



Boroughbridge High School and King James's School Federation

Extended Unpaid Leave Policy

This policy was last reviewed	2015 (NYCC)
This policy was ratified by Governors	May 2021
This policy is due for review by Governors	May 2024

Significant Revisions since last review :

No revisions since last review.

Policy review as part of full review of HR policies under the Federation

Produced for Schools by NYHR.

Access: If you require this information in an alternative format, such as large type, audio cassette or Braille, please contact NYHR.

NOTE : Reference to “school” in this document applies to Boroughbridge High School, King James’s School or the Boroughbridge High School and King James’s School Federation.

Following a **minimum of six month's NYCC service**, an employee may request a period of extended unpaid leave from their post for caring or personal reasons, including personal development. (Requests for leave to attend Religious Festivals will be dealt with under the relevant section of the Leave Procedure). Each case will be considered on its merits by the line manager and submitted for consideration to the Headteacher and Governing Body with a recommendation to either approve or reject the request. This recommendation must be discussed with the employee in the first instance. The general expectation is that the extended leave period will be for a period of not more than three months but each case will be considered on its merits.

Consideration should be given by the employee in advance of making a request of any impact there may be upon their contributions to the Local Government Pension Scheme (LGPS) or Teachers' Pension Scheme (TPS) (see paragraph 12).

1. An employee considering a request for extended unpaid leave should firstly discuss the situation with their line manager and then, if they decide to proceed, submit the Form at Appendix A. The line manager will then send the Form to the Headteacher and Governing Body, with a recommendation.
2. In considering the request, attention will be paid to the effects on the organisation, including the necessary cover arrangements, alongside the benefits to the employee. However, it must not be used to grant short-term unpaid leave in term-time (e.g. for routine holiday purposes) to staff who work term-time only and are required to take their leave in the school closure periods.
3. Where approval is granted, a letter outlining the terms above will be issued to the employee for signature. A model letter is provided as Appendix B. Copies of this letter and the approved Form should be provided to the appropriate HR section for inclusion on the employee's personal file. A copy of the Form should also be provided to Payroll and Pensions.
4. Where requests for extended unpaid leave are granted, the line manager will need to consider an amount of 'lead time' before the agreement commences. This time will be used to make cover arrangements and arrange a 'handover'. It is unlikely that this period will be less than 6 weeks.
5. The employee will reserve the right to return to their existing post unless exceptional circumstances prevail (e.g. as a result of a reorganisation). In such circumstances the employee will be consulted in accordance with the Reorganisation, Redeployment and Redundancy Policy and attempts will be made to redeploy the employee to another post on the same terms and conditions of employment or, failing this, to another post on different terms and

conditions, Where employees are away from home during their period of unpaid leave every effort must be made to contact them. It may be advisable to ask the employee if they can be contacted via a personal email address during their absence, just in case it is necessary to do so.

6. Employees are entitled to the benefit of most of their normal terms and conditions of employment during their unpaid absence, except for terms relating, for example, to wages or salary. Continuity of service will be unbroken, except that annual leave will not accrue during the period of unpaid absence. For this purpose, service before the break will be aggregated with service after the break. In relation to the criteria for considering incremental progression, the last 12 months of worked service will be taken into account – so excluding the time spent on unpaid leave.
7. It is expected that employees will normally take their pro rata amount of annual leave up to the point they commence unpaid leave rather than 'carry over' any excess for their return. This may not be relevant where the period of unpaid leave is quite short e.g. up to one month.
8. An employee wishing to leave their employment during their extended unpaid leave period will be required to give the correct amount of contractual notice.
9. During the break employees are required to keep up any NYCC loan repayments they may have.
10. During the break employees must continue to comply with the requirement to declare any convictions or cautions received during their employment.
11. National Insurance contributions will not be payable during the break.
12. Pensions:
Members of Teachers' Pensions should contact Capita/TP on www.teacherspensions.co.uk or 0345 6066166 for full details of scheme regulations relating to unpaid leave.

For members of the Local Government Pension Scheme (LGPS), the employee must pay the contributions based on the pay he or she would have received if they had not been on leave if the leave is for 30 days or less. Employer contributions will also be paid.

For leave of 31 days or more, an employee may elect to pay contributions for the whole break up to a maximum of 36 months. Election must be made within 30 days of return to work or 30 days

of leaving if he or she does not return. Where the election is made, employer contributions will be paid.

Further details can be obtained from the NYCC Pension Liaison Officer on 01609 533118 or sue.giffin@northyorks.gov.uk or the North Yorkshire Pension Fund on pensions@northyorks.gov.uk

For AVC queries, employees should contact Prudential on 0845 6000343 or avc.admin@prudential.co.uk (or their own provider in the case of a free standing AVC) for further information. This is particularly important if the arrangement includes life cover.

13. At least Five weeks before the return date the employee must contact their line manager to make arrangements for their return. Where possible it is strongly recommended that they visit the workplace before their first day of return to catch up on work events.
14. The Line Manager is responsible for informing Payroll and Pensions of the period of unpaid leave.

APPENDIX A
NORTH YORKSHIRE COUNTY COUNCIL

REQUEST FOR EXTENDED UNPAID LEAVE

This form relates to the Extended Unpaid Leave Scheme, the guidance for which should be read carefully by the applicant before applying for the scheme.

Personal Details Surname and Title (Mr, Mrs, Miss, Ms)..... Forenames.....
Employment with NYCC Job Title.....Service..... Directorate.....NYCC Start Date..... Employee Reference Number.....
Duration of Requested Absence From.....To..... Is any of this period to be covered by annual leave? Yes/No* If Yes, how many days of annual leave are requested?.....
Reason for Request
Employee's Declaration I confirm that I have read and understood the terms of the Extended Unpaid Leave Scheme and wish to apply under those terms and that I have made enquiries about any impact this may have upon my Pension. Signed.....Name..... Dated.....
Line Manager: Application recommended for approval by line manager: Yes/No* If No, state reason:.....

.....
Signed.....Name.....

Dated..... Post.....

Application approved by Headteacher/Chair of Governors: Yes/No*

Signed.....Name.....

Dated.....Post.....

*Delete as appropriate

Copies of Forms:

- 1. Payroll
- 2. Pensions
- 3. Employee's Personal File (appropriate HR Section)

APPENDIX B

APPENDIX B: MODEL LETTER TO EMPLOYEE GOING ON EXTENDED UNPAID LEAVE BREAK

Dear

Extended Unpaid Leave Break

I am writing to confirm that your Extended Leave request has been granted. As we discussed, it will start on (Date) and end on (Date). Your first day back at work will be dd/mm/yy.

A period of unpaid extended leave has been agreed for personal reasons and the terms of the arrangement are set out below.

- The period of extended leave is unpaid.
- You will reserve the right to return to your existing post unless exceptional circumstances prevail. Under such circumstances you would be fully consulted on any possible alternative arrangements.
- You will be entitled to the benefit of most of your normal terms and conditions of employment, except for terms relating, for example, to wages or salary and the accrual of annual leave throughout the extended leave period. (I.e. you will not accrue leave entitlement for this proportion of time).
- Your service continuity will be unbroken.
- During the break you are required to keep up any loan repayments you may have with the County Council or parties acting on our behalf.
- In relation to the criteria for considering incremental progression, the last 12 months of worked service will be taken into account – so excluding the time spent on unpaid leave.
- During your period of extended unpaid leave you will still be an employee of North Yorkshire County Council and you are required not to participate in any activities that may bring the name of the Council into disrepute.
- You are reminded of the confidentiality clause within your statement of particulars and of the content of the Employees' Code of Conduct as you are required to adhere to these while on extended leave.
- National Insurance Payments will not be payable during the break.

▪ Pensions

If you are a member of Teachers' Pensions you should contact Capita/TP on www.teacherspensions.co.uk or 0345 6066166 for full details of scheme regulations relating to unpaid leave.

If you are a member of the Local Government Pension Scheme (LGPS), you must pay the contributions based on the pay you would have received if you had not been on leave if the leave is for 30 days or less. Employer contributions will also be paid.

For leave of 31 days or more, you may elect to pay contributions for the whole break up to a maximum of 36 months. Election must be made within 30 days of return to work or 30 days of leaving you do not return. Where the election is made, employer contributions will be paid.

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For AVC queries, employees should contact Prudential on 0845 6000343 or avc.admin@prudential.co.uk (or their own provider in the case of a free standing AVC) for further information. This is particularly important if the arrangement includes life cover.

- Five weeks before your return date you must contact your line manager to make arrangements for your return. Where possible it is strongly recommended that you arrange a visit to your workplace, before your first day of return, to catch up work events.

Please sign and date the declaration below to confirm your acceptance of the above terms.

Yours sincerely

NAME
POST

.....
.....

I agree to the terms set out in the letter that relate to my period of extended unpaid leave.

Employee signature.....

Date.....

Manager signature.....

Date.....

1 signed copy to be kept by the employee

1 signed copy to be kept on the employee's personal file