**Self-funded Sabbaticals Scheme for Teaching Staff and Associated Professionals Covered by the Scottish Negotiating Committee for Teachers (SNCT)**

Guidance Note and Application

**(LNCT/2022/1)**

**LNCT Agreement – 2022/1**

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**Guidance Note for Employees and Application Form**

**Introduction**

1. This Scheme sets out the terms and conditions of employment that relate to a self-funded sabbatical for employees covered by the SNCT Handbook of Conditions of Service i.e. teachers and associated professionals.

**Definition of a Self-funded Sabbatical**

1. A Self-funded Sabbatical is defined as a period of special leave without pay. 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.
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. of the SNCT Handbook of Conditions of Service.
3. A self-funded sabbatical provides a formal opportunity to obtain an extended break from work of up to 1 year.

**Eligibility**

1. Eligible employees are required to have at least 5 years of continuous employment, on a permanent or temporary basis, with any Scottish council, by the commencement of the sabbatical. In the case of teachers, the employee is required to have at least 5 years’ continuous employment following full registration with the General Teaching Council of Scotland.
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.

**Duration and Frequency**

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 an application is made.

**Extension of or Reduction in the Duration of a Self-Funded Sabbatical**

1. An employee on a self-funded sabbatical may apply for an extension to the duration of their sabbatical, subject to the cumulative total of the time already taken and the extension period not exceeding 1 year.
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 being able to resume work.
3. Any application for extension or early termination of a self-funded sabbatical should be made to the LNCT Joint Secretaries via the Service Manager - Education (Strategy & Operations) at least 8 working weeks prior to the original date of termination.
4. Where the reason for wishing to end the self-funded sabbatical is pregnancy the employee may request to be returned to paid work as quickly as possible in order to be eligible for statutory benefits such as maternity leave and pay.

**Contact During Sabbaticals**

1. Prior to the commencement of a self-funded sabbatical, agreement should be reached between the employee and their line manager regarding arrangements for contact during their sabbatical. 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.

**Conditions of Service**

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. On an employee’s return from a sabbatical their separate periods of employment (ie before and after the sabbatical) will be treated as continuous for contractual purposes. The period of the sabbatical is not a period of employment and will not count towards reckonable service.
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. This will result in a pay adjustment where the total period of the sabbatical is less than a calendar year or full academic session.
3. The period of the sabbatical will not be recognised for the following:
   1. i) Incremental progression of pay.
   2. ii) Qualification for and entitlement to sickness allowance.
   3. iii) Annual leave entitlement.
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.
5. Where an employee is due to return to work following a sabbatical, the Managing Attendance Policy will be applied at the same stage as when the employee started their sabbatical.
6. Should the employee be subject to the formal performance management procedure prior to going on sabbatical, this will be resumed at the same stage as when the employee started their sabbatical.

**Pension Rights and National Insurance**

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.
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.
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.
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.
5. It is the responsibility of the employee 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.

**Paid Employment During a Self-Funded Sabbatical**

1. A self-funded sabbatical should not normally be used to undertake alternative full-time employment, although placement and internship arrangements may be acceptable.

Alternative employment while on a self-funded sabbatical must be subject to the agreement of the Service Manager – (Education) Strategy & Operations.

**Return to Work**

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, including service reviews.
2. Where an alternative post considered by the 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 with the agreement of the employee.

**Non-return to Work**

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

**Application, Decision and Appeals**

1. Employees should submit their application for a self-funded sabbatical in writing to the LNCT Joint Secretaries via the Service Manager- Education (Strategy and Operations), using the Form attached, stating the anticipated length of the sabbatical. The application should be submitted at least 12 months prior (\*see below re applications for the next academic session) to the proposed date of commencement. The date of commencement should normally correspond with the beginning of an academic session in August. In exceptional circumstances consideration will be given to a sabbatical starting at the start of a school term in January or after Easter.
2. Employees will be given a written response, setting out the decision, normally within four working weeks of the application being received. Where the decision taken has been to refuse the request for a self-funded sabbatical the Joint Secretaries will set out the reasons for this decision in writing. Where the application has been denied, there is no right of appeal, but the employee may apply again for the following school session.
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.

***\* The requirement that applications must be made a year in advance will be relaxed in the first year of operation. Applications for sabbaticals requested before 5pm on 18th February 2022 should be regarded as if they meet the criteria at paragraph 28, and so may be agreed for the start of the 2022/23 academic year.***

LNCT Joint Secretaries

January 2022

**APPLICATION FOR SELF-FUNDED SABBATICAL**

* *This application form must be submitted at least 12 months\* prior to the proposed date of commencement of the sabbatical.*
* *The date of commencement should correspond with the beginning of an academic session, or in exceptional circumstances at the start of a school term i.e. January or after Easter..*
* *Applicants must have at least 5 years’ continuous local government service with any Scottish Council at the commencement of the sabbatical. For a teacher this must be 5 years’ service following full GTCS registration.*
* *A self-funded sabbatical will last for a minimum of 3 months and a maximum of 1 year.*
* *Where the application has been denied, there is no right of appeal, but the employee may apply again for the following school session.*

|  |  |
| --- | --- |
| Surname: |  |
| Forename(s): |  |
| Employee No: |  |
| Job Title: |  |
| Work Location: |  |

|  |  |
| --- | --- |
| Date you wish sabbatical to start: |  |
| Date you wish sabbatical to end: |  |
| Reason for Sabbatical: |  |
| Do you intend to take up employment, placement, or internship during the course of your sabbatical? If so please provide details if available.  Please note that confirmation of written support must be obtained from the Service Manager – (Education) Strategy & Operations, prior to taking up paid employment during the course of a sabbatical. |  |
| Date: |  |

**Statement from Head Teacher/Line Manager in relation to Application:**

|  |  |
| --- | --- |
| ***Please indicate below whether you are supportive of this request. If you do not support the request please provide details of why*.** | |
|  | |
| Name and Designation: |  |
| Date: |  |

**Decision by LNCT Joint Secretaries:**

|  |  |
| --- | --- |
| Decision taken (Accept or Reject) and details of any discussion with the applicant regarding any variation to terms requested: |  |
| Name and Designation (Employer Side) :  Name and Designation ( Staff Side) : |  |
| Date : |  |

*Employees will be given a written response, advising of the decision, normally within four working weeks of the application. Where the decision taken has been to refuse the request for a self-funded sabbatical, the LNCT Joint Secretaries will set out the reasons for this decision in writing*