



CAREER BREAK POLICY

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Grampian Area
Partnership
Forum

Approver:

Grampian Area
Partnership
Forum

Signature

Signature

Signature

Identifier:

NHS/POL/20/HR

Review :

This policy will
be reviewed
biennially by the
Grampian Area
Partnership
Forum.

**Implementation
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UNCONTROLLED WHEN PRINTED

VERSION 1

The provisions of this policy, which was developed by a partnership group on behalf of Grampian Area Partnership Forum, apply equally to all employees who have a minimum of 12 months continuous service with NHS Grampian.

**NHS GRAMPIAN
CAREER BREAK POLICY**

If you have difficulty understanding the English language, this policy can be made available to you in a language of your choice.

This policy can also be made available, on request, in other formats e.g. in large print or on a computer disk.

For all requests for copies of this policy in another language, or in an alternative format, please call the Corporate Communications Team on 01224 554400.

**NHS GRAMPIAN
CAREER BREAK POLICY**

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NHS GRAMPPIAN CAREER BREAK POLICY

1 INTRODUCTION

NHS Grampian recognises that employees may wish to take a break from work for a variety of reasons e.g. to undertake a course of study which is outside the normal scope of NHS Grampian's arrangements for training and Professional Studies, to bring up children, to care for a dependent relative etc.

NHS Grampian further recognises that the facility for employees to take a break, without having to resign from their current post and to have a clear and easy route of re-entry to work, has distinct benefits for both NHS Grampian and it's employees.

Employees on career breaks are required to make themselves available to NHS Grampian for at least 10 days in each year (or pro rata for breaks which have a duration of less than 12 months) in order to attend courses, receive professional updates etc. Normal payment of salary will be payable for these 10 days, which will also be superannuable.

This policy, insofar as it applies to employees who wish to take a career break in order to undergo a course of study, is in line with the national Education, Training and Lifelong Learning Strategy which encourages individuals to increase their skills and knowledge base.

It is also recognised that medical and dental consultants already have a provision for sabbatical leave, which is similar to a career break, within their national terms and conditions and this provision will continue to apply – see Section 3.2.

2 DEFINITIONS

The term "career break" refers to an agreement with NHS Grampian for an employee to take special leave, **without pay**, for a specified period of time up to a maximum of 5 years.

A career break will not normally be allowed solely for the purpose of taking up alternative employment.

3 ELIGIBILITY

3.1 All staff with a minimum of 12 months continuous service with the NHS Grampian, who have demonstrated satisfactory work performance, are eligible to apply for a career break.

- 3.2 Medical and dental consultants who can apply for sabbatical leave under paragraphs 7.4.1 to 7.4.10 of the *Consultant Grade Terms and Conditions of Service 1 April, 2004, may choose whether to apply for such leave under the terms of this policy or under their national Terms and Conditions of Service. They are not, however, entitled to receive the combined benefits of both documents.

*(These are available from the HR Department.)

- 3.3 Each application will be considered on its individual merits and a decision will be taken accordingly.
- 3.4 Reasons for refusal of a career break will be given in writing. Should a disagreement arise, the employee has the right to raise a formal grievance. It may be preferable in such circumstances, however, for the manager to seek advice on resolving the matter from an appropriate member of the HR Team and a Lead Staff Side Representative.

4 APPLICATION PROCEDURE

- 4.1 Employees who wish to apply for a career break should initially discuss the matter with their line/clinical manager who will provide them with the appropriate Application Form - see Appendix 2.
- 4.2 Applications should be made at least 3 months prior to the commencement of the proposed career break, although this period may be reduced/waived under exceptional circumstances

Employees who wish to take a career break in order undertake a course of study are encouraged to discuss the matter with their line/clinical manager and reach an agreement in principle, **before they apply for the course of study.**

- 4.3 The line/clinical manager will consider the application and advise the member of staff of the outcome. In considering applications, managers should pay particular attention to the possibility that a skilled and experienced member of staff might resign from NHS Grampian if their request for a career break is denied.
- 4.4 If approved, Human Resources will issue the member of staff with the terms and conditions of the career break and arrange for them to sign a Career Break Agreement.
- 4.5 The line/clinical manager is responsible for ensuring that employees on career breaks comply with the minimum 10 days per annum work requirement, as detailed in 6.4 below and that the appropriate salary payment is made for these days. This will be audited at the end of each year.

5 DURATION OF CAREER BREAK

The maximum duration of a career break will be 5 years and while an employee may take a number of career breaks throughout their employment, their total period of absence on career break(s) must not exceed 5 years. A new application must be made for each career break requested.

6 STAFF COMMITMENTS

An employee taking a career break is required to:

- 6.1 Advise their line/clinical manager of any change in circumstances e.g. change of address, marital status etc, which may affect their employment within NHS Grampian at the earliest opportunity. They must also advise their line/clinical manager of any change in the original reason for the career break and this may result in the career break being reviewed. Depending on the circumstances, this review may result in the career break being terminated.
- 6.2 Confirm their intention to return to work:
 - at least one month before the agreed date of return if the career break lasts up to one year.
 - at least three months before the agreed date of return, if the career break lasts for more than one year.
- 6.3 Notify their line/clinical manager of any request to change the agreed length of the career break. Employees have no automatic right to an extension to their career break and the circumstances prevailing at the time will be taken into account when considering such a request. The maximum length of any extension will be 1 year and no extension will be agreed for a period that will result in the total length of an employee's career break(s) exceeding 5 years.
- 6.4 Be available for a minimum of 10 days paid attendance at work/training in each year of their career break (pro rata for breaks which have a duration of less than 12 months) during which they will be required to work and/or attend courses and/or receive professional updating. If the employee is abroad during the period of the career break, any alternative arrangements should be mutually agreed between the employee and their line/clinical manager **prior** to the commencement of the career break.

7 MANAGEMENT COMMITMENTS

NHS Grampian will ensure that:

- 7.1 As far as is reasonably practical, employees taking a career break return to their original post, or to a post at the same grade and undertaking broadly similar work. This will be achieved by offering priority consideration for any such post. Employees will be entitled to refuse up to three offers after which NHS Grampian is under no obligation to make any further offers and the employment relationship may be terminated.
- 7.2 In the event of organisational change, the Organisational Change Policy will apply to employees on a career break in respect of their substantive post.
- 7.3 Career break participants are guaranteed at least ten days paid employment per year (or pro rata for breaks which have a duration of less than 12 months) in order to keep abreast of changes and developments in the Service. This may include training courses and professional updating.
- 7.4 Career break participants are kept informed of any significant matters which may potentially have an effect on their employment e.g. changes to the Service, Conditions of Service etc.
- 7.5 An annual re-commitment to the scheme is undertaken.

8 RETURN TO WORK

- 8.1 While no guarantee can be given of return to a particular post, every effort will be made to place employees returning from a career break in the post which they held immediately prior to proceeding on their career break. Where this is not possible, every effort will be made to identify a suitable alternative post - see paragraph 7.1, above.
- 8.2 Employees must confirm their intention to return to work to the line/clinical manager to whom they reported prior to proceeding on a career break one month or three months (see paragraph 6.2) in advance of their return. Where the employee is not returning to their previous post, this line/clinical manager will arrange for the HR Service Centre to send them copies of NHS Grampian's Vacancy Bulletin during this period.
- 8.3 If, prior to the commencement of a career break, an employee works in a part-time or job share arrangement, every effort will be made to allow them to return to a post on the same basis. There is no guarantee, however, that this will always be possible.

- 8.4 To ease the transition back to work, employees returning from a career break who previously worked on a full time basis may be allowed to work on a part time basis, for which they will be paid pro rata, for up to three months before returning to full hours. The employee must discuss and agree this with their line/clinical manager at the time they confirm the date of their return to work.

9 TERMS AND CONDITIONS OF SERVICE

9.1 General Conditions

- 9.1.1 While a period of absence on a career break will not be regarded as a break in service, it will not count as reckonable service, e.g. for incremental credit.
- 9.1.2 Periods of paid employment during the career break will, however, count as reckonable service.
- 9.1.3 As an employee has continuous service while undertaking a career break, any entitlements accrued prior to the break will be retained.

9.2 Superannuation (members of the NHS Superannuation Scheme only)

- 9.2.1 Maintenance of superannuation contributions while on a career break is, currently, only possible for members of staff who are taking a career break of one year, or less. As the career break constitutes continuous service, superannuation contributions will be maintained for those on a break of less than one year, with the employee being liable to pay the employee's contribution and NHS Grampian making the appropriate employer's contribution. See **Appendix 1**.
- 9.2.2 When an employee returns to work following a career break of one year, or less, their superannuation contributions for the unpaid period will be deducted from their subsequent pay over a corresponding period. Any tax rebate to which the member of staff is entitled as a result of their absence on a career break may be used to offset superannuation arrears.
- 9.2.3 For those employees who take a career break in excess of one year, superannuation contributions will be deducted during the 10 days per annum (or pro rata for breaks which have a duration of less than 12 months) that they are required to undertake paid work for NHS Grampian and any other period of paid leave e.g. Paternity or Parental Leave, with NHS Grampian making the appropriate employer's contribution.

9.3 Lease Cars

An employee who is provided with a lease car will be required to return the car to the Car Leasing Section for the period of their career break if it has a scheduled duration of over 12 months.

However, as the full leasing cost of the vehicle will be borne by the employee if it is retained during a career break, they are advised to discuss the matter with a member of the Car Leasing Team prior to embarking upon such a break.

In the event of a lease vehicle being returned, a termination fee may apply.

9.4 Organisational Change

The *Organisational Change Policy will apply equally to employees taking a career break and, consequently, where redeployment attempts are unsuccessful normal redundancy procedures will apply. Redundancy payments will be calculated in accordance with the appropriate national *Terms and Conditions e.g. Agenda for Change.

*(These are available from your line/clinical manager, your Staff Side representative, or the HR Department.)

9.5 Sick Leave

Except during the 10 days of paid employment (or pro rata for breaks which have a duration of less than 12 months) which they are required to undertake each year, employees are not entitled to receive sick pay during a career break.

9.6 Annual Leave

Employees have no entitlement to Annual Leave and/or Public Holidays during a career break.

9.7 Maternity

Maternity Leave

Employees will retain their same entitlement to Maternity Leave as that accrued prior to proceeding on a career break. Only the paid period of the career break i.e. 10 days per annum (or pro rata for breaks which have a duration of less than 12 months), will count towards additional entitlement. **See the NHS Grampian Maternity Leave Policy**

Maternity Pay

Employees are not normally entitled to Maternity Pay while they are taking a career break as full pay is calculated on the average of the eight week period from the 22nd week to the 15th week prior to the expected week of confinement.

An employee who discovers that she is pregnant during the course of her career break is encouraged to seek advice on how this will affect her entitlements from the Maternity Leave Co-ordinator at the earliest opportunity.

9.8 Paternity

Paternity Leave

Employees will retain the same entitlement to Paternity Leave as that accrued prior to going on a career break. Only the paid period of the career break i.e. 10 days per annum (or pro rata for breaks which have a duration of less than 12 months), will count towards additional entitlement.

See the NHS Grampian Paternity Leave Policy

Paternity Pay

Employees who wish to take Paternity Leave during a career break should check how this will affect their entitlements with an appropriate member of their HR Team.

9.9 Parental Leave

An employee's eligibility to paid Parental Leave, under the provisions of NHSG's Parental Leave Policy, will not be affected while on a career break.

See the NHS Grampian Parental Leave Policy

9.10 Adoption and Fostering

Adoption Leave

Employees will retain the same entitlement to Adoption Leave as that accrued prior to going on a career break. Only the paid period of the career break i.e. 10 days per annum (or pro rata for breaks which have a duration of less than 12 months), will count towards additional entitlement.

See the NHS Grampian Adoption and Fostering Policy

Adoption Pay

Employees who wish to take Adoption Leave during a career break should check how this will affect their entitlements with an appropriate member of their HR Team.

**EXTRACT FROM SCOTTISH PUBLIC PENSION AGENCY (SPPA)
CIRCULAR 9/2006 DATED 6TH JULY, 2006**

CAREER BREAKS

The Partnership Information Network document Supporting the Work/Life Balance aims to assist the NHS operate a 24 hour, 365 day service whilst supporting staff to balance home life with the demands of work. One of the elements covered within this document relates to Career Breaks.

The purpose of the career break policy is to allow staff an opportunity to leave their employment on a long term basis (normally between one to five years), mainly to undertake further education or to fulfil domestic commitments. A career break should not be allowed for the purpose of taking up alternative employment.

The following information gives guidance to employers on how NHS scheme members' superannuation contributions should be treated whilst they are on a career break. You should note that in all cases SPPA will require written notification of the dates that the Career Break relates to.

BREAK OF 1 YEAR OR LESS

Superannuation contributions whilst on a Career Break for a year or less should be maintained. The contributions should be based on the employee's salary which was in place immediately prior to the member going on the career break and should be deducted from subsequent pay the member receives once returning from the career break. The contributions should then be remitted to the Agency in the usual manner as per the normal payment of any arrears of contributions. Employers' contributions should be calculated on the superannuable salary as denoted above and should also be remitted to the Agency in the normal way.

BREAK LONGER THAN A YEAR

For those employees who take a career break of longer than one year, superannuation will only be deducted in respect of a period of 10 days per annum (or pro rata for breaks which have a duration of less than 12 months) in which they undertake paid work within their NHS employment – for example, for the purposes of maintaining professional registration. The Agency will require Annual Return information to be submitted each year providing information of actual pensionable service.

Although a career break shall not be regarded as a break in service for NHS continuous service purposes, the break will not itself count as reckonable service for benefit purposes.

It should be noted however that under the scheme rules death lump sum payments are based on the best last 365 days ACTUAL pensionable pay in the 3 years prior to death. Members may wish to bear this in mind when agreeing a period for a career break.

ADDED YEARS

Contributions should continue to be deducted in respect of any contracts to purchase additional service if the career break is for one year or less. In the case of a year or over the added year contributions should be collected in respect of the 10 days paid employment only and a proportionate credit will be given on that basis.

APPLICATION FOR CAREER BREAK

TO BE COMPLETED BY THE EMPLOYEE

Name: _____

Address: _____

Telephone No: _____

Job Title: _____ Grade: _____

Department: _____

Location: _____

Length of Service: _____

Why do you wish to apply for a Career Break?

continue on another sheet if necessary

Length of Break? _____

Career Break to commence on: _____

Have you had a Career Break before? YES/NO (delete as appropriate)

If yes, when? _____

TO BE COMPLETED BY THE LINE/CLINICAL MANAGER

Application: APPROVED/NOT APPROVED (delete as appropriate)

Reason (if not approved):

continue on another sheet if necessary

Employee's signature: _____

Designation: _____ Date: _____

Line/clinical manager's signature _____

Designation: _____ Date: _____