



CAREER BREAK POLICY

Responsibility:	F Greville
Review:	September 2020

BACKGROUND

A career break is an extended period of unpaid leave that is granted to assist an employee who requires a break from work more commonly due to domestic pressures.

The individual applies for the career break with the guarantee that they can return to the same or similar job, on the same grade and salary point with the same conditions, whilst also maintaining their continuity of service. Career Breaks are viewed as an effective recruitment and selection practice and are also seen as an alternative to an employee leaving their employment due to domestic or other pressures.

Management will acknowledge that any loss of trained, experienced, competent and loyal staff is bad for the organisation. Career breaks are an opportunity for Headteachers/Governing Bodies to support and retain good quality staff whilst at the same leaving some scope for secondment or promotion opportunities.

A career break shall not be approved on the basis of an individual gaining, or seeking to gain employment with another organisation.

SCOPE OF THE POLICY

Any permanent employee who has worked for the Council for a period of at least 2 years is eligible to apply for a career break. Applications must be made on the standard form (available from the Human Resources) at least 3 months before the expected commencement of the break. Applications should be sent to the individual's Headteacher, who will send a copy to Human Resources for monitoring purposes.

An employee can have more than one career break, but before they become eligible to apply for a further career break they must work for at least 2 years from the end of their previous career break.

The Governing Body/Council will give sympathetic consideration to applications for career breaks to support domestic/career requirements or to enable individuals to pursue a relevant qualification, which the Governing Body/Council is unable to fund.

EMPLOYEE & MANAGEMENT GUIDANCE

The minimum period for a career break is 6 months and can run for a maximum duration of 3 years. However, the duration of the career break should not normally exceed the employee's length of service. Any request to extend the career break must be received by the Headteacher/Governing Body for consideration within 3 months of the end of the break.

Applicants who wish to attach a career break to a period of maternity leave may do so as long as they apply for the break when applying to go on maternity leave so that continuous cover in the job can be maintained. The career break limit of 3 years does not include maternity leave, parental leave, or any other authorised leave of absence. Such leave should be calculated separately when planning the cover arrangements.

The employee must not use the career break to engage in employment with another organisation; there is a presumption that their P45 shall stay with the Finance Department for the period of the break.

Should an employee wish to break for longer than the three-year period it will be necessary for them to terminate their employment with the authority. However, the employee will be eligible to apply for all vacancies within the authority and will be given prior consideration over other applicants for a further 2-year period.

Scheme participants are obliged to attend work for 5 days per year, the timing of which should be agreed with the Headteacher/Governing Body before the break commences. When attending work the employee will receive their normal hourly rate on a pro rata basis. The purpose of this attendance is for the employee to maintain continuity within the school, thus being kept up to date with relevant developments concerning their role.

Employees must confirm in writing, at least 3 months before the agreed date for return to work, that they will return to work on the agreed date. An employee can revoke the career break agreement and return earlier than expected subject to 3 months notice from the employee (or less with the approval of the Headteacher/Governing Body).

The employee is entitled to return to the same or similar job (if restructuring has occurred during the break) on the same grade/scale and on the same spinal column point - increments will not be awarded during the break, but national pay awards will be applied.

Should it be necessary for the individual's post to be changed in any way, e.g. hours of work or grade etc, the Headteacher/Governing Body will consult with the employee prior to any changes taking place. No employee shall be treated less favourably due to the fact that they are on a career break, i.e. they will not suffer any detriment for this reason. All other entitlements e.g. annual leave etc. shall be as they were on the commencement of the break, unless they are altered by either local or national bargaining agreements.

An individual may wish to return to work on a part-time or job share basis. If this is the case the employee should write to the Headteacher/Governing Body at least 3 months before the end of the break, to allow for due consideration and advertising arrangements to be made.

If the career break has been attached to a period of maternity leave, and if the employee is aware that they wish to return to work on a part-time or job share basis, the employee must seek approval from their Headteacher/Governing Body prior to the commencement of their maternity leave, so that cover arrangements can be made.

It will be the responsibility of employees to protect their own state pension entitlement by making good any shortfall in national insurance credits.

Members of the Superannuation Scheme will be required to pay employees' Superannuation contributions at the rate appropriate to their salary prior to the career break for the first 30 days of the break. For the remainder of the career break, employees have an option to pay Superannuation contributions. Non-payment of contributions will affect final pension figures. Further advice can be obtained regarding options from Human Resources.

Employees whose contracts include profit share agreements shall only be entitled to receive pro rata profit share payments at the end of the year for the period they were in work.

Repayments of any outstanding car loan must continue to be made. Where leasing agreements are in place, the employee is responsible for meeting all leasing costs during the career break or, alternatively, where the leasing agreement is terminated, all associated financial penalties. This will not prejudice the employee from applying for a car loan or car leasing agreement in the future (so long as their present post carries that benefit).

Any post-entry training monies that have been paid on behalf of the individual do not need to be settled prior to the commencement of the break, as there is a presumption that the employee shall be returning to the employ of the School/Council. However it is essential for the employee to sign an undertaking stating that they will refund all necessary monies should they not return.

MANAGERIAL CONSIDERATIONS

Are there any deadlines or anticipated external pressures that are to take effect during the break with which the employee has been involved? Therefore would the loss of specialist experience and knowledge gained through their involvement be an insurmountable problem for the department e.g. implementation of requirements for a new Act of Parliament etc?

Would there be any adverse effect upon service provision that could not be avoided e.g. not able to fulfil statutory obligations or targets already agreed?

Would there be any adverse workload placed on other members of staff? The school/authority does not encourage the use of overtime working to cover the extra workload. If a re-distribution of some or all of the duties is viewed as being the most effective way of covering the elements of the job, then the Headteacher should consider what payment should be made to the staff involved (in line with Part 3, Paragraph 1 1.3 of the Green Book). These arrangements can only commence with the written agreement of those concerned. It could be beneficial to re-distribute more specialist duties to an equivalently experienced colleague and advertise the remaining duties as a post accordingly, but there may also be development opportunities available to the remaining staff.

Once the points raised under the above section have been considered it may be necessary to advertise the vacancy. The advertisement must state to potential candidates that the vacancy is to cover a career break and the expected term of employment. Subsequently the contract of employment will be on a fixed term basis specifically for that reason.

If, following the recruitment and selection process, it has proved to be impossible to recruit a satisfactory candidate, and if it is impossible to cover the work through other means, it may be necessary to refuse the career break. However, it should be noted that it is only necessary to recruit a person who can carry out the duties satisfactorily and managers should not try to 'mirror' the employee. The employee should be kept informed throughout the process and notified immediately that any decision is taken.

LEGISLATIVE PROVISIONS IN RESPECT OF CAREER BREAKS

There is no specific legislative requirement to provide a career break facility to employees. The career break policy does not prejudice any additional entitlement that an employee may be eligible for, such as parental leave or maternity leave.

INFORMATION, EDUCATION, TRAINING AND LIAISON

If required, further information can be provided by the Department of Human Resources.

REVIEW AND DEVELOPMENT OF THE POLICY

Monitoring of the career break scheme will be undertaken by the Human Resources Department, and reported to the Human Resources Committee on an annual basis.