

# Career Break Policy

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| <b>Ratified by:</b>                              | Integrated Care Board   |
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| <b>Name of originator/author:</b>                | MLCSU   |
| <b>Name of responsible committee/individual:</b> | People, Culture & Inclusion Committee   |
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| <b>Review date:</b>                              | March 2027  |
| <b>Date of first issue</b>                       | 2017  |
| <b>Target audience:</b>                          | All ICB Staff including non-executive directors, temporary and contract staff |

## CONSULTATION SCHEDULE

| Name and Title of Individual | Groups consulted | Date Consulted |
|------------------------------|------------------|----------------|
| Policy Group                 |                  | June 2019      |
| Staff Engagement Group       |                  | July 2019      |
| Staff Engagement Group       |                  | April 2024     |

## RATIFICATION SCHEDULE

| Name of Committee approving Policy                          | Date                          |
|---|-------------------------------|
| Communications, Engagement, Equality & Employment Committee | 29 <sup>th</sup> October 2019 |
| Governing Bodies Meetings in common                         | 4 <sup>th</sup> June 2020     |
| Integrated Care Board                                       | 1 <sup>st</sup> July 2022     |
| People, Culture & Inclusion Committee                       | 13 <sup>th</sup> March 2024   |

## VERSION CONTROL

| Version | Version/Description of amendments | Date      | Author/amended by |
|---------|-----------------------------------|-----------|-------------------|
| 1       | Stoke on Trent & North Staffs CCG | June 2017 | Caroline Lawrence |
| 2       | Alignment of six policies         | Sept 2019 | Becky Bather CSU  |
| 3       | Adapted for the ICB               | July 2022 | Jane Chapman      |
| 4       | Reviewed in line with review date | Mar 2024  | MLCSU             |

## Impact Assessments Appendix 3

|                            | Stage   | Complete | Comments |
|----------------------------|---------|----------|----------|
| Equality Impact Assessment | Stage 1 | Yes      |          |
| Quality Impact Assessment  |         |          | N/A      |
| Privacy Impact Assessment  |         |          | N/A      |

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## 1. POLICY STATEMENT

NHS Staffordshire & Stoke-on-Trent ICB (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 two 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 three months up to a maximum of two 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 two 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 Should the organisation enter into a management of change or restructure the individual will be notified of this and encouraged to engage in the process. The individual will be provided with a copy of all documentation in relation to the proposed change and offered a one to one discussion to allow feedback to be provided.

2.7 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.

2.8 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.

## Responsibilities

### 4.1 Responsibility of the Director of Corporate Governance

- 4.1.1 To ensure this policy is monitored and reviewed.
- 4.1.2 To ensure this policy is communicated to managers and staff.

### 4.2 Responsibilities of the ICB's Commissioning Support Provider

- 4.2.1 To provide advice, guidance and support to line managers when considering requests for Career Breaks.

### 4.3 Responsibilities of Managers

- 4.3.1 To ensure that this policy is fairly and consistently applied to all staff irrespective of their age, sex, religious belief, disability, or sexual orientation.
- 4.3.2 Managers are also responsible for making fair and informed decisions in line with policy, legislative and regulative requirements.

### 4.4 Responsibilities of Employees

- 4.4.1 Employees are responsible for submitting requests for career breaks in line with the procedure outlined in this policy.

## Key Considerations

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

- 2.9.1 **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.
- 2.9.2 **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.
- 2.9.3 **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, incremental dates will be deferred accordingly, to ensure that the employee's terms remain unchanged.
- 2.9.4 **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.

**Pregnancy/Adoption** - If an employee becomes pregnant/adopts during a career break the provisions of the Family Leave policy will apply

- 2.9.5 **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 six months of a break may continue to contribute to the Scheme for a further period of up to 18 months (maximum of two 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)

- 2.9.6 **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 of Organisation property, such as mobile telephones, laptops, 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.

- 2.10 All records of applications and decisions will be kept on an employee's file for a minimum of 12 months.

**Returning to work** – employees will return to work at the end of an approved career break. Should an individual wish to request an extension this must be requested in writing equal to the desired extension i.e. 3 months' notice for a 3 month extension and so forth. If an individual does not wish to return to work following an approved career break then he/she should follow the organisations normal resignation processes. If an employee fails to return following an agreed career break then the organisation will make every attempt to contact the individual. If the individual cannot be contacted then the usual organisational processes will be followed to address unauthorised absence.

### 3. EQUALITY

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, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

### 4. MONITORING & REVIEW

- 4.1 This policy and procedure will be reviewed periodically by Human Resources in conjunction with

operational managers, staff and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

## **5. PROCEDURE**

- 5.1 Employees wishing to apply for a career break should complete the application form at Appendix 1, in conjunction with the authorising manager. Both the proposed commencement date and return to work date should be included.
- 5.2 Applications must be submitted to the authorising manager, at least 3 months prior to commencement of the intended break. Requests made less than 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.
- 5.3 Applicants will be notified in writing of the decision within 21 calendar days of the date of submission of their application.
- 5.4 The individual must also complete the form at Appendix 2 to confirm their option in respect of their pension membership during the break (see 2.8.5 above).
- 5.5 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, in line with 2.9, so that appropriate consideration can be given to an extension.
- 5.6 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.
- 5.7 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.

## **Appeals Procedure**

- 6.1 Employees may invoke the grievance procedure if a request for a break is refused. For further information please refer to the Grievance Policy and Procedure.

## Appendix 1

### CAREER BREAK SCHEME – APPLICATION FORM

|                |                         |
|----------------|-------------------------|
| FULL NAME      | FUNCTION / DIRECTORATE  |
| PAYROLL NUMBER | START DATE WITH THE CCG |

THIS FORM SHOULD BE SUBMITTED TO THE LINE MANAGER AT LEAST 3 MONTHS BEFORE THE CAREER BREAK IS TO START

|  |  |
|--|--|
| I would like my career break to start on   |  |
| I would like to return to work on  |  |
| Reason for career break  |  |
| My contact details (inc phone number and email address) during the break will be |  |

I wish to apply for an extended period of unpaid leave under the Career Break Scheme. I confirm that:

- I have read and fully understood the conditions detailed within the Career Break Policy;
- I will complete and submit a Career Break Financial Agreement prior to my break

|                       |      |
|-----------------------|------|
| SIGNATURE OF EMPLOYEE | DATE |
|-----------------------|------|

#### To be completed by the Authorising Manager

I support / do not support this application for a career break from the organisation. I have attached a written statement outlining the reasons why this application has been accepted / rejected (delete as applicable).

|                                |      |
|--------------------------------|------|
| SIGNATURE OF MANAGER           | DATE |
| MANAGER'S NAME (Block Letters) |      |

## APPENDIX 2

**CAREER BREAK FINANCIAL AGREEMENT**

|                            |                                  |
|----------------------------|----------------------------------|
| FULL NAME                  | FUNCTION / DIRECTORATE           |
| PAYROLL NUMBER             | START DATE WITH THE ORGANISATION |
| START DATE OF CAREER BREAK | DATE OF RETURN TO WORK           |

I confirm that:

- I understand that I have the option to decide whether my career break should be pensionable for a period of up to two years;
- I understand that, should I decide that I would like my career break to be pensionable, I remain liable for monthly pension contributions for the period and that, for the first six months of the career break, I will pay my own contributions and that the Organisation will continue to pay employer’s contributions;
- I understand that, if I pay my contributions continuously for the first six months of the career break, I may continue to pension the break for a further period of up to 18 months. During this additional period, I will be liable to pay both my own, and the Organisation’s contributions;
- I understand that contributions will be based on my normal earnings;
- I agree to make monthly payments to the Organisation via standing order/Direct Debit.
- I understand that, if I fail to make my contributions as agreed, my pension record will be closed down at the date of the last contribution made

Please select ONE of the following four options:

|          |  |  |
|----------|--|--|
| Option 1 | I do <b>not</b> wish my career break to be treated as pensionable service and understand that my pension record will be closed down at the start of my break with no contributions payable <b>OR</b>   |  |
| Option 2 | I wish to treat up to the initial six months of my career break as pensionable and undertake to pay monthly employee contributions via standing order/Direct Debit <b>OR</b>   |  |
| Option 3 | I wish to treat my career break as pensionable for a period of <u>      </u> <b>months</b> . I undertake to pay monthly employee contributions for the first six months and both employee’s and employer’s contributions for the remainder of the period. All contributions will be made via standing order/Direct Debit <b>OR</b> |  |
| Option 4 | I wish to treat my career break as pensionable for the maximum period of two years. I undertake to pay monthly employee contributions for the first six months and both employee’s and employer’s contributions for the remaining 18 months of the period. All contributions will be made via standing order/Direct Debit.         |  |

|                       |      |
|-----------------------|------|
| SIGNATURE OF EMPLOYEE | DATE |
|-----------------------|------|

## APPENDIX 3

### Equality Analysis Initial Assessment

**Title of the change proposal or policy:**

Career Break Policy

**Brief description of the proposal:**

To ensure that the policy amendments are fit for purpose, that the policy is legally compliant, complies with NHSLA standards and takes account of best practice.

**Name(s) and role(s) of staff completing this assessment:**

Caroline Lawrence, Head of HR and OD, North Staffordshire CCG and Stoke-on-Trent CCG

**Date of Assessment** – March 2017

**Please answer the following questions in relation to the proposed change:**

**Will it affect employees, customers, and/or the public? Please state which.**

All CCG employees.

**Is it a major change affecting how a service or policy is delivered or accessed?**

No

**Will it have an effect on how other organisations operate in terms of equality?**

No

**If you conclude that there will not be a detrimental impact on any equality group, caused by the proposed change, please state how you have reached that conclusion:**

The proposed policy will be applied to all employees in a consistent way, in accordance with the details of these procedures regardless of an individual's associated protected characteristic.

Whilst it is acknowledged that under section 2.3 'caring for children' is one of the defined criterion for a successful application and female workers are generally considered as more likely to apply for these reasons, the policy indicates that this is not the only reason why an application may be granted. As indicated above, the principles of the policy will be applied regardless of the applicant's gender.

No anticipated detrimental impact on any equality group. The career break policy makes all reasonable provision to ensure equity of access.