

DOCUMENT CONTROL	
Title:	Career Break Scheme
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This policy applies to all Pennine Care Foundation Trust employees with at least 12 months continuous service.	
Purpose:	
The purpose of this document is to support and retain employees by providing them with the opportunity of taking prolonged periods of unpaid leave, after which time they can return to work.	
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HR013	Maternity, Adoption and Paternity Leave Policy
Policy Associated Documents:	
TAD_HR018_01	Application Form for a Career Break

Other external documentation/resources to which this policy relates:	
	N/A
CQC Regulations	
This guideline supports the following CQC regulations:	
	N/A

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1. INTRODUCTION

Taking a break from work may be appropriate for a range of reasons, e.g. to travel, to care for a relative, childcare, to complete full-time further education, or to complete voluntary services abroad. Other reasons will be considered on their merits,

It is not to be used to enable an employee to take up a paid position either within or outside the NHS. This includes working on a bank/agency basis. However, working overseas or charitable work will be considered in certain circumstances.

2. PURPOSE

The purpose of the Career Break Scheme is to support and to retain employees by providing them with the opportunity of taking prolonged periods of unpaid leave, after which time they can return to work.

A career break is a period of unpaid time out of the workplace. The Trust offers eligible employees the opportunity to take a minimum of 3 months break up to a maximum of 5 years.

More than one break may be taken during an employee's career with the Trust as long as the total duration of all breaks does not exceed 5 years. Each career break must be separated by at least 1 years' service.

3. RESPONSIBILITIES, ACCOUNTABILITIES AND DUTIES

Trust Board

The Trust Board is responsible for endorsing and fully supporting this policy in its application.

The Workforce & OD Department

The Workforce & OD Department is responsible for providing guidance to managers and staff on the application of this policy.

The Workforce & OD Department is responsible for updating this policy in line with legislative changes.

Line Managers

Line Managers are responsible for ensuring that this policy is adhered to within their own area, and should take consideration the operational requirements of service delivery.

Line Managers should ensure that employees are aware of this policy and understand their responsibilities in relation to it.

Employees

Employees must ensure that they adhere to all the requirements of the Career Break Policy, to ensure that their continued employment is not adversely affected.

4. ELIGIBILITY

All staff with at least 12 months continuous service with Pennine Care NHS Foundation Trust can apply for a career break.

When considering a request managers will reflect on the nature of the applicant's post, the impact of the post holder's absence on the service and the ability to establish cover arrangements. The manager will also consider the reasons for the request.

5. PROCEDURE

An employee wishing to apply for a career break and who satisfies the eligibility criteria should discuss this request initially with their line manager, an 'Application Form for a Career Break' (TAD_HR018_01) must be completed and returned to their line manager at least 3 months before the date on which they wish the career break to start. This is to allow time to find cover should the application be successful (in exceptional circumstances this may be less).

If the employee is absent on maternity / adoption leave, the career break should start on the date that they are due to return to work. Wherever possible, a career break should be arranged and approved prior to the commencement of maternity/adoption leave.

The decision to grant a career break is at the discretion of the Operational Line Manager who may seek advice from Human Resources and is subject to the employee meeting the eligibility criteria. The Human Resources Department should be informed at the earliest opportunity and prior to any agreement being made.

An application for a career break will not be unreasonably refused, however in exceptional circumstances the career break can be refused or postponed due to organisational requirements and/or service constraints.

6. LENGTH OF CAREER BREAK

The break will be for a minimum of 3 months (unless there are exceptional circumstances) and a maximum of 5 years.

The length of the career break shall be determined jointly by the employee and the manager. Staff should be encouraged to identify the likely return date at the commencement of the career break, enabling managers to maintain staffing levels to meet service requirements.

If a career break is taken following maternity/adoption leave, the employee should complete three months service on their return from the career break, otherwise the whole of the maternity/adoption leave pay, less SMP/SAP (Statutory Maternity / Adoption Pay) will be reclaimed by the Trust

7. GENERAL CONDITIONS

Break in Service – The career break will not be regarded as a break in service – the break will count towards continuous service. The break will not count as reckonable service, therefore annual leave, sick leave, maternity pay and contractual redundancy payments will not be accrued and will be suspended during the career break period.

Remuneration – There will be no entitlement to pay during the career break except on occasions the member of staff is required to attend work as part of training/updating skills.

On an employee's return to work it is likely he/she will resume at the same band/spine point, however, in the event of returning to a lower banded post, as a result of organisational change, pay protection rules will be applied where appropriate.

Maternity / Adoption Leave – Employees who commence maternity/adoption leave directly following a career break may not qualify for occupational maternity/adoption pay as their average earnings for the calculation period can be potentially zero. In the event of this occurrence, please refer to the Workforce & OD department for further guidance.

Employees who take a career break following Maternity/Adoption must return to the NHS for a period of 3 months otherwise OMP will need to be repaid back to the Organisation. Please refer to the Maternity / Adoption policy.

Leave Entitlement – During a career break, there will be no entitlement to annual leave, bank holidays, sick pay or special leave.

Pension – From the 1st April 2008, the NHS Pensions Scheme Regulations changed to allow a member who commenced a period of authorised leave on or after this date (including a career break where the contract of employment is retained), to choose to remain pensionable for a period of up to six months.

Where the authorised leave is to be pensionable, an employee on a career break will be treated as an active member of the Scheme and the employer will ensure that employee contributions are deducted and that employer contributions are paid continuously throughout the six month period.

Before the leave begins therefore, the employee and employer must make arrangements to collect employee contributions throughout the break. Arrears **cannot** be allowed to accumulate or paid upon a return to work.

It is not compulsory to pay pension contributions during a period of authorised leave or a career break. If an employee decides not to pay pension contributions the last day of Scheme membership will be recorded as the day before the leave commences.

If after the six month period has elapsed an employee wishes to extend their pensionable leave they can do this for a further period of up to 18 months.

Should an employee wish to take this option, they will be responsible for paying **both** the employee and employer pension contributions.

If pension contributions are not paid for the first six months, employees will not have the option to continue to be pensionable for the further period of up to 18 months. The facility to pension authorised leave (which covers career breaks, where the contract of employment is retained) applies equally to 1995, 2008 and 2015 Scheme members.

Keeping in Touch – It is important to both the manager and the employee that regular contact is maintained. Managers should keep staff informed of any significant developments, so that the employee's return to work is as easy as possible. In addition, employees must inform their line manager of any changes in personal circumstances, e.g. change of name, address or any criminal convictions not already declared.

An annual review meeting (where possible) will take place between the manager, member of Workforce & OD department and the member of staff. If the conditions of the scheme change in any way, they will be discussed at this time.

Organisational Change – This scheme cannot guarantee complete job security in situations where organisational change occurs during an employee's absence. In instances of organisational change, managers will be tasked with ensuring all absent employees will be informed of any developments and any relevant formal consultation exercises. Where reasonably practicable, absent employees will be encouraged to attend consultation meetings and associated activities such as competitive interviews. The career break applicant will be treated no less favourably as a result of either being on a break or requesting one.

Updating Skills / Training – Staff will be required to keep their skills up to date and will be required to undertake 10 days paid work per year in the Trust. Such work will be paid at the rate for the post covered and should be in blocks of no less than 5 days. If they are unable to complete the 10 days' work experience in any one year staff may be required to make the time up at a later date.

Managers must encourage staff to attend staff meetings and training courses organised by the Trust in order to maintain skills, knowledge and contacts.

In some circumstances where it is impractical for the employee to attend the above work experience, a period of retraining should be undertaken.

Professionally registered staff have a duty to ensure they fulfil the requirements of Continuing Professional Development (CPD) as laid out by their registered body.

Returning property before commencing a break – The following items (where applicable) must be returned to the line manager before a career break of any duration:

Patient Records

Laptop

Mobile phone including Blackberrys

Identity Badge

Door entry fob

Keys

Any other Trust equipment

Lease Car/Car Loan – Any employee, who has a lease car or car loan, must liaise with the Finance Department before commencement of the break.

8. RETURNING FROM A CAREER BREAK

Employees may be required to go through a pre-employment health screening and in some cases reference checking prior to their return to work

Notifying periods of returning to work

The date on which the employee will return from the career break should be jointly agreed with the manager and the member of staff prior to the commencement of the career break wherever possible.

Staff members will be required to confirm their return in writing with 2 months' notice if the break is less than a year, and 3 months if the break is more than a year. Failure to do this may affect their right to return to work.

Employees who wish to return to work earlier than agreed must provide 3 months' notice to their line manager. This request will be considered taking into account the effect on the service or appointments made to cover the break.

Returning to your old post

If the employee returns to work within one year the same job will be available, as far as reasonably practical. If the employee takes more than one year break they may return to as similar a job as possible. There may be some variation in duties, hours or location.

Upon receiving the appropriate notice of an individual's intention to return to work their line manager will formally interview the individual to ascertain and agree the work options upon return, as far as is practical.

Staff may be required to attend refresher training with current work practices, before commencing the full duties of the post. This would be required in order to bring their skills up to the level of what is required of the role.

If a staff member unreasonably refuses an offer of a suitable post, the obligations under the scheme will cease, and there will be no automatic right to a redundancy payment.

Extending a Career Break

Employees who are on a career break and wish to extend their break further will need to confirm their career break extension in writing to their line manager no later than 3 months before their career break is due to expire. This request will be considered taking into account the effect on the service or appointments made to cover the break.

9. FAILURE TO RETURN TO WORK

If at any time during the career break the employee decides that they do not wish to return to employment with the Trust, they must notify their line manager immediately or at least 3 months before the expected date of return to work, of their intention to resign.

If employees do not return to work at the end of a break and fail to advise the reasons for this, this may constitute misconduct via unauthorised absence.

10. EQUALITY IMPACT ANALYSIS

As part of its development, this document was analysed to consider / challenge and address any detrimental impact the policy may have on individuals and or groups protected by the Equality Act 2010. This analysis has been undertaken and recorded using the Trust's analysis tool, and appropriate measures will be taken to remove barriers and advance equality of opportunity in the delivery of this policy / procedure

11. FREEDOM OF INFORMATION EXEMPTION ASSESSMENT

Under the Freedom of Information Act (2000) we are obliged to publish our policies on the Trust's website, unless an exemption from disclosure applies. As part of its development, this policy was assessed to establish if it was suitable for publication under this legislation. The assessment aims to establish if disclosure of the policy could cause prejudice or harm to the Trust, or its staff, patients, or partners. This assessment has been undertaken using the Trust's Freedom of Information Exemption Guide, and will be reviewed upon each policy review.

12. INFORMATION GOVERNANCE ASSESSMENT

This Policy has been analysed to ensure it is compliant with relevant information law and standards as in place at the time of approval, and are consistent with the Trust's interpretation and implementation of information governance components such as data protection, confidentiality, consent, information risk, and records management.

Compliance will be reviewed against any changes to legislation / standards or at the next review of this document.

13. SAFEGUARDING

All staff have a responsibility to promote the welfare of any child, young person or vulnerable adult they come into contact with and in cases where there are safeguarding concerns, to act upon them and protect the individual from harm.

All staff should refer any safeguarding issues to their manager and escalate accordingly in line with the Trust Safeguarding Families Policy and Local Safeguarding Children/Adult Board processes.

14. MONITORING

The effective application of this policy, including adherence to any standards identified within will be subject to monitoring using an appropriate methodology and design, such as clinical audit.

Monitoring will take place on a biannual basis and will be reportable to the Quality Group via the Clinical Effectiveness and Quality Improvement Team.

15. REVIEW

This policy will be reviewed three-yearly unless there is a need to do so prior to this; e.g. change in national guidance.

16. REFERENCES

Equality Act 2010

Freedom of Information Act 2000