

# Special Leave Policy

For Local Government Employees, Craft Operatives,  
Teaching Staff and Chief Officials

(Adopted as JNCT 1.9)

Human Resources  
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## Version Control

Version Number	Effective Date	Details of Revision	Responsible Person	Review Date
2	01/06/18	Update to include Volunteering, Extended Premature Baby Leave and Community First Responder Leave	L Boyd	July 18
3	27/11/18	Update to reflect career break following maternity /adoption leave	L Boyd	Nov 19
4	13/2/19	Update to reflect introduction of Safe Leave	L Boyd	Feb 20
5	26/8/19	Update to reflect definition of Domestic Abuse	L Boyd	Feb 20
6	24/07/23	Update to reflect Police Volunteering and new logo	N Cecconi	Aug 24
7	28/03/24	Update to Bereavement Leave wording, policy links and Statutory Carers Leave	L Boyd	Aug 24

# 1. Introduction

- 1.1 Special leave is available to all employees of the Council for a wide range of reasons which may be with or without pay. The policy is divided into 3 sections, Section 1 specifically covers matters relating to balancing work and family life, Section 2 covers leave for National, Public and Community Emergency Service and Section 3 covers other leave.
- 1.2 When approving requests for special leave, both paid and unpaid, managers must consider the operational requirements of the Service as well as any requests that have been previously granted, outstanding annual leave and requests governed by legislation.
- 1.3 Managers are encouraged to consider flexible methods of supporting employees and should use this policy as a means of encouraging attendance.
- 1.4 In cases where unpaid leave would normally apply e.g., study leave, managers as an alternative, have the discretion to agree changes to working patterns to allow employees to make up the time taken off, by working additional hours. This is subject to operational needs and a record of the agreement should be kept for audit purposes.
- 1.5 Similar flexibility should be considered where paid leave applies, and managers should approve appropriate time off depending on what is necessary.
- 1.6 Employees should submit Special Leave requests, whether paid or unpaid, via Employee Self Service in Oracle Fusion. The relevant Manager within the structure with a £50K approval limit will then be able to approve or reject the request via Manager Self Service in Oracle Fusion. Guidance on how employees can submit requests and how managers can approve or reject is available on the [Core](#).
- 1.7 Requests for special leave in the following cases must be supported by the employee's line manager and approved by the relevant Chief Officer in conjunction with the Chief HR Officer:
  - Employees with less than 5 years' service who request leave of absence to visit relatives overseas; or
  - Employees who apply for voluntary service overseas; or
  - Employees who wish time off to participate in an International sporting or cultural event; or
  - Local Government Employees who wish to apply for a career break. There is a separate procedure for staff covered by SNCT conditions, please refer to Appendix 2.
- 1.8 Loss of earnings certificates will only be issued when employees have been granted unpaid leave of absence and as a result have had an appropriate deduction from their pay. They will not be issued for events which took place during a period of annual leave/rostered day off etc.

## 2. Section 1 – Balancing Work and Family Life

- 2.1 The Council recognises that the effectiveness of the organisation depends on the motivation and commitment of its workforce and fully appreciates the difficulties that many employees have in balancing work requirements and family/caring commitments.
- 2.2 All employees have the right (under the Employment Rights Act 1996) to a reasonable amount of **unpaid time off** to deal with an **emergency** involving a dependant. A dependant is a close family member or someone who depends on the employee, this can include husband, wife, civil partner, partner, child, parent or a person who relies on them such as an elderly neighbour. The right to reasonable time off without pay should simply allow the employee to deal with the **immediate problem** and put necessary arrangements in place.
- 2.3 A family emergency can be anything from having to cope with a baby being born prematurely and requiring hospitalisation, a child being ill and not being able to attend nursery/school, to a close family member being involved in a serious accident or becoming ill and being admitted to hospital. Events such as those outlined above can be traumatic situations for anyone to deal with. The Council therefore recognises that when employees have to cope with any of these situations they will need the support of a caring and supportive employer, and provides additional paid or unpaid time off in specific circumstances outlined in section 2.5 below.
- 2.4 If an employee has a family emergency and it does not appear that the Council has a policy/procedure in place to assist in that particular case, advice can be obtained from the Human Resources team, please email [HR-PolicyOperations@south-ayrshire.gov.uk](mailto:HR-PolicyOperations@south-ayrshire.gov.uk). Many of the policies allow a degree of flexibility for special arrangements to be made in certain circumstances.

### 2.5 FAMILY EMERGENCIES

- 2.5.1 If employees are required to be absent from work to make alternative arrangements arising from family emergencies, up to 1 day's leave with pay will normally be granted for each incident. Family emergencies may include incidents such as the sudden or unexpected illness of a relative, partner or child, disruption to the care of a dependent or an incident involving children at school/childcare. All such requests will be subject to review and will be considered on a case-by-case basis.
- 2.5.2 In the case of the **emergency** hospitalisation of a child and an employee has been advised by medical staff to remain with their child while in hospital, leave with pay for up to 5 days will normally be granted. Additional time off may be agreed at the line manager's discretion.
- 2.5.3 In the case of a critically ill or injured relative/partner, an employee may be granted up to 5 days leave with pay. Additional time off may be granted at the line manager's discretion.
- 2.5.4 Where the illness of a relative or partner is of a serious nature and an employee wishes time off to care for that person, they may be granted leave of absence

without pay, subject to monthly review. Employees should also refer to the Carers Policy for further information, [Carer Positive - Supporting Employees who are Carers - The Core \(south-ayrshire.gov.uk\)](#).

**2.5.5 Premature Birth** – Time off for parents of babies who are born prematurely to cover the additional time their babies spend in hospital will be available as follows:

***For the baby's mother*** - an additional week of paid leave for the mother for every week of hospitalisation of the baby born prematurely (before 37<sup>th</sup> week). This will be based on the date the baby is born up to the date the baby is discharged from full time hospital care or has reached the original due date (whichever is the earlier). Extended premature baby leave will be given to the mother at the end of her maternity leave period to enable her to spend quality time with her baby.

***For the father, partner or nominated care giver*** – 2 weeks paid special leave on the birth of the baby; this will be in addition to 1 week's maternity support and 1 week's paternity leave.

For further information on Family Leave benefits, please see [Family leave policy - The Core \(south-ayrshire.gov.uk\)](#), in addition, the Council offers eligible employees the opportunity to apply for a range of flexible working options, please see [Flexible working policy - The Core \(south-ayrshire.gov.uk\)](#).

## 2.6 URGENT DOMESTIC DISTRESS

### 2.6.1 Domestic Abuse – Safe Leave

Domestic Abuse in Scotland is defined as:

*“any form of physical, verbal, sexual, psychological or financial abuse which might amount to criminal conduct, and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere including online”* The definition of domestic abuse encompasses the entire spectrum of behaviour by perpetrators where this amounts to criminal conduct. This includes cases which involve isolated incidents, as well as cases involving a course of conduct and includes violent and non-violent abusive behaviour and a range of coercive control behaviours designed to harm a victim. **[Police Scotland]**

Employees who are victims of domestic abuse may be granted up to 10 days paid safe leave for reasons including but not limited to:

- attending medical appointments and counselling;
- attending legal proceedings;
- seeking safe housing;
- visiting legal advisors or support agencies, for re-housing or re-organising childcare, or for other relevant appointments; and

- matters as a result of family violence.

Based on the needs of the affected person, Safe Leave may be taken as a block of up to 10 days or as intermittent periods of absence, over a calendar year (pro rata for part time employees).

The Council may request supporting documentation, such as from healthcare professionals, the police and/or the relevant support agencies, as appropriate. Employees should discuss Safe Leave with their Line Manager in the first instance or email [HR-PolicyOperations@south-ayrshire.gov.uk](mailto:HR-PolicyOperations@south-ayrshire.gov.uk) to discuss with an HR Advisor.

The Council's commitment and approach to raising awareness of domestic abuse can be accessed here: [South Ayrshire Violence Against Women Partnership - South Ayrshire Council \(south-ayrshire.gov.uk\)](#).

To further support the introduction of Safe Leave, manager and employee information can be found here [Information for staff - South Ayrshire Council \(south-ayrshire.gov.uk\)](#).

Requests for Safe Leave and any information relating to the individual will be handled in the strictest confidence and retained securely in line with GDPR requirements.

#### 2.6.2 Domestic Distress

Where an employee is required to be absent from work to make special domestic arrangements as a result of domestic distress, for example a serious house fire, break-in or burglary, leave with pay for up to 3 days will normally be granted for each incident. Due consideration would need to be given to the circumstances arising.

### 2.7 MEDICAL TREATMENT

- 2.7.1 Employees requiring optical, dental, orthopaedic or other medical treatment should make arrangements to obtain treatment out-with normal working hours. For employees covered by the Flexi time agreement, appointments should be arranged using flexitime.
- 2.7.2 In emergency or other circumstances where a line manager is satisfied that an employee can't get an appointment out-with normal working hours they should allow reasonable time off with pay for the employee to attend an appointment. In such cases, employees should arrange appointments at times which will minimise disruption to their working day and the time off required e.g., early morning, lunch time or late afternoon.
- 2.7.3 Employees shall be entitled to reasonable time off with pay for the purpose of preventative medical examinations or fertility treatment for themselves, or to accompany their children or an elderly/disabled relative to hospital/dental appointment.
- 2.7.4 Employees who are pregnant and who, on the advice of a doctor, midwife or health visitor, attend a clinic or other place for ante-natal care will be granted reasonable time off with pay, please refer to [Family leave policy - The Core \(south-ayrshire.gov.uk\)](#)

2.7.5 Confirmation of medical appointments or notification for other medical treatment should be provided to support the request for time off.

## 2.8 BEREAVEMENT

2.8.1 Reasonable time off with pay will be granted in the case of the death of a near relative. Line Managers should be sympathetic to the situation faced by the employee and agree with them what is reasonable and appropriate in the circumstances.

2.8.2 Where employees are required to conduct business in connection with a bereavement, leave with pay as necessary will be allowed, due regard being taken of the circumstances.

2.8.3 In other cases, an agreement should be reached between the manager and the employee about paid time off to attend the funeral service only. It is expected that the employee will attend work before and after the funeral service. If there are a number of colleagues within a team that wish to attend the service, it is at a manager's discretion as to how many colleagues can attend, taking cognisance of service delivery needs. In exceptional circumstances only, if the employee has a significant distance to travel, then the manager has discretion to allow an additional day off with pay, taking cognisance of service delivery needs.

## 2.9 STATUTORY CARERS LEAVE

2.9.1 Employees will be entitled to unpaid leave of 1 week (pro rata) per annum to give or arrange care for a 'dependant' who has:

- a physical or mental illness or injury that means they're expected to need care for more than 3 months;
- a disability (as defined in the Equality Act 2010);
- care needs because of their old age.

2.9.2 The dependant does not have to be a family member. It can be anyone who relies on the employee for care and employees are not required to give evidence of their dependant's care needs.

2.9.3 Further information can be found in Carers Leave Policy [Carer Positive - Supporting Employees who are Carers - The Core \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/Carer-Positive-Supporting-Employees-who-are-Carers-The-Core)

## 2.10 LEAVE TO BE SET AGAINST ANNUAL LEAVE

The following requests for leave should normally be set against annual leave entitlement.

### 2.10.1 Visiting Relatives Overseas

An employee visiting relatives overseas must use their annual leave entitlement.



Employees may also wish to consider applying for additional leave under the Council's Scheme of Enhanced Leave [Enhanced leave scheme - The Core \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk).

Where an employee has completed 5 years' continuous service at the date of the proposed leave, reasonable extended leave up to 1 month may be granted without pay.

In exceptional circumstances employees with less than 5 years' service may be granted leave without pay. This request requires to be supported by the employee's line manager and approved by the relevant Chief Officer in conjunction with the Chief HR Officer.

#### 2.10.2 **Weddings**

Leave for weddings, including an employee's own marriage, must be set against annual leave entitlement.

For term time employees arrangements should be made out with the school term for their own marriage. Only in very exceptional circumstances (e.g. where a husband/wife is in the armed forces and is only able to take leave at a specific time that coincides with the school term) a limited amount of unpaid leave without pay will be granted.

One day will be granted as reasonable time off to attend a wedding and agreement between the employee and their manager should be put in place regarding how the time granted will be worked back during the course of the term.

#### 2.10.3 **Moving Home**

Leave required in connection with moving home will normally be set against an employee's annual leave entitlement.

If an employee has exhausted their full annual/flexi leave entitlement, they may be granted 1 day's leave without pay.

For term time employees arrangements should normally be made out with the school term or a request should be made for 1 day's leave without pay.

## 3. Section 2 – National, Public and Community Emergency Service

The Council is committed to providing support to employees who have chosen to support their country or community in any way, and to accommodating those employees who are called on to carry out public duties. Accordingly, the following leave arrangements will apply:

### 3.1 **RESERVE FORCES**

An employee of the Council who is a member of the reserve forces and attends an annual training camp for a period of one week or more will be granted up to 15 days special leave with pay. This will be subject to the deduction of service pay and allowances received in respect of the period of special leave.



Employees who are members of the reserve forces and who are called up for national service will be granted special leave for a period of up to 6 months. Any payments will be at the discretion of the Director and will be subject to the deduction of service pay and allowances made in respect of the period of national service.

### 3.2 JURY AND WITNESS SERVICE

An employee who receives a summons to appear on a jury or as a witness will be granted special leave with pay to attend unless exemption is secured. This pay is subject to the deduction of associated allowances which the employee must claim.

### 3.3 PUBLIC DUTIES

An employee who serves on Children's Panel or as a Justice of the Peace will be granted up to a maximum of 10 days per annum to attend hearings.

If an employee serves on then a maximum of 10 days paid leave is aggregated for both purposes. All the above is subject to exigencies of the service.

### 3.4 INTERNATIONAL AND SPORTING/CULTURAL EVENTS

An employee representing their country in an amateur international sporting event or an important international cultural event, may be granted up to 10 days paid leave in any annual leave year. For special events e.g., Olympic/Commonwealth Games, employees may be granted up to a further 10 days paid leave.

Requests may also relate to duties such as national coach and umpiring / refereeing / adjudicating at sporting events.

This request requires to be supported by the employee's line manager and approved by the relevant Chief Officer in conjunction with the Chief HR Officer.

### 3.5 COMMUNITY VOLUNTEERING AND VOLUNTEERING IN SUPPORT OF THE SOUTH AYRSHIRE WAY

**South Ayrshire Supports Volunteering** – for employees who wish to volunteer in support of charitable and fundraising activities as part of the South Ayrshire Way, they will be granted up to a maximum of 7 hours paid time off per calendar year for volunteering activities. Time off can be requested as a single day or in blocks of time up to 7 hours. For more information and to request time off please see the [Employee volunteering scheme - The Core \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk).

**Community Volunteering** - The Council will support unpaid leave for employees who participate in community volunteering e.g., to assist at Youth Organisation Holiday Camps.

Time off will be granted in accordance with the exigencies of the service.

### 3.6 LEAVE IN SUPPORT OF THE DEMOCRATIC PROCESS

**Election Duties:** subject to the exigencies of the service, employees undertaking official duties such as Presiding officer or Polling Clerk at Elections will be given leave with pay.

**Election Candidates and Agents:** employees who are candidates or election agents for the Scottish, Westminster or European Parliaments or Local Elections are granted leave of absence without pay for up to 4 weeks at the time of the election.

**Councillor Duties:** employees undertaking duties as Councillors with another Local Authority will be granted reasonable time off, paid leave is limited to 208 hours in any financial year.

### 3.7 COMMUNITY EMERGENCY SERVICES

Employees who participate in community emergency services, e.g., retained fire-fighters and lifeboat crew will be granted leave of absence with pay to attend emergencies which occur during working hours.

In addition, employees who volunteer as **Community First Responders** will be granted up to 7 hours paid leave per year to undertake relevant training linked to this role.

### 3.8 POLICE VOLUNTEERING

Employees who have been selected by the Police to participate in volunteering activities (Special Constables) will be granted up to 5 days leave with pay (pro-rata for part-time employees) to attend the training required to join the services.

## 4. Section 3 – Other Leave

### 4.1 SPECIAL PURPOSES

Leave with pay will be granted to allow an employee to undertake duties or services of an honorary, charitable, philanthropic and civic character. Normally this will not exceed one day in any one year.

### 4.2 EXAMINATION LEAVE

Employees will be granted paid time off to sit examinations as part of a work-related course of study. Employees who undertake a course of study, either self-funded or sponsored by the Council will be required to use annual leave, flexi leave or unpaid leave for the purposes of study leave. If an employee wishes to request time off to train or study on a flexible working basis they should refer to the Council's Flexible Working Policy [Flexible working policy - The Core \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk).

### 4.3 VOLUNTARY SERVICE OVERSEAS

Employees applying for voluntary service overseas with the Voluntary Service Overseas Organisation shall be granted leave of absence without pay for a period of up to 2 years, provided the employee has 2 years continuous service with the Council. Following completion of the period of absence, resumption of duties with South Ayrshire Council will be on the basis that the employee will be reinstated on the salary grade and placing held immediately prior to the commencement of the period of leave, but not necessarily to the same post. During the period of absence, the post held by the employee may be filled.

### 4.4 CAREER BREAK

#### 4.4.1 Introduction

The Council provides a career break option for employees who have 2 years continuous service with South Ayrshire Council. A career break will only be approved where service delivery can be maintained or enhanced. A separate scheme applies to those employees covered by teaching terms and conditions, and this is detailed at Appendix 2.

The scheme is not available to employees who are trainees or are on short term temporary fixed term contracts (less than 3 months duration). Applications from employees on fixed term contracts longer than 3 months duration will be considered on a case by case basis.

The application form for a Career Break (*Appendix 3/PER/CB/1 or Appendix 4 PER/CB/2*) must be completed by the employee and forwarded to their line manager for approval. The application form details how much notice is required from the employee. Once the application has been approved, the employee will be issued a letter confirming the terms and conditions relating to the Career Break.

#### 4.4.2 **Reasons for a Career Break**

Reasons for requesting a career break are for example to concentrate on childcare responsibilities, care of a dependant, participation in voluntary work, travel, religious retreats or to pursue academic study. A career break could also be considered as part of managing a long term absence case where an employee can opt to take time out of employment to help with recovery but at the same time maintain a post to return to when they are ready to come back to work. A career break differs from a secondment which involves transferring an employee to another Service within the Council or to another partner organisation.

#### 4.4.3 **Length of the Career Break**

The length of a career break will depend on the reason for the request. In some circumstances, there will be a predictable and definite end date (e.g. end of a University Degree), in others (e.g. care of a seriously ill relative or a course of treatment for a serious illness) this will not be an exact science. In cases such as the latter, it would be appropriate to place a regular review date on the career break arrangement.

The minimum length of a career break will be 3 months with the maximum being 2 years. However, in the case of academic study the maximum leave is 4 years.

Employees who intend to request a break of 3-12 months should apply at least 3 months in advance. For employees in management positions, this should be 6 months. For breaks of 1-2 years and 4 years for academic study, all employees should apply a minimum of 6 months in advance. Where a career break is being considered as part of absence management, the notice periods for applications will be variable.

An employee may have a maximum of two career breaks. There must be a minimum period of two years continuous service between employment breaks.

#### 4.4.4 **Terms and Conditions during a Career Break**

During a career break the employee's contract in that post is suspended and all service-related benefits i.e. annual leave, sick leave, maternity, adoption, paternity leave, together with unfair dismissal and redundancy entitlements, will be frozen until the employee's return to employment when the contract will resume.

An employee will return to the same spinal column point/grade/salary which they held prior to the career break. If there are workforce and organisational structure changes during the employee's career break, the Council's

Framework for Managing Workforce Change [Managing workforce change - The Core \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk) will be applied

An increase in salary/increment for employees who are not at the top of their salary scale when they commence their career break will be in line with the service accrued from the career break return date i.e., the duration of the employment break will not be counted as service when considering placement on the salary scale, nor will it be considered when calculating reckonable service.

#### **Career Break Following Maternity/Adoption Leave:**

If an employee has applied for and has been approved for a career break following a period of Maternity /Adoption Leave, the employee should be allowed to take all of the annual leave accrued during their maternity/adoption leave prior to the commencement of the career break.

#### **4.4.5 Contact Periods and Working during a Career Break**

Managers and employees can agree to undertake, where practical, a minimum of 5 days (paid) work referred to as “contact periods” for each 6 months of the career break. These can be completed individually or in block and would be for the purpose of keeping training and development up to date.

An employee can undertake alternative employment while on a career break, subject to the agreement of the Council. However, a career break should not normally be used to undertake alternative full-time employment. For example, an employee on a career break for the purposes of studying could work out-with the academic term (covering Christmas, Easter, and summer holidays).

Any request to undertake alternative employment during the break will be subject to Chief Officer approval.

#### **4.4.6 Maintaining Service Delivery during a Career Break**

A career break will only be authorised with the provision that service delivery can be maintained or enhanced. How service is maintained will be determined on an individual basis i.e. predicted length of break, type of vacancy. Options available include:

- Existing employee temporarily acting up
- Recruit internally as a secondment
- Advertised externally as a temporary fixed term contract.

A career break may be agreed with conditions e.g. only finally authorised when the vacancy has been filled.

#### **4.4.7 Communication during the Career Break**

Keeping in touch is essential to the success of a career break for both the employer and the employee. For the employer, it demonstrates a commitment to retaining the employee. It also assists to maintain an employee’s skills and knowledge and by doing so, eases the return-to-work experience. Therefore, in terms of communication, there is a dual onus and responsibility from both the employee and the employer during a career break.

The level of communication with an employee during a career break will vary according to the size of the department, the type and level of job and the length

of the career break. It is therefore essential to strike a balance between providing too much and too little information.

Communication/information could include the following:

- Access to Council vacancies;
- Professional Journals;
- Team Meeting notes/Seminar and Briefing notes;
- Training Courses;
- Social Events e.g. invitation to team lunches;
- Home Visit/Review Meeting;

In order to ensure that regular contact is maintained, a career break partner/mentor should be nominated from a colleague in the department. They would also support the employee during “contact periods.”

There is an important role for the manager to maintain communication and where practical, visit the employee. This will enable any questions to be answered, to identify any training needs and to review the progress of “contact periods.”

#### 4.4.8 **Working Arrangements on Return from a Career Break**

An employee must give a minimum of 3 months’ notice confirming the exact date when they wish to return to work after a career break. Management recognise that individual circumstances can change and will consider flexibility for employees to return to work sooner than envisaged. This will take into account any contractual obligations towards any person(s) covering the career break vacancy, service delivery etc.

Employees may require training (re-skilling, up-skilling) before returning to work from a career break. Employees should attend a meeting with their manager in advance of their return to discuss the post they are returning to and to agree any appropriate training programmes. This may include distance learning or a phased return.

On return from a career break, an employee will be guaranteed a position with similar responsibilities, in line with the Council’s Framework for Managing Workforce Change.

#### **Return to Work from Career Break Following Maternity/Adoption Leave:**

An employee is required to give 3 months’ notice of their return from a career break. An employee who intends leaving the employment of the Council during their career break will be required to return to work for 3 months or will be required to return to work for the balance of the 3 months minus any holidays they have already taken following their maternity/adoption leave, and prior to the commencement of their career break. If the employee does not comply with the above, repayment of the 12 weeks at 5/10 pay will be required.

#### 4.4.9 **Benefits and Financial Considerations**

Employees on a career break will still be able to take advantage of certain services e.g. financial and health care advice, occupational health, counselling, physiotherapy etc.

However, employees will be unable to take advantage of any service which requires a salary deduction e.g. pension fund, trade union membership, credit union savings or childcare vouchers, employee benefits salary sacrifice schemes.

For payroll advances, overpayments or debt recovery, with consideration to the amount owed and length of career break, these deductions should be either repaid before commencing the career break or continued throughout the career break.

An employee considering a career break must be aware of the financial implications regarding national insurance contributions, state benefits, state retirement pension, and pension fund etc. An employee should investigate the financial implications at the time of applying for the career break, Strathclyde Pension Fund Office website can be accessed here: [SPFO Home Page - Strathclyde Pension Fund](#) for more information or visit South Ayrshire Council Information and Advice hub [Information and Advice Hub - South Ayrshire Council \(south-ayrshire.gov.uk\)](#).

## 5. Right of Appeal

Where the employee has been refused the request for special leave they have the right of appeal via the Council's Grievance Policy [Grievance policy - The Core \(south-ayrshire.gov.uk\)](#).

## 6. Self-Funded Sabbaticals (JNCT only)

- 6.1 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.
- 6.2 It is an option available to employees on SNCT terms and conditions to obtain an extended break from work of up to 1 year providing they meet eligibility criteria and that, on an annual basis, the number of sabbaticals is a minimum of 1% of the total FTE of South Ayrshire Council staff covered by SNCT terms and conditions. For more information on self-funded sabbaticals please refer to JNCT 2.17.

## APPENDIX 1

## SUMMARY OF SPECIAL LEAVE

CIRCUMSTANCES	LEAVE	POLICY REFERENCE
<b>BEREAVEMENT</b>	In the case of a near relative (as defined in the policy), reasonable time off as necessary, with pay. In other cases, paid time off to attend the funeral service only. Up to one day with pay can be granted in exceptional circumstances if employee has a significant distance to travel.	PAGE 7
<b>CAREER BREAK</b>	<p>Leave of absence without pay for up to 2 years, provided the employee has 2 years continuous service with the Council.</p> <p>In the case of academic study, the maximum leave is 4 years.</p> <p>Note that trainees and those on fixed term temporary contracts are not covered by the career break scheme.</p> <p>JNCT employees only have the option of a Self-Funded Sabbatical, refer to SNCT handbook and JNCT 2.17.</p>	PAGE 10 and PAGE 14
<b>COMMUNITY EMERGENCY SERVICES</b>	<p>Employees participating as retained fire fighters or life boat crew – leave of absence with pay to attend emergencies during working hours.</p> <p>Community First Responders – up to 7 hours paid leave per calendar year to undertake training</p>	PAGE 10
<b>COMMUNITY VOLUNTEERING/ VOLUNTEERING IN SUPPORT OF SOUTH AYRSHIRE WAY</b>	<p>Unpaid leave subject to exigencies of the service.</p> <p>Volunteering in support of the South Ayrshire Way – up to 7 hours paid leave per calendar year</p>	PAGE 9
<b>COUNCILLOR DUTIES</b>	Employees undertaking duties as Councillor with another Local Authority will be allowed reasonable time off. Paid leave is limited to 208 hours in any financial year.	PAGE 9
<b>DOMESTIC DISTRESS</b>	Leave with pay for up to 3 days will normally be granted for each incident e.g., a serious house fire, break-in or burglary.	PAGE 6
<b>ELECTION DUTIES</b>	Leave with pay will be granted to employees undertaking official duties such as Presiding Officer and Polling Clerk at Elections, subject to the exigencies of the Service being met.	PAGE 9
<b>EXAM LEAVE</b>	Paid time off will be granted to employees to sit exams linked to a work-related course of study. Unpaid leave or flexi leave applies to study leave.	PAGE 10
<b>FAMILY EMERGENCIES</b>	Up to one day with pay to make alternative arrangements. Up to 5 days with pay for	PAGE 4



	emergency hospitalisation of child or critically ill or injured partner/relative. Extended premature baby leave of a week for each week of hospitalisation of the baby born prematurely up to hospital discharge or baby due date whichever is the earlier.	
<b>INTERNATIONAL SPORTING/CULTURAL EVENTS</b>	Employees representing their country at an international sporting or cultural event may be granted up to 10 days paid leave in any annual leave year. For special events e.g. Olympic games, employees may be entitled to a further 10 days paid leave.	PAGE 9
<b>JURY AND WITNESS SERVICE</b>	Leave with pay as necessary, subject to the deduction of the allowances which the employee must claim.	PAGE 9
<b>MEDICAL TREATMENT</b>	Appointments should be made out with work hours or using flexi time. If this is not possible allow reasonable time off with pay for the employee to attend an appointment or accompany a child or elderly/disabled relative. Pregnant employees will be granted time off with pay to attend clinics or ante-natal care. Adopters will be granted time off to attend pre-adoption meetings – (please refer to the Maternity policy for further information).	PAGE 6
<b>MOVING HOME</b>	Leave required for moving home should be set against annual leave entitlement. An employee whose annual leave is exhausted may be granted one day without pay. Term time employees should normally make arrangements out with the school term or take unpaid leave of 1 day.	PAGE 8
<b>POLICE VOLUNTEERING</b>	Up to a maximum of 5 days (pro-rata for part-time employees) to attend Police training required to become a Special Constable.	PAGE 10
<b>PUBLIC DUTIES</b>	Up to a maximum of 10 days per annum to attend hearings for those who serve on a Children's Panel or as a Justice of the Peace. Those serving on both will have the 10 days aggregated for both purposes.	PAGE 9
<b>RESERVE FORCES</b>	Up to 15 days with pay, subject to the deduction of service pay received for the period of leave. Employees called for national service – 6 months leave, payment will be at the discretion of the Director subject to deduction of service pay/allowances.	PAGE 8
<b>SPECIAL PURPOSES</b>	Leave with pay will be granted, up to one day per year, to allow an employee to undertake duties of an honorary charitable and civic character.	PAGE 10
<b>STATUTORY CARERS LEAVE</b>	Employees will be entitled to unpaid leave of 1 week (pro rata) per annum to give or arrange care for a 'dependant'	PAGE 10
<b>URGENT DOMESTIC DISTRESS</b>	Safe Leave – up to 10 days paid leave for victims of Domestic Abuse.	PAGE 5

	Domestic Distress – up to 3 days paid leave for incident such as serious fire, house burglary.	
<b>VISITING RELATIVES OVERSEAS</b>	Employees should use annual leave entitlement. Leave without pay may be granted where an employee has completed 5 years continuous service.	PAGE 7
<b>VOLUNTARY SERVICE OVERSEAS</b>	Leave of absence without pay for up to 2 years, provided the employee has 2 years continuous service with the Council.	PAGE 10
<b>WEDDINGS</b>	Leave for weddings, including the employees own wedding, must be set against annual leave entitlement. Term time employees should make arrangements out with the school term. In exceptional circumstances where leave is necessary during the school term limited leave without pay will be granted. 1 day granted to attend a wedding with time being worked back.	PAGE 8

**APPENDIX 2****CAREER BREAK CONDITIONS FOR EMPLOYEES ON SNCT TERMS AND CONDITIONS****1. CAREER BREAK (SNCT Handbook)**

A career break is defined as a period of special leave without pay of up to 5 years. The purpose of a career break is to provide teachers and associated professionals with an opportunity to obtain an extended break. While there are no prescribed activities that a career break must involve, examples might include the care of children (or other family members), voluntary work, travel or study.

**2. ELIGIBILITY**

Eligible employees are required to have at least 2 years' continuous employment, on a permanent or temporary basis, with any Scottish Council. In the case of teachers, the employee is required to have at least 2 years' continuous employment following full registration with the General Teaching Council of Scotland.

It is for the Council to decide whether the exigencies of service provision allow for a career break to be granted. The needs of pupils should take precedence over other matters where applications are considered.

**3. LENGTH OF A CAREER BREAK**

A career break will last for a minimum of 6 months and a maximum of 5 years. Breaks of a shorter duration will be covered by special leave requests. The length of the intended career break should be identified at the point of application, and it will be for the relevant Chief Officer to consider whether to grant the career break.

Within a 20-year service period in Scottish Local Government, a teacher or associated professional may be granted a single 5-year break or may be granted a maximum of 3 shorter breaks, the cumulative total of which must not exceed 5 years. The employee must undertake a minimum of 1 year's continuous service with any Scottish Council between career breaks.

**3.1 Extension of Reduction in the Duration of a Career Break**

A teacher or associated professional on a career break can apply for an extension, with the provision that the cumulative total of the time already taken together with the extension period does not exceed the 5-year limit within the 20-year service period. The council is not obliged to grant the extension but should consider the merits of the application in line with SNCT Handbook (Appendix 2.15).

An employee is entitled to apply for early return from a career break. In this circumstance, an application should be made to the council asking for a contraction of the agreed period. The council is not obliged to grant the contraction but should consider the merits of the application in line with SNCT Handbook (Appendix 2.15).

In applying for an extension of or reduction in the duration of a career break the employee must provide the council with a minimum of 3 months' notice.

**4. CONTACT PERIODS AND WORKING DURING A CAREER BREAK**

Prior to the commencement of a career break the council and employee must discuss if and how contact can be maintained.

Both parties should have a clear understanding of the nature and frequency of any contact. The employee is obliged to provide the council with appropriate contact details.

A Council and employee are allowed to make reasonable contact during a career break to discuss a range of work-related issues. Recommended arrangements are set out SNCT Handbook (Annex A).

A teacher or associated professional can undertake alternative employment while on a career break, subject to the agreement of the employer. However, a career break should not normally be used to undertake alternative full-time employment.

## **5. TERMS AND CONDITIONS**

5.1 A career break is a period of special leave without pay.

5.2 On an employee's return from a career break their separate periods of employment (i.e. before the career break and after the career break) will be treated as continuous for statutory and contractual purposes. The period of the career break is not a period of employment and will not count towards reckonable service.

5.3 Entitlement to annual leave during the leave years in which the career break commences and ends will be calculated pro rata to the part year period of service.

5.4 For associated professionals' entitlement to public holidays will only be for those public holiday which occur during the part year period of service.

The period of the career break will not be recognised for the following:

- i) Incremental progression of pay.
- ii) Qualification for and entitlement to sickness allowance.
- iii) Annual leave entitlement.

5.5 The career break will however be taken into account in relation to compulsory transfer arrangements as agreed by the JNCT.

5.6 All occupational remuneration including employment benefits will be suspended during the period of the career break and will recommence when the employee returns to work. For the avoidance of doubt, in particular:

- i) Employees on a career break who become pregnant have no entitlement to Occupational Maternity Pay (OMP);
- ii) Employees on a career break who become ill have no entitlement to Occupational Sick Pay;

5.7 During the period of a career break employees will not accrue any annual leave entitlement under the Working Time Regulations.

5.8 An employee considering a career break must be aware of the financial implications regarding national insurance, state benefits, pension etc. An

employee should investigate the financial implications at the time of applying for the career break.

## 6. APPLICATION/NOTICE PERIODS

- 6.1 Employees who are granted a career break of 2 years or less will be offered the right to return to the post which they held prior to their career break. This will be subject to the outcome of those circumstances where there are school closures, amalgamations, other organisational restructuring.
- 6.2 Confirmation of return to work must be given 3 months prior to the agreed return date.
- 6.3 Employees who are granted a career break of more than 2 years duration are entitled to be deployed by the Council but not necessarily to the post vacated prior to the career break. While there is a need to be sensitive to the needs and preferences of the returning employees the employer is entitled to place the returning employee in any similar post within the council.
- 6.4 Teachers or associated professionals on a career break who wish to resign from their post must provide contractual notice.
- 6.5 Employees should submit their application for a career break in writing using form **PER/CB/2** in Appendix 4 to the relevant Chief Officer, stating the anticipated length of the career break. The application should be submitted *at least* 3 months prior to the proposed date of commencement. The date of commencement should correspond with the beginning of a school term.
- 6.6 Employees will be given a written response, setting out the decision in principle normally within four weeks of application. Where the decision has been to refuse the request for a career break the council will set out the reasons for this decision in writing.
- 6.7 Where an employee has made an application for a career break and that application has been rejected the employee may appeal against this decision through the Council's Grievance Procedure. There is no right of appeal to the SNCT.

**Further information can be found in SNCT Handbook (Appendix 2.15)**



**APPENDIX 3**

**PER/CB/1**

<b>APPLICATION FOR A CAREER BREAK</b> (Local Government Employees)	
<p><b>Note to Employee</b> (<i>The Career break scheme is not available to employees who are trainees or are on temporary fixed term contracts</i>).</p> <p>This form should be sent to your line manager for consideration in conjunction with HR.</p> <p>You must have 2 years continuous service with South Ayrshire Council to apply for a career break, the minimum length of break is 3 months, and the maximum is 2 years. For academic study, the maximum leave is 4 years.</p> <p>For breaks of 3 -12 months, you should apply <i>at least</i> 3 months in advance. If you are in a management position, this should be 6 months. For breaks of 1-2 years and 4 years for academic study, you should apply <i>a minimum of 6 months</i> in advance.</p> <p>You may have a maximum of two career breaks and there must be a minimum period of two years continuous service between employment breaks.</p> <p>To help in the consideration of your request you should provide as much information as possible. It is important that you complete all questions in the sections below as otherwise your application may not be valid:</p> <p><b>Section 1:</b> Personal Details (Page 1)  <b>Section 2:</b> Career Break Details (Page 2)  <b>Section 3:</b> Managers Comments, Chief Officer Comments, HR Details (Page 3)</p>	
<b>SECTION 1: PERSONAL DETAILS</b>	
Name:	Employee No:
Designation:	Work Location:
Home Address:	Home Telephone No:
	Work Telephone No:

<b>SECTION 2: CAREER BREAK DETAILS</b>	
Proposed start date of Career Break and duration: <i>(minimum of 3 months' notice is required)</i>	Start date:  End date:  Duration:
<p><b>Reason for Career Break:</b></p>          <p>If the request is for time off to accommodate Training or Study the following information must be provided:</p> <ul style="list-style-type: none"> <li>• <b>Detail of Training/Study undertaken:</b></li> <li>• <b>Details of training provider:</b></li> <li>• <b>Qualification (if any) to be achieved:</b></li> </ul>	
E-mail address during Career Break:	
Contact address and telephone number during career break:  <p><b>Address:</b></p>  <p><b>Telephone Number:</b></p>	
<p><b>Details of contact periods during Career Break:</b>  <i>(a minimum of 5 days (paid) work for each 6 months of career break)</i></p>          	
<b>DECLARATION:</b>	
<p>I confirm that I have read and understood the Special Leave Policy and have discussed my request with my manager. I confirm that I meet the relevant qualifying conditions.</p>  <p><b>Signature of Applicant :</b> _____</p>  <p><b>Date:</b> _____</p>	



**SECTION 3: MANAGERS COMMENTS**

**Note to Manager:** *Career breaks should only be approved where service delivery can be maintained or enhanced. Please discuss this application with Human Resources who will acknowledge receipt of this application.*

**Information in support of application – Line Manager’s comments:**

**Line Manager’s signature:** \_\_\_\_\_

**Line Manager’s designation:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Chief Officer comments:**

**Approved:**

**Not Approved**

**Chief Officer signature:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Human Resources Contact:**

**Name:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Date:** \_\_\_\_\_

It is our responsibility to keep your information safe. To find out what to expect when the Council collects your personal information, please visit our website- <https://www.south-ayrshire.gov.uk/personal-information/>

**APPLICATION FOR A CAREER BREAK**  
(Employees on SNCT Terms and Conditions)

This form should be sent to your line manager for consideration in conjunction with HR.

You must have 2 years continuous service on a permanent or temporary basis with any Scottish Council to apply for a career break. The minimum length of break is 6 months, and the maximum is 5 years. Teachers are required to have a least 2 years continuous employment following full GTC registration.

For breaks you should apply *at least* 3 months in advance. The date of commencement should correspond with the beginning of a school term.

Within a 20-year service period in Scottish Local Government, a teacher or associated professional may be granted a single 5-year break or may be granted a maximum of 3 shorter breaks, the cumulative total of which must not exceed 5 years. The employee must undertake a minimum of 1 year's continuous service with any Scottish Council between career breaks.

To help in the consideration of your request you should provide as much information as possible. It is important that you complete all questions in the sections below as otherwise your application may not be valid:

**Section 1:** Personal Details (Page 1)

**Section 2:** Career Break Details (Page 2)

**Section 3:** Managers Comments, Chief Officer, HR Details (Page 3)

**SECTION 1: PERSONAL DETAILS**

Name:	Employee No:
Designation:	Work Location:
Home Address:	Home Telephone No:
	Work Telephone No:

<b>SECTION 2: CAREER BREAK DETAILS</b>	
Proposed start date of Career Break and duration: <i>(minimum of 3 months' notice is required)</i>	Start date:  End date:  Duration:
<b>Reason for Career Break:</b>	
E-mail address during Career Break:	
Contact address and telephone number during career break:  <b>Address:</b>  <b>Telephone Number:</b>	
<b>Details of contact periods during Career Break:</b>	
<b>DECLARATION:</b>	
I confirm that I have read and understood the Special Leave Policy and have discussed my request with my manager. I confirm that I meet the relevant qualifying conditions.	
<b>Signature of Applicant :</b> _____	
<b>Date:</b> _____	

**SECTION 3: MANAGERS COMMENTS**

**Note to Manager:** *Career breaks should only be approved where service delivery can be maintained or enhanced. Please discuss this application with Human Resources who will acknowledge receipt of this application.*

**Information in support of application – Line Manager’s comments:**

**Line Manager’s signature:** \_\_\_\_\_

**Line Manager’s designation:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Chief Officer comments:**

**Approved:**

**Not Approve**

**Chief Officer signature:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Human Resources Contact:**

**Name:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Date:** \_\_\_\_\_

It is our responsibility to keep your information safe. To find out what to expect when the Council collects your personal information, please visit our website- <https://www.south-ayrshire.gov.uk/personal-information/>

## Appendix 5



### TEMPLATE 1 - APPLICATION APPROVED

Name  
Address Line 1  
Address Line 2  
Address Line 3  
Address Line 4

Dear

#### **EMPLOYEE VOLUNTEERING APPLICATION**

I write to inform you that your application to volunteer on (date) at (Organisation) has been approved.

The Council supports volunteering and knows the value it brings to both our local community and to our employees who take part.

Supporting and helping others is a great thing to do and I wish you luck with your volunteering. I hope you enjoy your (day / or time off) and find the experience both valuable and rewarding.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

Name  
**Job Title Service**



## TEMPLATE 2 – APPLICATION DECLINED

Name  
Address Line 1  
Address Line 2  
Address Line 3  
Address Line 4

Dear

### **EMPLOYEE VOLUNTERRING APPLICATION**

It is with regret that I write to inform you that your request to volunteer cannot be accommodated.

The reasons for the refusal of your application are xxxxx. I understand you may find this disappointing.

The Council supports volunteering and knows the value it brings to both our local community and to our employees who take part, therefore, please do not let this discourage you from applying again in the future.

If you have any further queries please do not hesitate to contact me.

Yours sincerely

Name  
**Job Title Service**