



# Policies Procedures & Guidelines

## Career Break Policy

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## Monitoring

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## Equalities Impact Assessment Screening Grid

**Note:** See equalities impact assessment guidance notes on PCT website at [www.lewishampct.nhs.uk/eia](http://www.lewishampct.nhs.uk/eia) before completion.

<b>Equality Group</b>	<b>Assessment of Impact</b>
Race	This policy does not affect any one group less or more favourably than another.
Disability	This policy does not affect any one group less or more favourably than another.
Gender	This policy does not affect any one group less or more favourably than another.
Age	This policy does not affect any one group less or more favourably than another.
Sexual Orientation	This policy does not affect any one group less or more favourably than another.
Religion or belief	This policy does not affect any one group less or more favourably than another.
Deprivation	This policy does not affect any one group less or more favourably than another.
Dignity and Human Rights	This policy does not affect any one group less or more favourably than another.

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# Career Break policy

## 1. Introduction

### 1.1 What is a Career Break?

A career break scheme is one example of the many flexible-working arrangements that is offered by Lewisham PCT. The scheme is a means of managing the relationship between the organisation and employees during periods when employees want to take a break from their working lives. Under a career break scheme an employee is able to take a substantial period of unpaid leave whilst retaining the opportunity to return to work at the end the scheme. Throughout the duration of the scheme, links are maintained with the employer, and the employee receives regular updating and where appropriate training to ensure that knowledge and skills are maintained.

### 1.2 What is the Purpose of a Career Break?

The scheme provides staff, with the opportunity to take an extended period of unpaid leave, that would not normally be provided for by parental leave and other leave arrangements.

It allows members of staff to have a break in employment to fulfil outside commitments whilst effectively retaining a job to return to.

Equally, it is a means by which the organisation can retain valuable members of staff who may otherwise leave their employment.

In a broader context, career break schemes are also a means of developing career opportunities for all members of staff by removing barriers faced by some staff, who wish to combine career ambitions with outside responsibilities. This thereby reaffirms the organisation's commitment to the principles of equal opportunities.

The main reason that career breaks are taken is to fulfil commitments such as childcare, eldercare for another dependant, training, travelling, study leave or work abroad. Other reasons will be considered on their merits and at the discretion of the Department. Under no circumstances would an employee be granted a career break in order to take up paid employment with another employer, except where, for example, work overseas or charitable work could broaden experience. In such circumstances an employee would need written authorisation from the organisation.

### 1.3 Why have a Career Break?

A policy on career breaks is important to ensure that a common approach is adopted towards all members of staff who wish to take advantage of the scheme.

The policy will provide guidelines to managers and Human Resources in determining the specific agreements to be drawn up for individual members of staff.

The policy is also being developed to make staff and managers aware of the requirements and expectations of both the employee and employer, throughout the duration of the scheme.

#### **1.4 Who will be eligible to apply?**

All staff with a satisfactory work record will be given consideration regardless of grade, position or hours worked, providing they have one year's continuous service with the organisation. Both paid and unpaid Maternity Leave will count as qualifying service.

**All staff who wish to be considered for the scheme must undertake to return to work with the organisation for at least 12 months following the break.**

In considering eligibility to take a career break, certain factors may have to be taken into account, such as the effect upon the department or organisation as a whole, the length of time to be taken, whether suitable cover could feasibly be provided. Other considerations will be whether there is any disciplinary action pending and sickness levels.

## **2. Procedure for applying for a Career Break**

The first step in applying for a career break is for the employee to fill out a Career Break form (Appendix 1), which is sent to the manager. The employee may find it useful however, to approach their manager or Human Resources Department informally before filling out a form, to discuss their reasons for the career break and the length of time to be taken.

On receiving the form the manager will need to contact their Department Director who in liaison with the Human Resources Department will discuss the eligibility of the employee to take a career break. The Director will have ultimate authority to approve or refuse the Career Break based on service needs.

Once a career break has been approved, the Human Resources Advisor and the Director will draw up an agreement for the employee to sign detailing dates of the career break, terms and conditions and the requirements to be fulfilled by both parties whilst the scheme is in operation.

If a request for a career break is refused, the employee must be informed of the decision in writing. The employee can appeal against the decision through the Appeals Procedure for Flexible Working.

## **3. Employment Rights**

In relation to an employee's entitlement to redundancy pay, maternity leave and pay, and statutory provisions regarding the right not to be unfairly dismissed, the period of the break will be counted as continuous service.

However, the right to claim a redundancy payment or unfair dismissal will require staff to have worked for 16 hours per week or more over 2 years at the time of beginning the career break.

There will be no entitlement to maternity pay whilst on a Career Break but a period of 26 weeks will be officially designated as unpaid maternity leave. The employee needs to inform her manager in the usual way and produce a maternity certificate from her doctor.

Maternity leave will commence no later than 11 weeks before the expected date of confinement and all the usual procedures should be adhered to (see the Maternity Policy for more details).

Whilst on maternity leave and career break no annual leave will be accrued nor shall there be any entitlement to sick pay.

Once the period of maternity leave is completed, the employee will return to her Career Break and will be subject to the terms and conditions laid out in this document.

#### **4. The Effects upon Terms and Conditions**

##### **4.1 Sick Pay**

Employees will not be entitled to occupational sick pay whilst on a career break, but the duration of the break will count towards sick pay entitlement on return.

##### **4.2 Superannuation**

All employees, regardless of length of service, can have their superannuation preserved for the duration of the career break. On returning to work payments will resume as before and the two periods of payment will be added together when the pension matures.

##### **4.3 NHS Loans**

Any outstanding loans do not have to be repaid in full before embarking on a career break providing the normal regular payments are maintained throughout the break.

##### **4.4 Annual Leave**

No annual leave shall be accrued for the duration of the career break, but it shall count as 'qualifying service' towards additional days annual leave on return to work.

##### **4.5 Incremental Dates**

No increments shall be accrued during a career break and the original incremental date shall be retained on the employee's return to work.

##### **4.6 Lease Cars**

Lease cars must be returned by employees taking a career break, since they are only made available, for staff who use them in the course of NHS business.

#### **4.7 Lewisham PCT Policies and Procedures**

During the period when staff return for training or paid employment, staff will be subject to the usual policies and procedures including the grievance and disciplinary processes.

The grievance procedure is available for all staff throughout the duration of the career break, but matters relating to the break will not be subject to appeal beyond the Organisations' level.

In the event of an employee being arrested or charged with an offence whilst off duty or during the break, their manager must be informed. The organisation will consider whether the alleged offence has any implications for continued employment.

Failure to keep in touch as required or working for another employer whilst on a career break may result in disciplinary action, and may lead to dismissal.

## 5. Frequently Asked Questions

### **How much notice do I have to give?**

A minimum of three months notice should be given of your wish to take a Career Break to allow all arrangements to be made and appropriate cover to be found.

### **What is the maximum period I can apply for?**

Breaks can be taken either as a single period or as more than one period. The maximum period that can be taken at one time is two years (although this may be extended to five years in cases of family or carer responsibilities) and a minimum period of three months may also be imposed to enable suitable cover to be provided. The period for which you intend to take the career break must be stated at the time of application. A second Career Break at a later date may be applied for, at your manager's discretion.

### **Will I still be an employee of the Organisation?**

Yes. For the duration of the career break, you will receive a new contract which outlines the terms and conditions of the break. The career break will not be regarded as a break in service, (i.e. it is continuous service), but will not count as reckonable service towards entitlement for certain terms and conditions, (see Effects upon Terms and Conditions).

### **Will I be able to return to my old job?**

Should you return to work within one year of the career break you would be guaranteed same job will be available to you, as far as it is reasonably practicable. Reorganisation of department or PCT may mean that there will be no post available to you at the end of your career break. If your position is designated as being affected by this change you will be informed in writing to your home address (via your manager) at the beginning of the consultation process that this is the case.

If the break is more than a year, you would be re-engaged for broadly similar duties and at an equivalent grade, reflecting increases awarded during the break. This does not preclude staff from being appointed, by the normal processes, to a higher/more senior post at the time they return from their career break.

### **What commitments do I need to fulfil whilst in a Career Break?**

For the duration of the career break, there will be an obligation on you and your manager to keep in touch. Your manager will keep you informed about departmental matters and in return you must inform your manager about any changes in your circumstances. By agreement with your manager, you will be expected to work ten days per year pro-rata for employees on a break of less than one year, (usually continuously), for which you will be paid the appropriate rate. You will be required to attend any training or refresher courses, which may be deemed appropriate for which you will also be paid the appropriate rate.

You will also be required to keep up to date with your relevant professional registration needs.

If you take a break of more than twelve months you will be required to re-affirm your acceptance of the terms and conditions on an annual basis.

**Supposing I wish to resign whilst on a Career Break?**

If you wish to resign whilst on the Career Break, you should discuss this with your manager and give your normal period of notice. You may be required to return to work for some or all of this period. If you resign whilst on a Career Break, your service with the organisation will be taken to have ended at the beginning of the Career Break scheme. It is however, recognised that under exceptional circumstances resignation would be necessary, and individual circumstances would be taken into consideration.

**What happens when I want to return to work?**

If the break is less than one year you will need to give two months written notice confirming your intention to return to work and six months written notice if the break is more than one year. Your manager will subsequently contact you to agree specific starting details. At this stage an application to return to job sharing or part-time work may be considered.

**APPENDIX 1: REQUEST TO TAKE A CAREER BREAK**

Name .....

Address .....

.....

Position ..... Based at .....

Start date: ..... Post Start date: .....

Are you a member of the NHS Superannuation Scheme? Yes/No

I wish to be considered for a Career Break

From ..... To .....

(Minimum period 3 months, maximum period 2 years)

Reason for Careers Break:

.....

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.....

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Signed: ..... Dated .....

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**For Directors Use**

I approve/do not approve the above named member of staff's application to take a Career Break.

*(If the application is not approved, please state your reasons overleaf).*

