



SPECIAL LEAVE POLICY

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

(Corporate Policy Adopted as JNCT 1.9)

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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 Special Leave 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, 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 Special Leave 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 Applications for Special Leave must be submitted initially to line managers for onward submission to Heads of Service giving as much notice as possible. Appointment cards or other notification should be shown, where available.
- 1.7 Requests for special leave in the following cases must be passed to the Head of Employee and Customer Services for approval only after authorisation has been sought from line managers and this is supported by either the appropriate Head of Service or Executive Director:-
 - 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.
- 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 Council depends on the motivation and commitment of its workforce. The Council fully appreciates the difficulties that many employees have in balancing work requirements and family/caring commitments.
- 2.2 All employees have the right to a reasonable amount of unpaid time off to deal with an emergency involving a dependant. A dependant is a spouse, partner, child or parent or a person who lives with the employee but is not a lodger. 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 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 its employees have to cope with any of these situations they will need the support of a caring and supportive employer.
- 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 HR. Many of the policies allow a degree of flexibility for special arrangements to be made in certain circumstances.

2.4 FAMILY EMERGENCIES

- 2.4.1 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.
- 2.4.2 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.
- 2.4.3 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.
- 2.4.4 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.

2.5 URGENT DOMESTIC DISTRESS

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

2.6 MEDICAL TREATMENT

- 2.6.1 Employees requiring optical, dental, orthopaedic or other medical treatment should make arrangements to obtain treatment outwith normal working hours. For employees covered by the Flexi time agreement, appointments should be arranged using flexitime.
- 2.6.2 In emergency or other circumstances where a line manager is satisfied that an employee can't get an appointment outwith 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 require, e.g. early morning, lunch time or late afternoon.

- 2.6.3 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.
- 2.6.4 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.
- 2.6.5 Confirmation of medical appointments or notification for other medical treatment should be provided to support the request for time off.

2.7 **BEREAVEMENT**

- 2.7.1 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.
- 2.7.2 Where employees are required to conduct business in connection with a bereavement, leave as necessary will be allowed, due regard being taken of the circumstances.
- 2.7.3 In other cases, an agreement should be reached between the manager and the employee about time off to attend the funeral service. This will not normally be more than one day with pay unless the employee has a significant distance to travel when the line manager has discretion to allow an additional day off with pay.
- 2.7.4 In normal circumstances it is expected that the employee will attend work before and after the funeral service.

2.8 **LEAVE TO BE SET AGAINST ANNUAL LEAVE**

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

2.8.1 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 [Enhanced Annual Leave Scheme](#).

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 approved by Head of Employee and Customer Services supported by employee's line manager and Executive Director/Head of Service.

2.8.2 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 outwith the school term for their own marriage. Only in very exceptional circumstances (e.g. where a husband/wife to be 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.

2.8.3 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 outwith 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 Executive Director and will be subject to the deduction of service pay and allowances made in respect of the period 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 a 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 employees serve on both 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 Games/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 needs approval from the Head of Employee and Customer Services and requires to be supported by employee's line manager and Executive Director/Head of Service.

3.5 COMMUNITY VOLUNTEERING

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

This will be subject to 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.

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 PERSONAL BUSINESS

Where flexi or annual leave is not possible and if a line manager is satisfied that the request is reasonable short periods of less than a day may be granted with pay however where possible appointments should be made at a time that causes least disruption to an employee's working day e.g. early morning lunch time or late afternoon.

Special leave with or without pay may be granted for other reasons subject to approval from Executive Director/Head of Employee and Customer Services.

4.3 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](#).

4.4 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.

4.5 CAREER BREAK

4.5.1 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; this is detailed at Appendix 2.

For all other employees, the scheme is not available to employees who are trainees or are on temporary fixed term contracts.

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 on 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.

4.5.2 REASONS FOR A CAREER BREAK

Reasons for requesting a career break are specifically to concentrate on childcare responsibilities, care of a dependant, participation in voluntary work, travel, religious

retreats or to pursue academic study. This differs from a secondment which involves transferring an employee to another Service within the Council or to another partner organisation.

4.5.3 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) 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.

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

4.5.4 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. Where there are workforce and organisational structure changes during the employees career break the Council's [Managing Workforce Change Policy](#) 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.

4.5.5 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.

Employees who are on a career break will not normally be allowed to undertake employment in the UK, other than on a seasonal basis (a maximum 16 weeks) with another employer. This is viewed as directly conflicting with the aims and objectives of South Ayrshire Council's career break scheme.

However, an employee on a career break can apply for internal temporary vacancies with the Council. This will be on an ad hoc, job-share/part-time, term time, temporary or project basis and authorisation should firstly be sought from the substantive

manager before accepting the position. For example, an employee on a career break for the purposes of studying could work outwith the academic term (covering Christmas, Easter and summer holidays).

4.5.6 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.

4.5.7 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".

4.5.8 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 policy of managing workforce change.

4.5.9 BENEFITS AND FINANCIAL CONSIDERATIONS

Employees on a career break will still be able to take advantage of certain employee 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, childcare vouchers, cycle to work scheme and home computing initiative hire payments.

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 can be contacted on 0845 213 0202 or visit www.spfo.org.uk for more information.

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](#) and [Procedure](#).

SUMMARY OF SPECIAL LEAVE

| CIRCUMSTANCES | LEAVE | POLICY REFERENCE |
|---|---|------------------|
| BEREAVEMENT | In the case of a near relative (as defined in the Policy), reasonable time off as necessary, with pay. In other cases, time to attend the funeral service, up to one day with pay. | PAGE 5 |
| CAREER BREAK | <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> | PAGE 9 |
| COMMUNITY EMERGENCY SERVICES | Employees participating as retained fire fighters or life boat crew – leave of absence with pay to attend emergencies during working hours. | PAGE 8 |
| COMMUNITY VOLUNTEERING | Unpaid leave subject to exigencies of the service. | PAGE 8 |
| COUNCILLOR DUTIES | 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 8 |
| ELECTION DUTIES | 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 8 |
| EXAM DUTIES | 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 9 |
| FAMILY EMERGENCIES | Up to one day with pay to make alternative arrangements. Up to 5 days with pay for emergency hospitalisation of child or critically ill or injured partner/relative. | PAGE 5 |
| INTERNATIONAL SPORTING / CULTURAL EVENTS | 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 | PAGE 8 |

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| | further 10 days paid leave. | |
| JURY AND WITNESS SERVICE | Leave with pay as necessary, subject to the deduction of the allowances which the employee must claim. | PAGE 7 |
| MEDICAL TREATMENT | Appointments should be made outwith 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. | PAGE 5 |
| MOVING HOME | 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 outwith the school term, or take unpaid leave of 1 day. | PAGE 7 |
| PERSONAL BUSINESS | Short periods of less than 1 day may be granted with pay where flexi or annual leave is not possible. | PAGE 9 |
| PUBLIC DUTIES | 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 7 |
| RESERVE FORCES | 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 Executive Director subject to deduction of service pay/allowances. | PAGE 7 |
| SPECIAL PURPOSES | 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 8 |
| URGENT DOMESTIC DISTRESS | Leave up to three days with pay for each incident. | PAGE 5 |
| VISITING RELATIVES OVERSEAS | Employees should use annual leave entitlement. Leave without pay may be granted where an employee has completed 5 years continuous service. | PAGE 6 |
| VOLUNTARY SERVICE | Leave of absence without pay for up to | PAGE 9 |

| | | |
|-----------------|--|--------|
| OVERSEAS | 2 years, provided the employee has 2 years continuous service with the Council. | |
| WEDDINGS | <p>Leave for weddings, including the employees own wedding, must be set against annual leave entitlement.</p> <p>Term time employees should make arrangements outwith the school term. In exceptional circumstances where leave is necessary during the school term limited leave without pay will be granted.</p> <p>1 day granted to attend a wedding with time being worked back.</p> | PAGE 7 |

CAREER BREAK CONDITIONS FOR EMPLOYEES ON SNCT TERMS AND CONDITIONS

1. CAREER BREAK (SNCT Handbook)

A Career Break is definite 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 Head of Service 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 OR 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 Head of Service, 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)



APPLICATION FOR A CAREER BREAK

(Local Government Employees)

Note to Employee:

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

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.

For breaks of 3 -12 months, you should apply *at least* 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 a *minimum of 6 months* in advance.

You may have a maximum of two career breaks and there must be a minimum period of two years continuous service between employment breaks.

(The Career break scheme is not available to employees who are trainees or are on temporary fixed term contracts).

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, Head of Service Comments, HR Details (Page 3)

SECTION 1: PERSONAL DETAILS

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

SECTION 2: CAREER BREAK DETAILS

Proposed start date of Career Break and duration:

(minimum of 3 months notice is required)

Start date:

End date:

Duration:

Reason for Career Break:

If the request is for time off to accommodate Training or Study the following information must be provided:

Detail of Training / Study undertaken:

Details of training provider:

Qualification (if any) to be achieved:

E-mail address during Career Break:

Contact address and telephone number during Career Break:

Address:

Telephone no:

Details of contact periods during Career Break:

(a minimum of 5 days (paid) work for each 6 months of career break)

DECLARATION:

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.

Signature of Applicant : _____

Date: _____

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: _____

Head of Service comments:

Approved:

Not Approved:

Head of Service signature: _____

Designation: _____

Date: _____

Human Resources Contact:

Name: _____

Designation: _____

Date: _____



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 at 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, Head of Service Comments, HR Details (Page 3)

SECTION 1: PERSONAL DETAILS

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

SECTION 2: CAREER BREAK DETAILS

Proposed start date of Career Break and duration:

(minimum of 3 months notice is required)

Start date:

End date:

Duration:

Reason for Career Break:

E-mail address during Career Break:

Contact address and telephone number during Career Break:

Address:

Telephone no:

Details of contact periods during Career Break:

DECLARATION:

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.

Signature of Applicant : _____

Date: _____

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: _____

Head of Service comments:

Approved:

Not Approved:

Head of Service signature: _____

Designation: _____

Date: _____

Human Resources Contact:

Name: _____

Designation: _____

Date: _____