

# **HUMAN RESOURCES POLICY STATEMENT**

## **CAREER BREAK SCHEME**

## **1. Introduction**

- 1.1 The Council's Career Break scheme allows employees to take up to one year's unpaid leave to:
- Pursue further educational, developmental, or travel opportunities.
  - Care for children and dependent relatives. This may be in addition to time off claimed under other Council policies and procedures.
  - Undertake voluntary work.
  - Take extended leave to visit family.
- 1.2 Employer benefits include:
- Retaining high quality employees who might otherwise leave.
  - Enabling staff to secure new skills/qualifications.
  - Increased employee motivation and performance.
  - Improving the Council's reputation as a good employer.

## **2. Key Principles**

- 2.1 The Council is committed to ensuring that:
- All employees are treated fairly and consistently.
  - Opportunities are provided for maintaining effective contact with the employee whilst they are away from their job.
  - Employees are supported to successfully return to their post, including appropriate training and development.
  - Statutory legislation and contractual entitlements are complied with.

## **3. Eligibility**

- 3.1 To qualify for a career break under this scheme, employees must have at least one year's continuous service with Harlow District Council.
- 3.2 Employees are not allowed to apply for a career break more than once every five years.
- 3.3 Career breaks will always be unpaid.

## **4. Duration of Career Breaks**

- 4.1 Employees are only eligible to take career breaks of up to one year and then return to their substantive post.

- 4.2 Where individual members of staff wish to take a career break of longer than a year they must resign from their post.

In return, the Council will agree to assist the individual to attempt to find work, with the Authority when they wish to return to work.

However, no guarantees of employment can be made to these former employees.

## **5. The Application Process**

- 5.1 Employees must give at least 28 calendar days notice of the date on which they wish to start their career break. They must complete the relevant application forms and obtain written permission to undertake any paid/unpaid employment or voluntary work during their career break.

The relevant Head of Service will be expected to consider the employees application and formally respond within 21 calendar days.

Whilst the Council wishes to support employees to take career breaks, the needs of the Council's services must come first.

Managers are expected to consider each request objectively and may refuse a career break application if they believe it is not in the best interests of the Council. Grounds for refusal may include:

- (i) The burden of additional costs (e.g. the cost of covering the individual's absence).
- (ii) An inability to reorganise work amongst existing staff or recruit additional staff to cover the employee's absence.
- (iii) The impact on customer service and/or overall performance, including quality.
- (iv) Loss of key expertise.

NB this list is not exhaustive and these are solely examples of why an application may be refused.

## **6. Level of Contact**

- 6.1 Once a career break application has been granted, the Manager and employee will agree:
- (i) What level of contact/support the employee wishes to receive whilst they are away from their post.
  - (ii) How the employee wishes to be contacted.

- (iii) When and how any major new developments in the workplace are shared (e.g. Major restructuring or changes in terms and conditions of employment).

## **7. Annual Leave**

- 7.1 Employees will not accrue any annual leave during the period of any career break, since it is unpaid leave.

As a member of staff on a career break may have technical rights under the Working Time Regulations to paid time off for the period of their career break, they will be expected, as a condition of the scheme to either:

- Not take such leave.

OR

- If they do claim such leave to have a similar amount of pay deducted from their salary.

Staff who do not sign such an undertaking will not be eligible to commence their career break.

## **8. Return to Work**

- 8.1 The Council will expect the employee to return to work on the agreed date set out in the letter confirming their career break application has been agreed.

Normally the employee will return to their old substantive post on their previous terms and conditions of employment.

The only exception would be when the employee's post has been subject to:

- (i) A reorganisation and the job has become redundant.
- (ii) Changes to terms and conditions negotiated/implemented in their absence (e.g. Council wide salary rates).

OR

- (iii) A job evaluation review which has resulted in their being up/downgraded.

## **9. Potential Redundancy**

- 9.1 Where an employee's post is subject to potential change as part of a restructuring, the Council will make all reasonable efforts to contact and fully consult the affected member of staff.

This means it is crucial that the employee ensures that the manager always has their up to date contact details.

Where a post is made redundant the Council will take all reasonable steps to find the employee suitable alternative employment. This may include extending the redeployment period up until the end of the career break period.

Where an employee returns to work to attend an interview or consultation meeting they will be paid in accordance with their contractual salary.

Where the Council is unable to find the employee suitable alternative employment, the member of staff will/may be eligible to a redundancy payment.

## **10. Changes to Terms and Conditions**

10.1 It is possible that the grading or terms and conditions of the employee's post may alter whilst the employee is away from work on their career break. If this happens the following will apply:

- (i) The new higher salary/terms and conditions will apply from the day the employee returns to work.
- (ii) The new lower salary/terms and conditions will apply from the day the employee returns to work, as will the Council salary protection arrangements (if applicable).

## **11. Re-Induction**

11.1 Managers will ensure that a re-induction programme is prepared for all staff returning from a career break. This will include appropriate training and development.

## **12. Failure to Return**

12.1 All staff entering into the career break scheme are expected to sign an agreement to return to work on a specific date.

Consequently, if an employee fails to return to work on the agreed date it will be regarded as a serious disciplinary offence (i.e. the employee is absent from work without permission) and the Council will immediately instigate formal disciplinary action.

Furthermore, where the Council attempts to contact the absent employee using the agreed contact details and they are unavailable, this will again be regarded as a serious disciplinary matter.

Employees should note the formal investigation may conclude that the employment contract has been terminated.

Where an employee is unable to return to work on the agreed date, due to unforeseen and insurmountable events, then they must contact their manager at the earliest opportunity to explain why.

Where the manager believes, after taking advice from the Council HR Manager, that the employee's reasons are justifiable, then a further period of unpaid leave may be granted.

### **13. Early Return to Work**

- 13.1 If the employee wishes to return to work earlier than the date agreed in their career break agreement then they must give the Council a minimum of one month's notice of the date on which they intend to return.

In all cases the Council will only facilitate an earlier return if there are no additional costs or detriments to the service.

### **14. Other Employment**

- 14.1 Employees are not allowed to undertake any employment or voluntary work, whilst they are on their career break, unless they have the specific agreement of their:

- (i) Chief Operating Officer, Head of Governance, or Head of Finance if they are seeking paid employment.

OR

- (ii) Head of Service if they are seeking voluntary work.

This agreement must be in writing.

#### **Paid work**

Where an employee wishes to seek permission to undertake paid employment during their career break, they must obtain the written permission of their Chief Operating Officer or the Head of Governance/Finance (advised by the Council's HR Manager) before commencing any work.

Examples of where it may be reasonable to consider paid work to be undertaken are often where the employment is consistent with achieving the objectives of the break. This could include:

- temporary work, if the employee is going on a travelling overseas or studying,
- work of a developmental/voluntary nature such as charity work overseas
- work associated with a course of study

In considering requests to undertake paid work elsewhere, the Chief Officer or the Head of Governance/Finance should take account of whether the paid work might undermine the reason for the career break or might be in competition or potential conflict with the Council's services.

Should an employee undertake paid employment without securing this written agreement, then the matter will be regarded seriously and will be dealt with under the Council's Disciplinary procedure.

## **Unpaid/Voluntary Work**

Employees wishing to undertake unpaid or voluntary work during their career break must inform their Head of Service and receive their written agreement before they commence this work.

Employees must also not undertake any paid or unpaid work that may:

- (i) Impact adversely on the Council or any of its services.

OR

- (ii) Bring the Council into disrepute.

## **15. Continuous Service**

- 15.1 The period of any career break will not be counted as part of an employee's continuous service.

## **16. Pension Contributions**

- 16.1 Employees can decide whether to remain in the pension scheme whilst they are on their career break or opt out.

If an employee elects to remain within the scheme then:

- (i) They will be expected to make the appropriate employee contribution arrears when they return to work.

After which,

- (ii) The Council will make the appropriate employer's contributions.

## **17. Incremental Progression**

- 17.1 The individual's career break will not count as qualifying time toward incremental progress.

## **18. Appeals**

- 18.1 If an employee feels that their request for a career break has not been dealt with fairly, they should initially contact Human Resources who will consult with the relevant line manager to seek clarification with a view to resolving the matter informally.

If a satisfactory outcome is not achieved informally, the employee can make a formal appeal using the Council's Grievance Procedure.

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## Revision History

**Date of this revision:** October 2015

**Date of next planned revision:**

Revision date	Summary of Changes	Changes marked