave will be granted with or without pay depending on the circumstances of each case. The following are specific examples of such leave, but are not intended to form an exhaustive list. Staff must not make travel arrangement before getting prior permission.

### **Compassionate leave**

Paid leave may be granted up to 3 days paid leave of absence in respect of death of spouse, partner, parents, grandparents, children and siblings. Longer term unpaid compassionate leave may be granted at the discretion of the Committee once a written request has been received.

### **Care for a sick dependant**

Unpaid leave may be granted following provision of satisfactory medical evidence. The amount granted will be at the discretion of the committee once a written request has been received. Dependent includes child, parent, parent-in-law, partner, grandparent, husband/wife person with disability who is normally reliant on the employee. This is separate to your right to take Emergency Dependants leave.

### **Emergency Child Care**

Line Manager may grant up to 3 days of unpaid leave when normal childcare arrangements unexpectedly fall through. The child concerned must be under school age. As a matter of policy no more than 5 days of childcare leave may be granted as unpaid in any one academic year.

## **Emergency Dependants Leave**

This is a statutory entitlement

Time off for dependants is unpaid unless an employer is willing to give paid time off under the terms and conditions of employment.

The right is to a reasonable amount of time off - normally a day or two but this will depend on individual circumstances.



The right to time off is to deal with emergencies involving a dependant.

A dependant is someone who depends on an employee for care.

All employees have the right to time off during working hours for dependants, this time off is intended to deal with **unforeseen** matters and **emergencies**. There is no legal right to be paid; however some employers may offer a contractual right to pay under the terms and conditions of employment.

A dependant could be a spouse, partner, child parent, or someone who depends on an employee for care, for example an elderly neighbour.

The leave can be taken for example:

- to deal with a breakdown in childcare
- to put longer term care in place for children or elderly relatives
- if a dependant fall ill or is taken into hospital
- to arrange or attend a funeral.

The right is to a reasonable amount of time off, although it is not stated how much is reasonable. In most cases a day or two will be sufficient to deal with the immediate crisis, but it will depend on the individual circumstances. The employee must tell the employer as soon as possible the reason for the absence and how long they expect to be absent.

## Flexible working

All employees are able to make one request in a year to work flexibly. You will need to satisfy the following conditions in order to make a flexible working request. You must meet one of the following criteria:

- Have at least six months' continuous service and be the parent, adoptive parent, foster parent or guardian of a child 16 years of age or younger, or a disabled child under the age of 18.
- Have at least 26 weeks' continuous service and be the spouse, civil partner or live-in partner of a parent, adoptive parent, foster parent or guardian of a child 16 years of age or younger, or a disabled child under the age of 18.
- Have at least 26 weeks' continuous service and have caring responsibilities for an adult aged 18 or over who is your spouse, civil partner or partner, a relative, or someone living at the same address as you.

When submitting a flexible working request you must state:

- All requests must be made by email or letter to the Business Manager/Preschool Leader
- The effect(s) that you think the change(s) will have on the early years setting; and



- How you think that any such effect(s) might be dealt with.

If you meet the criteria above, we will follow the statutory procedure, which involves the following steps:

- We will hold a meeting with you within 28 days of the request being submitted. You will be granted the right to be accompanied by a work colleague.
- Within 14 days of the meeting, we will write to you, either agreeing to the request and specifying the contract variation and when it is to take effect, or explaining why the request has been rejected. If your request is refused, the reply will state the specific business grounds for the refusal and why these are relevant in your particular case.
- We will grant you the right of appeal against any refusal of a flexible working request.

### **The needs of the organisation**

The organisation is committed to providing a range of appropriate working patterns. However employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed the organisation will need to take into account a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

**This policy was agreed at an Under 5s AGM meeting held on...17th...November 2025.. (Date)**

**Signed on behalf of the preschool...**

**(Chair)**