



Career Break Policy

Printed copies must not be considered the definitive version

DOCUMENT CONTROL		POLICY NO.	26
Policy Group:	Corporate		
Author:	Partnership Information Network Model Career Break Policy – (Supporting the Work Life Balance Policy - Appendix E July 2015)		
Reviewers:			
Scope: (Applicability)	Board Wide	Version no.	1.0
Status:		Implementation date:	
Approved by:		Last review date:	
Impact Assessed:	N/A Based on PIN Policy	Next review date	

1 Introduction

NHS Dumfries and Galloway are committed to equal opportunities and the promotion of flexible, employee-friendly work practice opportunities for all members of staff. By implementing this career break policy the organisation aims to create an environment which will allow all employees to utilise their skills, talents and expertise and thereby allow it to both recruit and retain a well-motivated and committed workforce. The purpose of the career break policy is to provide a methodology in appropriate circumstances for staff to leave their employment on a long-term basis (for example, a career break would normally be between one to five years in duration).

Some examples of where applications could apply are in the context of:

- Caring for a dependent relative;
- Continuing childcare following a period of maternity leave; or
- Undergoing further education and training of mutual benefit to employee and employer.

However, the policy is not intended as a means of dealing with short-term emergencies for which other forms of leave would be more appropriate.

This policy will enable staff to keep up to date with the workplace during their career break and assist them where possible with affecting a return to work at the end of the agreed break.

2 Definition

A career break is a variation in contract for a specified period of time. The member of staff applying for a career break should understand that, depending on the length of the career break, it may impact on their pension rights. They should check the terms of the pension scheme they are a member of as they will be subject to the rules of that scheme.

3 Purpose

The policy is designed to enable staff to take an unpaid break from work but who would like to return to the NHS at a later date, e.g. after a course of further education, bringing up children or having cared for a dependent relative. A career break will not be allowed for the purpose of taking up alternative employment.

4 Eligibility

All staff must have a least 12 months' service with the organisation to be eligible to take a career break.

Each application will be considered on the merits of the individual case and, where possible, a decision made within 14 calendar days following receipt of a formal application. Full details should be provided in writing to the employee if an application has been rejected or delayed, clearly explaining the reasons for doing so.

The applicant has a right to appeal where a request has been refused. The mechanism for doing so is left to the discretion of the organisation. Each Board must have an appeals process agreed in Partnership.

5 Duration of Career Break

The maximum period for a career break is two years. A member of staff may, however, take a number of breaks throughout their employment provided that the total periods of absence do not exceed five years. Once a Career Break has been agreed it cannot be extended. A new application must be made for each break requested.

6 Application Procedure

6.1 Employees who are considering making application for the scheme should arrange to discuss the matter with their line manager in the first instance. They should also contact their pension scheme contact.

The line manager should:

- Ensure that the employee has the necessary information with which to make an informed decision as to the appropriateness or otherwise of making an application for a career break;
- Gain an understanding of the circumstances involved and discuss the options available to the employee and where relevant, the duration of any career break required;
- Ensure, by providing a copy of the career break policy, that the employee is appraised of the process involved in making an application; the resultant loss of contractual rights for the duration of the career break (as outlined in section 10); the requirements placed upon them while on a career break (as outlined in section 7); the management commitment (as outlined in section 8) ; and the process involved in effecting a return to work at the end of the career break (as outlined in section 9).

6.2 The Application Form (Appendix 1) should be used to progress any application formally allowing at least three months before the start of the proposed break.

6.3 If the application is approved, the employee will be issued with appropriate documentation by the HR department which requires an agreement to abide by the terms and conditions of the career break. The employee will be issued with an alternative annual hours contract. This contract should enable the member of staff to keep in touch and remain up to date with their required continuous professional development. The hours to be worked within the alternative hour's contract should be mutually agreed between the member of staff and their manager. It is however recommended that these should not be less than 15 hours per annum.

Managers will be reminded by the HR department at the end of each financial year of their need to ensure that staff on career breaks have complied with the terms and conditions outlined in the career break agreement.

6.4 Where an application for a career break is refused the employee should be advised in writing as to the reasons for refusal, and be provided with detail as to the mechanism for lodging an appeal.

7 Employee Commitment

7.1 Employees are required to have fully considered the implications and potential loss of any contractual or pension rights **before** committing to a career break. Employees are also expected to fulfil the following requirements whilst on a career break:

- Maintain any professional membership or state registration where this is required for employment purposes. It is the responsibility of the employee to ensure they maintain practice to the relevant regulatory standard required to continue practice;
- Keep their knowledge updated by reading relevant professional journals and attend professional meetings, journal clubs, etc.; and Any other additional measures agreed with their Line Manager at the outset of the career break with a view to maintaining/updating/refreshing their knowledge and skills.

7.2 Employees who participate in the scheme are obliged to ensure that they keep their manager fully apprised of any changes in their circumstances, including any change of home address or telephone number.

8 Management Commitment

8.1 NHS Dumfries and Galloway is committed to ensuring that, as far as is reasonably practicable, employees returning from a career break shall be considered for any vacant post at the same grade and undertaking the same type of work as that undertaken prior to the career break. However, it may be that the organisation finds itself in a position where it is unable to identify any suitable vacancy. As the organisation cannot provide any firm guarantee of re-employment at the end of any agreed break, the employee should take full cognisance of this before making any decision to embark upon a career break.

8.2 The employer and employee will agree at the outset of any career break an appropriate level and method of maintaining communication with a view to ensuring that the individual is kept informed as to any relevant factors relating to the workplace.

9 Return to Work

9.1 While no guarantee of re-employment can be given, every effort will be made to place individuals in posts of a similar grade and responsibility to that held prior to the break, taking into account the employee's experience, achievements and

qualifications. Consideration must be given to the Board's organisational change and Redeployment policies, as applicable.

9.2 The individual on a career break should provide three months' notice to the designated manager as to their intention to return to the organisation following their career break. During this period copies of the internal vacancies bulletin will be sent to participants in the scheme by HR.

9.3 If, before starting a career break, an employee works in a part-time/job share arrangement every effort will be made to allow the employee to be re-engaged on that basis. In normal circumstances the provisions available through the local redeployment policy would apply. However, should the employer become involved with organisational change this may have a significant bearing on the employer's ability to make any role available. As such the employer is unable to provide any firm guarantee as to re-employment at the end of any career break. In the event of any organisational change, any individual on a career break will be notified as soon as is reasonably practicable in order to make them aware of any proposed changes and the effects this may have on them.

9.4 To ease the transition back to work, and if a vacancy exists for which the individual is suited, it may be possible to offer re-employment on a part-time basis for up to three months before returning to the normal hours for the role. This must be discussed with the relevant line manager at the time of notifying the employer of their wish to return to work.

10 Terms and Conditions of Service

10.1 General Conditions

Any periods of paid NHS employment during the break (as agreed at the outset of the break with the employer) will however count as reckonable service. The period of the career break will not count as a break in service for NHS continuous service purposes, although the break will not itself count as reckonable service. In the event that the individual on a career break is able to affect a return, any entitlements accrued prior to the break will not be lost.

10.2 Superannuation

The NHS scheme provides for members of both the 1995 and 2008 sections (excluding locum practitioners) who are on an authorised break (including a career break), to choose to continue to pay contributions towards membership for a limited period. This is provided that their contract of employment is retained. Members who choose to continue to pay contributions to the scheme can do so for a period of six months. During this period, contributions also remain payable by the employer. The member can choose to extend the period for a further 18 months. However, if this option is taken, the member would be responsible for payment of both employee and employer contributions. **Please note** that contributions must be paid for the first six months to allow the member the option to extend for a further 18 months if required. Contributions should be submitted by employers in the same way each

month as for all other active members. These should not be paid as arrears on return to work. The employer should make arrangements with the member before the leave begins, to collect the contributions due and pay promptly to Scottish Public Pensions Agency (SPPA). It is not compulsory for a member to continue to pay contributions during an authorised break. If a member chooses not to continue with their membership of the scheme, employers must submit leaver information to SPPA in the normal way. Members of the scheme should check their positions with SPPA in respect of pension before embarking on a career break. This is advisable as changes to the scheme may affect which scheme or section of the scheme the member is able to join on return to employment if there has been a break in payment of contributions. Those who hold "Special Class" or "MHO" status should especially check whether this can be retained. A new Scheme is being introduced in 1 April 2015. However, members who were within 10 years of their scheme pension age as at 1 April 2012 and have less than a five-year break in pensionable employment will retain a right to re-join their original section of the scheme. Full details of the changes are published in the SPPA website at www.sppa.gov.uk

10.3 Lease Cars

A member of staff who is provided with a lease car will be required to return the car to the Car Leasing Section for the period of their career break. The full leasing cost of the vehicle will be borne by the employee if it is retained during a career break. The individual is advised to discuss the matter with a member of the Car Leasing Team prior to embarking upon such a break. In the event of a lease vehicle being returned, a termination fee may apply.

10.4 Organisational Change

The Organisational Change policy will apply equally to employees on career break and, consequently, where redeployment attempts are unsuccessful normal redundancy procedures will apply. Redundancy payments will be calculated in accordance with NHS Terms and Conditions.

10.5 Sick Leave

As there is a contract of employment in place for the duration of a career break, there is an entitlement to provisions under NHS Sickness Benefits scheme.

10.6 Annual Leave

As there is a contract of employment in place this will influence the provision of Annual Leave. Annual Leave entitlement will be accrued during Keeping in Touch (KIT) days.

10.7 Maternity, Parental, Paternity provisions

As there is a contract of employment in place this will influence the provision. Entitlement should be discussed with your HR advisor.

11 Monitoring, Review and Evaluation

This policy will be monitored reviewed and evaluated every two years by the Area Partnership Forum or equivalent, taking into consideration legislative changes and developments in good practice to ensure it meets the needs of all employees.

APPLICATION FOR A CAREER BREAK APPENDIX 1

To be completed by the applicant in consultation with their manager.

Full Name _____

Employee No. _____

Position _____

Location _____

Department _____

Home Address _____

Home Telephone No. _____

Reason for Career Break _____

Date Commenced Employment _____

Start Date of Career Break _____

Proposed Return Date _____

Employee

I wish to apply for an extended period of unpaid leave under the Career Break policy. I understand continued acceptance of the scheme will require that I do not carry out any other substantive employment during the Career Break.

I confirm that I wish to remain in the NHS Superannuation Scheme and, having discussed this with my manager, I am aware of the contributions I am required to make, the method for doing so, and the date by which contributions must be received. I accept and will abide by the conditions of the policy. I understand that a failure to comply with the terms and conditions of the Career Break could result in termination of employment.

Signed..... Date.....

Line Manager

I support this application and confirm that the applicant's work performance is satisfactory. I will ensure appropriate arrangements are made to maintain contact with the applicant, including arrangements required to maintain competences, professional registration, training and general information for the duration of the break.

Signed..... Date.....

Approved/Rejected (Delete as appropriate)

If rejected, give reasons:

Signed..... Date.....

Senior Manager/Director

I **support/reject*** this application for a career break on the following grounds:

***delete as appropriate**

Signed..... Date.....

Copy to HR for actioning/records.