

## APPENDIX A

<b>Title</b>	Sabbatical Scheme (Scheme which is an appendix to the Flexible Working Policy)
<b>Type:</b>	Employment Policy
<b>Distribution</b>	All managers and staff via SBCNet
<b>Approved by:</b>	Employment & Appeals Committee
<b>Issue Date:</b>	
<b>Review Date:</b>	
<b>Replaces Policy:</b>	
<b>Contact for guidance</b>	Yvonne Childs Assistant Director, Human Resources Slough Borough Council 01753 875079 Yvonne.childs@slough.gov.uk

## **1. PURPOSE OF SABBATICAL**

The purpose of the Sabbatical Scheme is to allow employees an opportunity to take unpaid leave from their employment for an approved reason. This may allow an employee to broaden their experience, develop new skills or competencies through, for example, volunteering, research or study, travel or to support the balance between work and family life. The intention is that employees keep up to date with work developments during their sabbatical and return to work at the end of the break.

A sabbatical will be an authorised unpaid leave of absence however, sabbatical leave does not constitute a break in the period of continuous service, and however, when calculating the total length of service the time taken on a sabbatical will not be counted.

Sabbaticals are granted at the Council's discretion and are not an entitlement.

## **2. WHAT ARE THE BENEFITS**

For the organisation - agreeing a break may help to retain knowledge and experience that could otherwise be lost or enable an employee to develop new competencies and/or personal development that will benefit both the organisation and the employee on their return to work.

For employees away from work on a sabbatical - they remain employees under their contract of employment during their absence and will continue to accrue continuous service.

## **3. HOW LONG CAN I GO ON SABBATICAL LEAVE**

A sabbatical can be requested for a period ranging from a minimum of 3 months to a maximum of 1 year, subject to approval by the relevant Head of Service and the Strategic Director.

Once an agreed sabbatical has been taken the employee cannot apply for a further break for at least 5 years after the end of that leave.

## **4. WHO IS ELIGIBLE**

The scheme applies to all employees on a permanent contract with at least 24 months continuous service. Therefore this does not apply to:

Staff employed on temporary and fixed term contracts

Agency staff, consultants, contractors or volunteers

Employees subject to any form of remedial actions arising from capability or performance issues

Employees who have a 'live' disciplinary warning or are currently being managed through issues relating to conduct and discipline

## **5. APPROVAL PROCESS**

A written application should be submitted to the Head of Service and Line Manager 3 months prior to the intended start date, giving dates and reasons for the application.

The application should outline detailed suggestions as to how the workload of the employee might be covered during the sabbatical period.

Applications will be considered with the needs to the organisation in mind and will only be declined for a business reason.

The Line manager in liaison with the Head of Service / Strategic Director will consider the request. The decision on whether to grant a sabbatical will ultimately rest with the Strategic Director and will be confirmed to the employee in writing within 20 working days of receiving the request. Each request will be considered on an individual basis taking into account a range of relevant issues including but not limited to:

- Financial implications
- Workload implications for colleagues
- Impact on quality and level of service provisions
- Statutory obligations

Employees granted sabbatical leave will be required to use any outstanding annual leave entitlement accrued up until the start of the sabbatical period and will not be allowed to retain it or take on their return or receive pay in lieu of annual leave.

Annual leave will not be accrued during the period of the sabbatical leave.

## **6. WHAT IS A BUSINESS REASON**

An application can be refused only where there is a clear business reason. Examples of business grounds for refusing an application are listed below:

- Burden of additional costs
- Detrimental effect on ability to meet customer demand
- Inability to reorganise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Planned structural changes
- Anticipated peaks of work during the period of the break

The explanation should include the key facts about why the business reason applies. These should be accurate and clearly relevant to the business reason.

## **7. APPLICATION FORM**

All employees are required to complete the flexible working form indicating clearly that the request being made is one for sabbatical leave.

Please refer to application procedure for flexible working policy (page 7, appendix a)

## **8. APPEAL PROCESS**

Where a request for flexible working has been declined, the employee has the right to appeal against the decision within 10 working days of the date of receipt of the notification letter. (Appendix a)

The employee's notice of appeal must be given in writing to the Chief Executive. The Chief Executive may nominate an alternate Strategic Director to hear the appeal on her behalf. The employee's appeal notice should:

- be in writing
- set out the grounds of the appeal and outcome sought and
- be dated.

Within 10 working days of the appeal notice being received an appeal meeting will be arranged to discuss the contents of the appeal. The employee has a right to be accompanied by a work colleague or Trade Union representative at this meeting.

The employee will be notified in writing of the decision within 10 working days after the appeal meeting date. (Appendix b)

Extensions to the above time limits are acceptable, provided the Chief Executive and the employee are in agreement with the extension.

There is no further right of appeal.

## **9. LINE MANAGER'S RESPONSIBILITIES**

The line manager will ensure that any employee who is on sabbatical receives regular updates on pertinent information and changes relating to the team, department and organisation. Such contact will be on frequency agreed between the parties and may involve the employee being invited to away days, special team meetings etc

## **10. EMPLOYEE RESPONSIBILITIES**

Employees who participate in the scheme will be obliged to advise their line manager/ Human Resources of any changes in circumstances e.g address etc.

All property belonging to the Council is to be returned prior to commencement of a sabbatical (e.g. laptop, mobile telephone, pager) unless alternative arrangements are agreed in writing with your line manager.

The employee must ensure that they undertake any relevant Continuous Professional Development training to maintain professional membership where this is required to enable them to undertake their job with SBC.

The employee will be required to maintain contact with their line manager at a frequency that has been agreed between both parties and to comply with any reasonable request from their line manager, such as attending specific meetings, wherever possible.

## **11. RETURN TO WORK**

Where possible the line manager should contact the employee four weeks prior to return to work.

The expectation is that the employee will be able to return to the same or similar role and responsibilities held prior to taking their sabbatical. Where a restructure or other organisational change takes place during the employees absence they will be consulted about this in the same way as their colleagues in accordance with the Council's policies and procedures. This may mean that alternative employment may be sought under the redeployment procedure.

## **12. EFFECT ON TERMS AND CONDITIONS DURING SABBATICAL**

All terms and conditions of employment will remain the same apart from:

**Pay:** Employees will not receive salary during the period agreed for the sabbatical as this period is unpaid. Any cost of living awards granted during their absence will be reflected in the salary on returning to work, however incremental progression will be suspended (where applicable) during the break.

**Continuous service:** During the period of leave your local government service is treated as continuous except for provisions such as occupational sick pay or leave entitlement which will be suspended until your return to work. The period of work before and after the break will be considered as continuous for these entitlements.

**Annual leave:** Annual leave is not accrued during an unpaid sabbatical. Any annual leave accrued should be taken prior to the commencement of the sabbatical or will be forfeit.

**Sick Pay:** There is no entitlement to sick pay, nor will it be accrued whilst on a break.

Car Loans: Where an employee has an outstanding car or other loan, financial arrangements must be made for regular repayments to continue during the break or for the loan to be repaid in full prior to the sabbatical.

National Insurance; No National Insurance payments will be made for staff taking sabbatical leave on nil pay. Individual members of staff will be responsible for making their own arrangements to cover personal National Insurance and superannuation contributions (or non-contributions).

Childcare Vouchers – if you belong to the Childcare Voucher Scheme then a sabbatical will constitute a 'life changing event' and therefore deductions will cease and you will have opted out of the scheme

HSA – if you belong to the HSA scheme then if you wish to continue your membership you must contact HSA direct and make arrangements for your membership deductions to be taken direct from your bank account. Payroll can provide contact details.

Give As You Earn – if you belong to the GAYE scheme then any sabbatical leave will constitute a withdrawal from the scheme and Payroll will advise the scheme administrators to this effect.

Trade Union Membership – where you have elected to have deductions such as trade union dues from your pay, these will cease during your absence from work and it will be your responsibility to advise such third parties and make any alternative arrangements for payment as agreed with them.

Local Government Pension Scheme (LGPS) –

- For the first 30 days of an unpaid sabbatical/career break contributions will be payable by the council and the employee (provision of local government pension scheme). These contribution will be automatically deducted from pay in one instalment from the employee's first salary payment following their return to work and will count for pension calculation purposes.
- In addition to the 30 days employer contribution the employees have the option to pay LGPS contributions on the remainder of the break. If contributions are not paid, the period will not count for pension calculation purposes. Any contributions paid will be based on the contributions that would have been paid had the employee not taken unpaid leave.
- If an employee wishes their career break to count as pensionable under the LGPS they must make contributions to cover the respective period. Payment of any outstanding contributions must be paid within 30 days of the employee returning to work.
- Employer contributions will only be paid if the employee elects to pay their contributions for the break. Where the employee has elected to pay their pension contributions **for the period of the break, they must remain in the Council's employment for a period of time**
- At least 4 weeks prior to the commencement of the sabbatical/career break, the employee must contact payroll to make the necessary

arrangements for the contributions to be unpaid, or if paid, agree whether they should be made monthly during the break or at the end.

- Providing they were a member of the pension scheme prior to this break, if an employee dies whilst on sabbatical/career break, their next of kin/nominated person(s), will be entitled to the death in service payment.

### **13. CHANGING CIRCUMSTANCES WHILST ON A SABBATICAL**

What Should I Do If I Do Not Wish To Return To Work After My Sabbatical?

Employees must give their required contractual notice in writing, addressed to their line manager. Employees will only be paid for their notice period if they return to work.

If an employee does not return to work following the end of their sabbatical and has given no notification to the SBC, SBC reserves the right to terminate the employment without notice.

What Should I Do If I Want To Extend/Cut Short My Sabbatical

If an employee wishes to cut short or extend their sabbatical (except in extraordinary circumstances this will not be more than 3 months and must be for reasons associated with the original reason for the sabbatical) they must do so in writing giving a minimum of 28 days notice.

There is no automatic right to cut short or extend a sabbatical but the Head of Service and Strategic Director, in consultation with the line manager will consider whether such requests can be accommodated. There will be a number of considerations a line manager may need to make in such circumstances for example; cutting short might be refused because the substantive post is currently occupied by someone contracted for the duration of the planned sabbatical. Similarly extension might be refused because there is no possibility of extending an existing contract.

Can I Take On Alternative Employment?

In normal circumstances, employees will not be permitted to perform work for any other employer while they are on sabbatical. If the need for work does arise, then the employee must first discuss this matter with their line manager to see whether suitable work can be found within Slough Borough Council. If it cannot, then the Head of Service and Strategic Director will need to consider whether employment elsewhere may be taken up. No alternative employment will be permitted where the proposed work is deemed to conflict with your role at SBC.

Appendix a

SABBATICAL APPEAL FORM

To: the Chief Executive

I wish to appeal against the decision by

to refuse my application for a Sabbatical. I am appealing on the following grounds:

Employee's Name ..... Date

.....

Note to the Chief Executive

There is a requirement to respond to this appeal within 10 working days of receipt to arrange an appeal meeting



SABBATICAL REPLY FORM

To (Employee's Name): .....

Following the appeal meeting on: .....

I have considered your appeal against the decision by .....

to refuse your sabbatical application.

I accept your appeal against the original decision. The Council is therefore able to accommodate your original sabbatical request as follows:

The arrangements will begin from:

Date: .....

End Date: .....

Note to Employee

Please note that the approval of your request for a sabbatical will change your employment relationship with the Council as set out in the Sabbatical Scheme

Note to Line Manager

Please ensure that a variation form is completed with the employee

To (Employee's Name): .....

Following the appeal meeting on: .....

I have considered your appeal against the decision by .....

to refuse your sabbatical application.

I am refusing your appeal on the following grounds:

Name: ..... Date: .....

.....