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| **Human Resources** | **HR05 – Career Break Policy** |

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| **Version Number** | | **Date Issued** | **Review Date** |
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| **Prepared By:** | Amber Minto, HR Business Partner |
| **Consultation Process:** | North of England Commissioning Support (NECS) in partnership with CCG management and Trade Union organisations via the HR Policy Working Group and the CCG Partnership Forum. |
| **Formally Approved:** | July 2022 |
| **Approved By:** | ICB Board |

**EQUALITY IMPACT ASSESSMENT**

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| **Date** | **Issues** |
|  | To be completed, as outlined in the agreed 2022/23 HR EIA review schedule. |

**POLICY VALIDITY STATEMENT**

Policy users should ensure that they are consulting the currently valid version of the documentation. The policy will remain valid, including during its period of review. However, the policy must be reviewed at least once in every 3-year period.

**ACCESSIBLE INFORMATION STANDARDS**

If you require this document in an alternative format, such as easy read, large text, braille or an alternative language please contact [necsu.icbhr@nhs.net](mailto:necsu.icbhr@nhs.net)

**Version Control**

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**Approval**

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| **Role** | **Name** | **Date** |
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Application forms related to this policy are located in HR05 Resource Pack

# 1. POLICY STATEMENT

* 1. The North East and North Cumbria Integrated Care Board (the Organisation) recognises that during an employee’s working life there will be times when personal commitments take priority over work. The Career Break Policy has been designed to allow employees the opportunity to take an unpaid break from their employment, of up to 5 years.

# 2. PRINCIPLES

2.1 For statutory purposes, the period of the break will count towards continuous employment, however all other terms and conditions of employment with the organisation will be suspended. The period of the career break will therefore not count as reckonable service when calculating contractual entitlement to benefits such as annual leave, sick pay, contractual redundancy payments and any other benefits dependent upon length of service. There will be no entitlement to benefits, such as sick pay, during the period of the break.

2.2 To qualify for a Career Break, employees must:-

* have been employed by the organisation, continuously, on a permanent basis for a period of twelve months or more;
* have demonstrated a commitment to continuing their career with the Organisation;
* have the approval of an appropriate authorising manager.

2.3 Subject to business needs, applications will normally be approved for the purpose of;

* caring for a sick or dependent relative;
* caring for children;
* extended periods of travel, or voluntary services;
* personal reasons e.g. following ill health;
* undertaking further education.

Any other reason will be considered on its merit.

2.4 The length of the career break will normally be for a minimum of 3 months up to a maximum of 5 years. More than one career break may be granted in the course of employment provided that the combined length of the breaks does not exceed the maximum of 5 years.

2.5 Managers, where appropriate, should make every opportunity to maintain contact with those staff taking career breaks. The amount and level of contact will vary depending on the length of the career break and the individual circumstances relating to the break.

2.6 Employees will be expected to maintain contact with their manager, and should inform the organisation of any changes to personal circumstances, i.e. change of home address.

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2.7 Employees should also demonstrate their commitment to the Organisation by;

* not undertaking any other paid employment with another employer during the career break except where, for example, work overseas or charitable work could broaden experience. In such circumstances written authorisation should be sought prior to the start of the career break. Employees who may need to obtain employment to support themselves financially, for example whilst travelling abroad, may do so, but on a casual basis;
* returning to the organisation on the agreed return date.

2.8 Employees considering a career break should be aware of the following:

2.8.1 ***Annual Leave*** – all accrued annual leave must be taken before commencement of the career break. No payment in lieu of outstanding leave will be made, neither will any “carry over” of leave be allowed. There is no entitlement to annual leave during the career break. On return to work, entitlement to annual leave would be the same as when the break started, and the period of the career break will not count as reckonable service for leave purposes.

2.8.2 ***Trade Union Membership*** – should an individual wish to continue their trade union membership during the break, they must make their own arrangements for subscriptions to be paid.

* + 1. ***Pay*** – on return to work, employees would resume, for pay purposes, at the same pay point which had been reached at the time the career break began, subject to restructuring or substantial organisational change. If applicable, pay step reviews dates will be deferred accordingly, to ensure that the employee’s terms remain unchanged.
    2. ***Occupational Maternity Pay*** – employees commencing a career break immediately following a period of maternity leave will be liable to repay any Occupational Maternity Pay received should they fail to return to work for a period of 3 months after the break.

2.8.5 ***Pensions*** – an employee may choose to continue making contributions to the NHS Pension Scheme during a career break. The form at Appendix 2 must be completed prior to the break to determine the employee’s option in respect of their pension. Arrangements for continuing payments must be made prior to commencement of the break.

* For the first 6 months contributions are payable, by both the employee and employer, as if the employee was at work.
* An individual who has paid contributions regularly during the first 6 months of a break, may continue to contribute to the Scheme for a further period of up to 18 months (maximum of 2 years). During the extended period, the employee will be responsible for paying both their own and the employer’s contributions.
* Contributions will be based on the employee’s normal pensionable pay. They must continue to be paid monthly, by standing order or Direct Debit; arrears will not be allowed to accumulate.
* Further information is available from the Pensions Officer, HR or the NHS Pensions website [www.nhsbsa.nhs.uk/pensions](http://www.nhsbsa.nhs.uk/pensions).
* Employees who contribute to any other pension scheme e.g. private pension should seek advice from the pension provider

2.8.6***Long Service Award*** – the term of the career break will not count towards qualifying service for the Long Service Award. Please refer to any local long service award policies for any further criteria.

2.8.7 ***Company Property*** – prior to an employee commencing a career break, where applicable, managers must ensure that appropriate arrangements have been made in respect of company property, i.e.

* Return (or otherwise) of a lease car;
* Return of Organisation property, such as mobile telephones, lap tops, keys, etc.

2.8.8 ***Applying for other Positions*** – when on a career break, an employee is free to apply for other positions within the organisation. However, employees should note that, should they be successful, continuation of the career break cannot be guaranteed as it will depend upon the business needs and exigencies of the service in the area in which the new post sits. It is advised that a discussion is held with the recruiting manager prior to an application being submitted.

* 1. All records of applications and decisions for Career Breaks will be kept on an employee’s file and a record kept centrally in Human Resources, for a minimum of 12 months.

2.10 Where an employee returns to work within a year, they will return to the same post they held when the career break started, as far as is reasonably practicable. If this is not possible, due to restructuring etc, or if the break has been for longer than a year, then every effort will be made to find the employee a post with similar duties and responsibilities to those of the previous post held. Should it not be possible to find a suitable similar position then redundancy may be considered.



# EQUALITY

3.1 In applying this policy, the Organisation will have due regard for the need to eliminate unlawful discrimination**,** promote equality of opportunity**,** and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

# DATA PROTECTION

4.1 In applying this policy, the Organisation will have due regard for the Data Protection Act 2018 and the requirement to process personal data fairly and lawfully and in accordance with the data protection principles. Data Subject Rights and freedoms will be respected and measures will be in place to enable employees to exercise those rights. Appropriate technical and organisational measures will be designed and implemented to ensure an appropriate level of security is applied to the processing of personal information. Employees will have access to a Data Protection Officer for advice in relation to the processing of their personal information and data protection issues.

# MONITORING & REVIEW

5.1 This policy and procedure will be reviewed periodically by Human Resources in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

**Part 2**

# PROCEDURE

* 1. Employees wishing to apply for a career break should complete the application form contained within the Resource Pack, in conjunction with the authorising manager. Both the proposed commencement date and return to work date should be included.
  2. Applications must be submitted to the authorising manager, at least 3 months prior to commencement of the intended break. Requests made less then 3 months before, will be considered only in exceptional circumstances. In deciding whether to support an applicant, the authorising manager should satisfy themselves that the individual has a clear commitment to continuing a career with the Organisation, and that the reasons for requesting the break are valid.

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1.3 Applicants will be notified in writing of the decision within 21 days of the date of submission of their application.

1.4 The individual must also complete the form see Resource Pack to confirm their option in respect of their pension membership during the break (see 2.8.5 above).

1.5 Employees may resort to the grievance procedure if a request for a break is refused.

1.6 Employees will be required to give written notification of their return to work. Where the career break is for less than a year, 2 months’ notice of return is required. For breaks of longer than a year, 6 months’ notice of return is required. Employees wishing to return earlier than originally anticipated must give 2 months’ notice in writing. Employees wishing to extend the length of their career break must apply in writing, at least 2 months’ before the agreed end, so that appropriate consideration can be given to an extension.

1.7 Where an employee returns to work within a year, they will return to the same post they held when the career break started, as far as is reasonably practicable. If this is not possible, due to restructuring etc, or if the break has been for longer than a year, then every effort will be made to find the employee a post with similar duties and responsibilities to those of the previous post held. Should it not be possible to find a suitable similar position then redundancy may be considered.

1.8 Employees may be required to undertake a period of training on their return to work. The content and duration will depend on the length of the break, the post, and any changes in working practices, legislation or policy.

Please refer to resource pack HR05 for application form and financial agreement.

# APPENDIX 1

# Equality Impact Assessment

Equality Impact Assessments will be updated to include statistical data. Equality Impact Assessments will be updated and included in each Human Resource policy, as per the agreed 2022/23 HR EIA review schedule.