

## LOCAL NEGOTIATING COMMITTEE FOR TEACHERS

### Local Agreement

#### Guidance on Self-Funded Sabbaticals

Agreed by LNCT: April 2022

#### 1.0 Introduction:

- 1.1 This agreement provides guidance on the process for applying for a self-funded sabbatical (Appendix 2.23 of the SNCT Handbook), and the procedure to be followed for reviewing requests and allocating sabbaticals in a fair and equitable manner.
- 1.2 On an annual basis, the number of self-funded sabbaticals which may be approved each year, will be a minimum of 1% of the total number of employees within the Council covered by SNCT terms and conditions. The number of requests approved will be monitored and reported to LNCT on an annual basis.

#### 2.0 Definition of a self-funded sabbatical:

- 2.1 A self-funded sabbatical is separate and distinct from family leave as set out in SNCT Handbook Part 2: Section 7, Family Leave or Career Breaks as set out in paragraph 9.21 and Appendix 2.15.
- 2.2 A self-funded sabbatical provides a formal opportunity to obtain an extended break from work of up to 1 year.

#### 3.0 Purpose of Sabbatical:

- 3.1 The purpose of a self-funded sabbatical is to provide employees with an opportunity to refresh and re-energise their careers and as such, there are no prescribed activities that a sabbatical must involve.

#### 4.0 Eligibility for Sabbatical

- 4.1 Eligible employees are required to have at least 5 years of continuous employment, on a permanent or temporary basis, with any Scottish council.

#### 5.0 Duration and Frequency

- 5.1 A self-funded sabbatical will last for a minimum of 3 months and a maximum of 1 year. The intended duration of the self-funded sabbatical should be identified when application is made.
- 5.2 An employee may be granted up to 3 self-funded sabbaticals within the employee's career. A minimum of 5 years of continuous service with any Scottish council is required between each period of self-funded sabbatical.

5.3 During the self-funded sabbatical the employee should maintain GTC registration.

## **6.0 Applying for Self-funded Sabbatical**

6.1 Employees seeking to be released for a self-funded sabbatical should submit their request on the “Self-funded Sabbatical Request Form” (Appendix 1), stating the anticipated length of the self-funded sabbatical.

6.2 The application should be submitted at least 12 months prior to the proposed date of commencement, and submission dates will be published each term (Appendix 2). The date of commencement should correspond with the beginning of a school term.

6.3 Following application for a self-funded sabbatical, employees will be given a written response setting out the decision in principle, and terms and conditions associated with approval (Appendix 3).

6.4 Where the application has been denied the employee may apply again for the following school session.

6.5 An employee who has been granted a self-funded sabbatical and who, prior to the date of commencement, decides not to proceed must give the council 8 working weeks’ notice.

## **7.0 Granting of sabbaticals**

7.1 Where the demand for sabbaticals is greater than the level referenced in 1.2, the prime consideration for eligibility will be time served under SNCT conditions of service.

7.2 Where an applicant is not granted a sabbatical, for reasons outlined above, they may apply again for the following school session or for a future date and will be given priority within that group.

7.3. Where an applicant has already been on sabbatical, the ‘time served’ will be calculated as starting from the end of the previous sabbatical, i.e. the clock is reset to start at the end of their previous sabbatical.

## **8.0 Extension or Reduction of duration of self-funded sabbatical**

8.1 An employee on a self-funded sabbatical may apply for an extension to the duration of such, subject to the cumulative total of the time elapsed and the extension period not exceeding 1 year.

8.2 An employee is entitled to early termination of a self-funded sabbatical but may be required to wait up to 8 working weeks before resuming work. The Headteacher should be notified by the employee of the request for early termination.

8.3 Any application for extension or early termination of a self-funded sabbatical should be made at least 8 working weeks prior to the original date of termination.

8.4 Where the reason for wishing to end the self-funded sabbatical is pregnancy the employee should be returned to paid work as quickly as possible in order to be eligible for statutory benefits such as maternity leave and pay. Where another employee is covering the post, they must be provided with their statutory notice of early termination of the contract.

## **9.0 Contact during Sabbaticals**

- 9.1 Prior to the commencement of a self-funded sabbatical agreement should be reached regarding arrangements, if any, for contact during the period. There should be a clear understanding of the nature and frequency of any contact. The employee is obliged to provide their Line Manager with appropriate contact details e.g. telephone number or email.
- 9.2 The Head Teacher is responsible for informing the employee of changes to the workplace or work organisation that may impact on them e.g. surplus within school or any restructuring proposals.

#### **10.0 Conditions of Service**

- 10.1 A self-funded sabbatical is unpaid. The contract of employment continues during the self-funded sabbatical and the employee retains statutory and contractual rights as applicable. This includes the right to notice of termination of employment.
- 10.2 Entitlement to annual leave and public holidays during the leave years in which the self-funded sabbatical commences and ends will be calculated pro-rata to the part year period of service. During the period of self-funded sabbatical employees will not accrue any annual leave entitlement under the Working Time Regulations.
- 10.3 A self-funded sabbatical will be taken into account and counted as service in relation to compulsory transfer arrangements.
- 10.4 Time spent on self-funded sabbatical will impact on entitlements to statutory maternity pay and leave, which is calculated based on periods of paid work in the period ending 15 weeks before the expected date of childbirth. Employees should take account of this when planning a sabbatical.

#### **11.0 Pension Rights and National Insurance**

- 11.1 The Scottish Teachers' Pension Scheme (STPS) and Scottish Teachers' Superannuation Scheme (STSS) are administered by the Scottish Public Pensions Agency (SPPA). Contributions to the STPS and STSS will cease at the point at which the self-funded sabbatical begins and will recommence upon return to work. It is the responsibility of the employee to ensure that the appropriate parties are made aware of the self-funded sabbatical.
- 11.2 There is currently a facility within the teachers' scheme to purchase additional pension on return to work, details of which can be obtained from the SPPA. It is the responsibility of teachers to consider the implications of taking a self-funded sabbatical with regard to pension benefits.
- 11.3 For employees who contribute to the Local Government Pension Scheme (LGPS), contributions will cease at the point at which the sabbatical begins and will recommence upon return to work. It is the responsibility of the employee to ensure that the appropriate parties are made aware of the self-funded sabbatical.
- 11.4 Since 1 April 2009 there has been a facility within the Local Government Pension Scheme to purchase additional pension on return to work, details of which can be obtained from the LGPS. It is the responsibility of employees to consider the implications of taking a self-funded sabbatical with regard to pension benefits.
- 11.5 It is the responsibility of employees to consider the implications of taking a self-funded sabbatical with regard to national insurance. Employees should consult with the Department

of Work and Pensions (DWP) on this matter. DWP may also advise on how a self-funded sabbatical could affect entitlement to state benefits.

**12.0 Paid Employment during a Self-Funded Sabbatical**

12.1 An employee can undertake alternative employment while on a self-funded sabbatical, subject to the agreement of the Chief Education Officer. However, a self-funded sabbatical should not normally be used to undertake alternative full-time employment, although placement and internship arrangements may be acceptable.

**13.0 Return to Work**

13.1 At the end of the sabbatical period, employees returning to the Council will return to their original post, grade, and terms of conditions (subject to the outcome of any intervening school closures, amalgamations or other organisational restructuring).

13.2 Where a post considered by a council to be suitable is offered on different terms and conditions from the post held prior to the self-funded sabbatical then placement should be by agreement of the employee.-

**14.0 Non-return to Work**

14.1 Where an employee on a sabbatical wish to resign from their post the required contractual notice must be provided.

**SELF-FUNDED SABBATICAL REQUEST FORM**

<b>PERSONAL DETAILS</b>				
NAME:		SURNAME:		
CURRENT POST:		SCHOOL:		
EMPLOYEE NO:		HOURS:		
CONTACT NO/ EMAIL ADDRESS:		CURRENT SALARY/GRADE:		
<b>DURATION OF SABBATICAL</b>				
PERIOD (From-To)(minimum 3 months / maximum 12 months)				
Note: in line with SNCT Appendix 2.23 applications must be submitted at least 12 months prior to date of commencement ( <b>see published schedule</b> )				
<b>ELIGIBILITY CRITERIA</b>				
Eligible employees are required to have at least 5 years of continuous employment, on a permanent or temporary basis, with any Scottish Council. Please provide details of your continuous service below:				
Name of Scottish Council	Start Date	End Date	Post Title	Permanent/Temp
<b>SIGNED:</b>		<b>DATE:</b>		

Completed forms should be emailed to: [cf.schoolstaffing@edinburgh.gov.uk](mailto:cf.schoolstaffing@edinburgh.gov.uk)

## Education Submission Dates for Self-funded Sabbatical Requests

Sabbatical Commencing	Latest Submission Date
Term 1 - August 2023	31 July 2022
Term 2 - January 2024	31 December 2022
Term 3 - April 2024	31 March 2023
Term 1 – August 2024	31 July 2023
Term 2 – January 2025	31 December 2023
Term 3 – April 2025	31 March 2024

Signed:



Lorna French  
Joint Secretary (Management)

Date: 7 July 2023



Alison Murphy  
Joint Secretary (Teachers)

Date: 7 July 2023