

PART 2

APPENDIX 2.23

Self-Funded Sabbaticals

1.0 Definition of a self-funded sabbatical

- 1.1 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.
- 1.2 A self-funded sabbatical is separate and distinct from family leave as set out in Part 2: Section 7, Family Leave or Career Breaks as set out in paragraph 9.21 and Appendix 2.15.
- 1.3 A self-funded sabbatical provides a formal opportunity to obtain an extended break from work of up to 1 year. The allocation of self-funded sabbaticals should be undertaken by LNCTs in accordance with a mechanism agreed at LNCT.
- 1.4 Each LNCT will agree a mechanism for reviewing requests and allocating sabbaticals in fair and equitable manner. Annually, each council will approve self-funded sabbaticals up to a figure representing 1% of the total number of employees covered by SNCT terms and conditions. An LNCT may agree to exceed this percentage if it is assessed that local circumstances permit it.

2. Eligibility

- 2.1 Eligible employees are required to have at least 5 years of continuous employment, on a permanent or temporary basis, with any Scottish council.
- 2.2 It is for each LNCT to agree, on an annual basis, the number of self-funded sabbaticals which may be approved each year, subject to the minimum provision required under paragraph 1.4 above.

3.0 Duration and Frequency

- 3.1 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.
- 3.2 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.

4.0 Application

- 4.1 Employees should submit their applications for a self-funded sabbatical in writing to the council, stating the anticipated length of the self-funded

sabbatical. Applications should be submitted at least 12 months prior to the proposed date of commencement. The date of commencement should correspond with the beginning of a school term.

- 4.2 Following application for a self-funded sabbatical, employees will be given a written response setting out the decision in principle. Where the application has been denied the employee may apply again for the following school session.
- 4.3 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.

5.0 Extension or Reduction

- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 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.

6.0 Contact During Sabbaticals

- 6.1 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 the council with appropriate contact details.

7.0 Conditions of Service

- 7.1 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.
- 7.2 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 a self-funded sabbatical employees will not accrue any annual leave entitlement under the Working Time Regulations.

- 7.3 A self-funded sabbatical will be taken into account and counted as service in relation to compulsory transfer arrangements as agreed by LNCT.
- 7.4 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.

8.0 Pension Rights and National Insurance

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 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.
- 8.5 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.

9.0 Paid Employment During a Self-Funded Sabbatical

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

10.0 Return to Work

- 10.1 Employees who are granted a self-funded sabbatical have the right to return to the substantive post which they held prior to their self-funded sabbatical subject to the outcome of any intervening school closures, amalgamations or other organisational restructuring.
- 10.2 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.

11.0 Non-return to Work

- 11.1 Teachers or associated professionals on a self-funded sabbatical who wish to resign from their post must provide contractual notice.

12.0 Review

- 12.1 The provisions in this appendix will be reviewed no later than 2 years from the date of implementation.