

SABBATICAL LEAVE POLICY

1. POLICY

- 1.1 Permanent employees with five or more years' service at the council will be eligible to apply for unpaid sabbatical leave to undertake, for example, research, further education, travel or volunteering on a temporary basis.
- 1.2 Both full-time and part-time employees with the relevant service are potentially eligible. The purpose of sabbatical leave will normally be linked to personal development outside the usual confines of the job, allowing the employee to return to work with new ideas and enhanced skills. Unless exceptional circumstances apply, sabbatical leave will only be granted once during the course of an employee's employment.
- 1.3 In exceptional circumstances the individual may be granted the right to remain in paid or part-paid employment. This would ordinarily be where the employee would undergo specialist training/further education or seek work experience which enhances their skills/knowledge base
- 1.4 Agreement to paid or part-paid employment would be the decision of the remuneration panel. This panel consists of the Head of Paid Service, Section 151 Officer and the Head of Organisational Development. The remuneration panel's decision will be final.
- 1.5 Any employee who is granted paid or part-paid employment during their sabbatical would be required to pay back to the Council a proportion of the payment made should they leave the Council within 3 years of returning from their sabbatical. 100% of payment in year one, 75% of payment in year two and 50% of payment in year three. This payment would be waived if an employee were to be made compulsory redundant during this period.

2. PROCEDURE

- 2.1 Any eligible employee wishing to make an application for sabbatical leave should do so in writing to their Head of Service/Director, stating the proposed objectives and duration of the sabbatical and the perceived benefits for the council and the employee.
- 2.2 The council will consider any such request against business need and sabbatical leave, where granted, will be entirely at the council's discretion and with such qualifications and conditions as the council sees fit. There is no statutory right

for an employee to be granted sabbatical leave and requests will usually only be granted when they are at no additional cost to the council.

- 2.3 Sabbatical leave will be granted for a minimum of one month and a maximum of one year. This period could be extended by agreement. Employees may request to use some of their annual leave towards their sabbatical leave which will be paid, but the remainder of the period will be unpaid.
- 2.4 Employees who wish to take a prolonged period of absence from work to care for a child have an entitlement to unpaid leave in accordance with the Council's 'Parental Leave' Policy.
- 2.5 Employees who wish to take a prolonged period of absence from work to care for a dependent relative have an entitlement to request unpaid leave in accordance with the Council's 'Other Leave' Policy.

3. IMPACT ON TERMS AND CONDITIONS OF EMPLOYMENT

- 3.1 If an employee is a member of the Local Government Pension Scheme, for any period of unpaid leave, the rules of the Scheme will apply. Currently he or she will be invited to pay contributions based on the pay they were receiving immediately before the unpaid period started, as follows:
- For the first 30 days of any period of unpaid leave, the employee and the employer must pay the contributions which would have been paid if not for the leave of absence.
 - For periods in excess of 30 days (up to a maximum of three years) the employee can choose whether or not to pay pension contributions. If they choose to pay, both the employee and employer must pay the contributions which would have been paid if not for the leave of absence. • Regardless of the employee's choice any additional contributions (e.g. for the purchase of extra pension) must continue to be paid in full.
- 3.2 This will enable the unpaid period to count in full for pension purposes. Employees have up to 30 days after they return to work to decide whether they wish to make up these contributions. Figures can be provided to the employee by the Payroll Team on the amount due before a decision is made.
- 3.3 Any accrued but unused annual leave entitlement for the current leave year must be taken prior to the start of the employee's sabbatical leave. Annual leave will not accrue during any period of unpaid leave and the employee will therefore receive a pro rata leave entitlement, based on complete months worked, for the leave year(s) that the unpaid sabbatical period falls within.

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- 3.4 If an employee is due to receive an increment during their period of sabbatical leave, this will be payable on their return to work provided that performance before commencing sabbatical leave has been satisfactory.
- 3.5 During the period of the employee's sabbatical leave, the employee remains an employee of the council on the normal terms and conditions of employment save as amended below.
- 3.6 The following benefits will cease to apply during the unpaid sabbatical period but will resume when the employee returns to work:
- 3.6.1 Car Loans
Employees with a car loan must contact the Capita HR & Payroll Team before commencing a period of sabbatical leave to agree a revised car loan repayment schedule.
- 3.6.2 Child Care Vouchers:
Entitlement to Child Care Vouchers will cease during unpaid sabbatical leave. The employee will be eligible to re-join the scheme when they return to work on the conditions that are in place at that time.
- 3.6.3 Other Allowances:
If the employee is in receipt of a payment for first aider, fire marshal, emergency planning duties or standby, these will cease to be paid during unpaid sabbatical leave. Where applicable, the allowances will be paid on a pro rata basis for complete months worked when the employee returns to work.
- 3.6.4 Deductions from salary:
During unpaid sabbatical leave, employees will need to make alternative arrangements for any deductions which are usually made from their salary, e.g. for Council Tax, UNISON subscriptions, car loan, etc.

4. CONTINUOUS EMPLOYMENT

- 4.1 The employee continues to be employed during their sabbatical leave period, which counts towards their period of continuous employment for the purposes of entitlement to other statutory employment rights (e.g. the right to a redundancy compensation payment).

5. RIGHT TO RETURN TO WORK

- 5.1 The employee has the right to return to the same job in which he or she was employed under their original contract of employment and on terms and

conditions not less favourable than those which would have been applicable had they not been absent where possible.

- 5.2 However, there can be exceptions to this, as follows. Where it is not practicable by reason of redundancy for the authority to permit the employee to return to work in their original job, the employee shall be entitled to be offered a suitable alternative vacancy, where one exists. Any new job must be suitable to the employee and appropriate to the circumstances, and the capacity and place in which he or she is employed, and the terms and conditions of employment must not be substantially less favourable than if they had been able to return in the job in which they were originally employed.
- 5.3. Suitable alternative employment may also be offered if exceptional circumstances occur (other than redundancy) whilst the employee is on sabbatical leave and would have occurred had the employee not been absent. For example, a reorganisation may occur where it may be necessary to change an employee's post. Any new position offered to the employee must be suitable and appropriate to the circumstances, and the capacity of the individual and the place in which he or she is to be employed and the terms and conditions should not be less favourable. Pay protection will apply as if the employee had not been absent for paid or part paid sabbaticals.
- 5.4 If the employee decides not to return to work following a period of sabbatical leave, they must give notice of their resignation as soon as possible and in accordance with the terms and conditions of their contract of employment.
- 5.5 If the employee wishes to end their sabbatical leave early, they must make a written request to their line manager to do so, giving at least eight weeks' notice wherever possible. If the employee wishes to return to work earlier than the eight week notice period, it is at the manager's discretion to consider such requests and decide whether or not it can be approved subject to business needs.

6. KEEPING IN TOUCH

- 6.1 The employee will be required to keep in contact with his/her line manager whilst on sabbatical leave, usually monthly. This should be agreed with the line manager before sabbatical leave begins. This contact should ideally be by telephone or e-mail, but could alternatively be by post, depending on the employee's access to communications technology whilst they are away on sabbatical leave.

7. WORKING WHILST ON SABBATICAL LEAVE

- 7.1 The employee will not be permitted to take up alternative employment during sabbatical leave without the prior written permission of their Head of Service/

Director. Any request for temporary or casual work should be included in the employee's written application for sabbatical leave.

8. CONDUCT

- 8.1 Employees will continue to be employed by the council during any period of sabbatical leave and must therefore maintain conduct of the highest standard such that public confidence in their integrity is sustained.
- 8.2 All provisions as to confidential information will continue to apply.

9. FURTHER INFORMATION

- 9.1 Employees and line managers can seek guidance or further information about the Sabbatical Leave Policy by contacting the Capita HR team.