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Dependency Leave Policy for Teachers and Support Staff 2020-2024

This Procedure is derived from the WSCC Model Leave to Care for dependants:
'Dependency Leave' 2014.

Approved by Governors Spring 2020

Turn your ear to wisdom and apply your heart to understanding (Proverbs 2:2)

Broadwater is a Christian School. We will enable children to become wise, confident, successful learners with the motivation, skills and responsibility to make a positive difference in God's world. Our vision is underpinned by the values we live by.

The Holy Spirit produces this kind of fruit in our lives: love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control. There is no law against these things! Galatians 5:22

It is this fruit that, in partnership with parents, we will instil in the children of our school.

1. Aim of the policy

To enable employees to take a reasonable amount of time off work to deal with certain unexpected problems or emergencies.

The scheme is also designed to enable employees to make longer term care arrangements for a dependant, or someone for whom they are the primary carer.

2. Scope

This policy applies to all Support Staff holding permanent, temporary and fixed term contracts.

3. Who can take Dependency Leave and when?

Employees can take Dependency Leave from the first day they start work for West Sussex County Council. Employees can take this leave in order to:

Deal with an unexpected emergency lasting a day or less, where they are the primary carer of the dependant.

Some examples of this are:

- if a dependant has been involved in an accident, including where the victim is hurt or distressed rather than injured physically;
- to make longer term care arrangements for a dependant who is ill or injured;
- to deal with an unexpected disruption or breakdown in care arrangements for a dependant;
- to deal with an unforeseen incident involving their child during school hours, where the parent's presence is required by the school.

Deal with longer term Dependency Leave issues, where the employee is the primary carer of the dependant.

Some examples of this are as follows:

- serious illness of a dependant which makes it particularly difficult for them to attend work;
- the death of a dependant, for example to make funeral arrangements or to attend a funeral;
- any other serious or complex family or domestic situation where there are compelling compassionate grounds for granting leave.

4. Who counts as a Dependant?

A dependant could be the employee's partner, child or parent, or someone who lives with the employee as part of the family. It does **not** include tenants or boarders living in the family home, or someone who lives in the household as an employee, for example a housekeeper.

In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where they are the primary carer or the only person who can help in an emergency.

5. Is Dependency Leave Paid?

- Where the leave of absence required is for one or two hours during the working day, this will normally be paid, although depending on the circumstances you may be asked to make up the time at a later stage. However, if you prefer to take unpaid leave in these circumstances, there will be no requirement to make up the time.
- Where the leave of absence is for longer than one or two hours, dependency leave will usually be unpaid.
- Paid leave will only be granted where there are compelling compassionate grounds for doing so.
- Annual Leave or Parental Leave may be agreed as an alternative to unpaid Dependency Leave.

6. Pension issues

Local Government Pension Scheme

If a period of dependency leave is granted, the period will not count for pension purposes unless an employee elects to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of absence.

The amount of pension lost is calculated as the appropriate fraction of an employee's assumed pensionable pay (what their pay would have been for the period when they were in receipt of no pay) for that period of absence (i.e. 1/49th of an employee's assumed pensionable pay if they were in the main section of the scheme or 1/98th if they were in the 50/50 section).

If an employee wishes to purchase the amount of lost pension, they can do this at any time that they are contributing to the scheme, however if they make an election within 30 days of returning to work then the cost of the APC is split between them and the County Council. An employee will pay one-third of the cost and the County Council will pay the rest. This is known as a Shared Cost Additional Pension Contributions (SCAPC). An employee can pay these additional contributions in a one-off lump sum or through regular payments from their wages.

An employee will need to request details of their lost pensionable pay from HR Shared Services, so early contact is advised to ensure they are able to make an election within the 30 day time limit.

The 30-day limit may be extended by the County Council if it is clear that the employee was unable to meet the normal time period due to circumstances beyond their control. For further information, an employee can refer to the County Council's discretions policy.

The maximum period of absence an employee can elect to buy back by a SCAPC is a period of 3 years.

An employee can obtain a quote and print off an application form to buy lost pension at <https://www.lgpsmember.org/more/apc/index.php>

Teachers' Pension Scheme

If the employee is no longer receiving any pay, they will no longer be a member of the scheme and the period will not count as service for pension calculation purposes.

On return to work, and providing the employee has not opted out of the scheme, obtained a refund of contributions or transferred service to another pension scheme, the service will be aggregated together.

7. Reporting / Authorising Dependency Leave

When gaining authorisation for Dependency Leave, employees must ensure that they:

- Inform their Manager/ Headteacher as soon as possible of their absence;
- Give the reason for the absence;
- State how long they expect to be away from work;

When reporting on Dependency Leave, the Manager/ Headteacher must ensure that they record the absence via Manager Self Service (MSS). Where MSS is not available, absence must be reported on the absence reporting form. This is to ensure that an accurate absence record is maintained for each employee. Failure to do so could mean that an employee's pay reduces to half or no pay when in fact they have returned to work.

Up to date recording of absences, including the dates when the employee returns, will provide Managers/ Headteachers with accurate absence reports for monitoring levels within their teams and School. In unexpected emergencies, where the employee is unable to inform the line manager until they return to work, the above information should be given upon their return.

Produced by: HR Strategy Team
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