1.0 Introduction

1.1 A career break is an arrangement by which employees can take a period of extended unpaid leave, with the opportunity of returning to work for the council on an agreed date.

1.2 This Good Action Guide should be read in conjunction with the council’s Flexible Working policy B.3.6.

2.0 Terms of the career break

2.1 The career break shall be without pay. Employees will need to give consideration to the implications this will have on any salary sacrifice schemes, and statutory or contractual benefits. See section 4.0 for specific information regarding pension contributions.

2.2 Subject to agreement, the career break may last between four weeks and two years.

2.3 The period of the career break will not count as continuous service for the calculation of annual leave and other service-related contractual benefits.

2.4 The period of the career break does not count for incremental progression. The employee will return on the spinal column point which applied immediately prior to the start of their career break, unless they have met the criteria to receive an increment, outlined in the Pay policy, (B.2, paragraph 3.1).

2.5 An employee must not take up paid work with the council or another employer, whilst on a career break, without prior permission from the council. Whilst recognising that there may be an economic need for an individual to take up part-time or casual work, career breaks are not intended to enable employees to look for alternative work or work experience. Any request to undertake paid work must be in
writing, giving full details and reasons for the request. Such requests will be considered sympathetically.

2.6 Failure to notify the council in accordance with 2.4 will result in notice being given of the termination of the career break and disciplinary action being taken.

2.7 Every effort will be made to ensure an employee can return to the same post, under the same contract of employment, as they occupied prior to the career break. If that post is no longer available or it is not reasonably practicable for the employee to return to that post, a suitable alternative post may be offered.

2.8 Where the employee requests to return to work on a lower-graded post with less responsibility, this will be considered.

2.9 If the career break commences immediately after a period of maternity or adoption leave and the employee has received contractual half pay, they will be required to repay the amount received. If an employee wishes to return to work following maternity or adoption leave and have a career break at a later date, favourable consideration will be given to this request. The employee should return to work for a period of at least three months as a qualifying condition, if they have received contractual half pay under the council’s maternity or adoption scheme.

3.0 Procedure

3.1 Employees who wish to request a career break should apply as far in advance as possible but at least 2 months before the date they would like the career break to begin. Consideration will still be given to requests where employees cannot meet this requirement for reasons outside of their control.

3.2 Applications should be made in writing using the Flexible Working Request Form B.3.6 Appendix 1.
3.3 Before the career break commences a discussion should take place between the employee and the manager to agree the preferred level, frequency and method of contact that will take place during the career break. The Pre-Career Break Discussion Form at Appendix 1 should be used for this purpose. As part of the discussion, the employee should be given the opportunity to discuss any training received to date and any future needs. Where relevant, opportunities for the employee to attend work for personal development and training during the period of the career break (‘Keeping in Touch’) should be identified and discussed.

3.4 Once approved, the HR Advisory Service will write to the employee confirming the start and end dates of the career break and issue a copy of this Good Action Guide.

4.0 Pension and financial implications

4.1 Prior to agreeing a career break, the implications for the payment of pension contributions and pension scheme membership should be considered. Further information and guidance can be sought from the East Riding Pension Fund in the case of Local Government Pension Scheme (LGPS) members.

4.2 An employee who is a LGPS member can elect to cover the period of pension membership ‘lost’ by taking out a Shared Cost Additional Pension Contribution (SCAPC) contract.

4.3 Where a SCAPC contract is taken out to cover the pension membership ‘lost’ during a period of unpaid leave, the cost is shared one third to the employee and two thirds to the employer, provided that the employee makes an election to buy the ‘lost’ pension within 30 days of returning to work.

4.4 It is not currently possible for employees who are members of the Teachers’ Pension Scheme to pay pension contributions for the period of a career break. Further information can be found at www.teacherspensions.co.uk.
4.5 Members of the NHS Pension Scheme can find information regarding the pension implications of a career break at www.nhsbsa.nhs.uk/Pensions.

4.6 Any other financial implications should also be considered before a career break is agreed e.g. if a salary sacrifice scheme is in place.

5.0 During the career break

5.1 The manager is responsible for ensuring contact is maintained throughout the career break. In addition to any contact requirements discussed prior to the career break, as a minimum, employees should be kept informed of the following:

- Any matters relating to pay or benefits;
- office relocation;
- potential redundancy issues;
- promotional opportunities;
- opportunities for temporary or casual work within the team;
- any other significant matter which might be relevant to them or affect their return to work.

5.2 If there are any issues which affect the post which the employee occupied prior to the career break, such as a service review, the employee will be informed and consulted as though they were attending work normally, and if appropriate the Redundancy and/or Redeployment policy will apply.

5.3 Attendance at work for any meetings and training for Keeping in Touch (KIT) reasons, as identified at 3.3, will be paid at the hourly rate of the spinal column point which was relevant to the employee at the point the career break commenced. Appendix 2 should be completed for this purpose.

5.4 The council’s grievance, disciplinary and other relevant employment policies will apply throughout the career break.
5.5 The council may terminate a career break at any time provided it has good reason for doing so and subject to giving two months’ notice.

5.6 If an employee wishes to terminate their employment with the council whilst on a career break, the notice period stated in their contract will apply.

6.0 Return to work

6.1 Employees wishing to return to work should provide notification by completing and returning Appendix 3 to their manager at least two months before their intended return. The return date will be confirmed in writing and arrangements made for their return.

6.2 The manager should arrange a return to work meeting to update the employee on any changes that have taken place and, if required, arrange re-induction, retraining or a visit to the workplace before the return date.

6.3 In the annual leave year the employee returns to work, their leave entitlement will be pro-rata for the months and days that are still to be worked. The employee must return to work before any annual leave can be taken.