



Career Break Policy

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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

This document is also available in large print and other formats and languages, upon request. Please call NHS Grampian Corporate Communications on Aberdeen (01224) 551116 or (01224) 552245.

This Policy has undergone Equality and Diversity Impact Assessment.

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Career Break Policy	2	14 September 2017	14 October 2017	14 October 2022
Career Break Policy	3	Information regarding Superannuation corrected December 2019		14 October 2022
Career Break Policy	3	May 2022 - Review date amended given the policy is part of the Once for Scotland Phase II work.		31 December 2023
Career Break Policy	4	Contextual changes at 4.6, 6.1, Appendix 1 and Appendix 2 regarding regulatory bodies		31 December 2023

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NHS Grampian Career Break Policy

1. Introduction

NHS Grampian is a caring, listening, improving organisation and recognises the need for staff to balance their personal and work responsibilities 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, or other significant personal reason.

The Career Break Policy is designed to enable NHS Grampian to retain valued and experienced staff who may wish to temporarily cease working.

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 its employees.

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

A "career break" is a variation in contract for a specified period of time. The member of staff applying for a career break which is on no pay should understand that, depending on the length of the career break, it may impact on their pension rights. They should check the terms of the pension scheme they are a member of as they will be subject to the rules of that scheme.

A Career Break is a variation in contract when an employee is on a period of leave where no pay (see Keeping in Touch (KIT) days) is granted to the above named employee.

3. Eligibility

3.1 All staff with a minimum of 12 months continuous service with NHS Grampian is 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 entitled to receive the combined benefits of both documents.

*These are available from the Operational HR Team

- 3.3** Each formal written application will be considered on its individual merits and a decision will be taken accordingly. A decision should be made and provided in writing within 14 calendar days where possible following receipt of a formal application.
- 3.4** Reasons for refusal of a career break will be given in writing. The applicant has a right to appeal where a request has been refused. It may be preferable in such circumstances, for both parties to seek advice on resolving the matter from an appropriate member of the Operational HR Team and an Accredited 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. An agreement in principal between manager and employee should be reached if the employee wishes to take a career break in order to undertake a course of study, **before they apply for the course of study.**
- 4.2** Employees are advised to fully consider the implications and potential loss of any contractual or pension rights before committing to a career break, by contacting their pension scheme.
- 4.3** Employees will be provided with the appropriate career break application form, by their manager – see **Appendix 1.**
- 4.4** Applications should be made at least 3 months prior to the commencement of a proposed career break, although this period may be reduced/waived under exceptional circumstances.
- 4.5** If the application is approved, the employee will be issued with a document (Career Break Agreement) to abide by the terms and conditions of the career break – see **Appendix 2.**
- 4.6** If the employee is registered with a regulatory body (GMC, GDC, GPhC, NMC, HCPC) their manager is responsible for advising the appropriate Responsible Officer/Executive Nurse Director within NHS Grampian of the employees approved Career Break. If appropriate, the regulatory body will be notified by the Responsible Officer/Executive Nurse Director.
- 4.7** Employees can request a change to the length of their career break however they have no automatic right to an extension 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.

5. Duration of Career Break

The maximum individual career break duration at any one time will be 2 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 request.

6. Employee Commitments

An employee taking a career break is required to:

- 6.1** Maintain any professional membership or registration where this is required for employment purposes, including meeting any return to practice requirements required by their regulatory body where applicable.
- 6.2** Advise their line/clinical manager of any changes in circumstances e.g. change of address, which may affect their employment with NHS Grampian at the earliest opportunity and for the purposes of staying in touch.
- 6.3** Advise their line/clinical manager of any change in the original reason for the career break, which may result in the career break being reviewed. Depending on the circumstances, this review may result in the career break being terminated by the line manager.
- 6.4** Confirm their intention to return to work:
 - (i) At least one month before the agreed date of return, if the career break lasts up to one year.
 - (ii) At least three months before the agreed date of return, if the career break lasts for more than one year.
- 6.5** Request their line/clinical manager considers any change to the existing arrangement.
- 6.6** Be available for a minimum of 2 days and a maximum of 10 days paid attendance at work/training (KIT days) in each year of their career break (pro rata for breaks which have a duration of less than 12 months) in order to attend courses, receive professional updates, etc.

7. Management Commitments

NHS Grampian will ensure that:

- 7.1 The line/clinical manager should gain an understanding into the reason for the employee considering a career break and discuss the options available to the employee.
- 7.2 If a career break is approved, the line/clinical manager will confirm the terms and conditions of the Career Break Agreement – see **Appendix 3**.
- 7.3 The line/clinical manager will consider the application and advise the member of staff of the outcome. In considering the application, the manager 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 declined.
- 7.4 The line/clinical manager is responsible for ensuring that employees on career breaks adhere with the minimum 2 KIT days per annum work requirement, and that the appropriate salary payment is made for these days.
- 7.5 As far as is reasonably practical, employees taking a career break will return to their original post, or to a post at the same grade and undertaking broadly similar work. This may 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.
- 7.6 In the event of Organisational Change, the Organisational Change Policy will apply to employees on a career break in respect of their substantive post. Employees on a Career Break will be kept updated as per Organisational Change Policy.

8. Keeping In Touch

- 8.1 The line manager/clinical lead should agree with the employee the method of communication they will use to keep in touch during the career break.

The employee is required to undertake a minimum of 2 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) in order to remain up to date with continual professional development by attending courses, receiving professional updates, etc.

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.

The employees appropriate pay point of salary will be payable for these days, which will also be superannuable.

9. Return to Work

- 9.1** 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. This also applies to employees working in a part-time post or job share basis. Where this is not possible, every effort will be made to identify a suitable alternative post.
- 9.2** Employees must confirm their intention to return to work to the relevant line/clinical manager at least one month or three months in advance of their return – see **Section 6.4**. Where the employee is not returning to their previous post, the relevant line/clinical manager will advise the employee that they can access the Vacancy Bulletin via the Intranet/Internet.
- 9.3** 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 with their line/clinical manager at the time they confirm the date of their return to work.

10. Terms and Conditions of Service

10.1 General Conditions

- (i) 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.
- (ii) Periods of paid employment during the career break will, however, count as reckonable service.
- (iii) As an employee has continuous service while undertaking a career break any entitlements accrued prior to the break will be retained.

10.2 Superannuation (members of the NHS Superannuation Scheme only)

- (i) The NHS Superannuation Scheme provides the option for a member (excluding local practitioners) who are on a career break, to choose to continue to pay contributions towards membership for a limited period. This is provided that their contract of employment is retained.
- (ii) Members who choose to continue to pay contributions to the scheme can do so for a period of six months. During this period, contributions also remain payable by the employer. The member can choose to extend the period for a further 18 months. However, if this option is taken, the member would be responsible for payment for both employee and employer contributions. Please note that contributions must be paid for the first six months to allow the member the option to extend for a further 18 months if required.
- (iii) Contributions should be submitted to the Scottish Public Pensions Agency by employers in the same way each month as for all other active members. Therefore contributions must be paid by the employee each month; these should not be paid as arrears on return to work.
- (iv) Employees who choose to pay contributions during their career break will be contacted by the HR Service Centre before the leave begins to be notified of the monthly payments they are required, and the process for doing so, to make in order to sustain their membership to the scheme. The level of contributions will be based on the employee's salary which was in place immediately prior to the member going on the Career Break.
- (v) Employees should contact the Scottish Public Pensions Agency on return from their Career Break to make arrangements to contribute to an Additional Voluntary Contributions Scheme, should they wish to pay back contributions.

10.3 Lease Cars

An employee who is provided with a lease car can either return the car to the Car Leasing Section for the period of their career break or, keep the vehicle and the full leasing cost of the vehicle will be borne by the employee whilst it is retained during a career break. The individual is 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.

10.4 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 Operational HR Team.

10.5 Sick Leave

As there is a contract of employment in place for the duration of a career break there is an entitlement to provisions under NHS Sickness Benefits Scheme.

10.6 Annual Leave (Keeping In Touch Days)

As there is a contract of employment in place this will influence the provision of Annual Leave. Annual Leave will therefore be accrued during the Keeping in Touch days.

10.7 Maternity

(i) Maternity Leave

Employees will retain their same entitlement to Maternity Leave as that accrued prior to proceeding on a career break. Only the paid periods 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**.

(ii) 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 Coordinator at the earliest opportunity.

10.8 Paternity

(i) 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**.

(ii) Paternity Pay

Employees who wish to take Paternity Leave during a career break should check with the Operational HR Team how this will affect their entitlements to paid Paternity Leave.

10.9 Parental Leave

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

10.10 Adoption and Fostering

(i) Adoption Leave

Employees will retain the same entitlements 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**.

(ii) Adoption Pay

Employees who wish to take Adoption Leave during a career break should check how this will affect their entitlements with the Maternity Leave Coordinator.

**NHS Grampian
Application for Career Break**

To be completed by the Employee

Name:			
Number Payroll:			
Address:			
Telephone No:			
Job Title:		Grade:	
Department			
Location:			
Regulatory Body (if applicable):			
Do you have minimum 12 months continuous 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 and length?			

Discussed Kit Days with Line Manager	Yes/No (delete as appropriate)		
Do you wish to pay superannuation contributions and retain membership of the NHS superannuation scheme during your career break?	Y <input type="checkbox"/>	For 6 Months <input type="checkbox"/>	For a further 18 Months <input type="checkbox"/>
	N <input type="checkbox"/>	You must complete an opt-out form and send to the HR Service Centre, Payroll Team (available from SPPA website).	

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			
Responsible Officer/Executive Nurse Director Notified (if applicable):			
Employee's signature:			
Designation:		Date:	
Line/clinical manager's signature:			
Designation:		Date:	

If the application is approved please send a copy of the form to:

HR Service Centre
Westholme
Woodend
Queens Road
Aberdeen
AB15 6LS
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**NHS Grampian
Confirmation of Career Break**

Date
Your Ref
Enquiries to
Extension
Direct Line
Email

Dear

I write further to the approval of your request for a Career Break. The terms and conditions of the Career Break are in line with the Career Break Policy, which you have read and understood. I would draw your attention in particular to Section 6 – Staff Commitments.

Your Career Break has been agreed for the period ___/___/_____ to ___/___/_____. During this period it has been agreed with you that you will arrange ___ days work to incorporate clinical and study updates. These ___ days will be paid at your normal rate of pay. You must confirm your intention to return to work at least one month/three months [delete as applicable – see Section 6.4] before your agreed return to work date. (If applicable: If appropriate, your regulatory body will be notified of your approved Career Break by the Responsible Officer/Executive Nurse Director [delete as applicable].)

I have copied this letter to payroll for action.

I would be grateful if you could sign and return one copy of this letter to me.

Should you have any queries with this letter, please contact me on the above number.

Yours sincerely

Manager

CC: Payroll
HR
Personal File

I have read the NHS Grampian Career Break Policy and accept the terms of my career break

Signed

Date

NHS Grampian Career Break Agreement

The undernoted terms and conditions are understood and agreed to by the parties detailed below. This agreement is binding unless the terms are altered or revoked by: i) notice on behalf of one party or, ii) by mutual agreement at which time the arrangement will become void.

Participants

Employee:

On Behalf of the Employer:

Forwarding Address:

E-mail Address:

Post and grade immediately prior to date of Agreement:

Pay Number:

Terms and Conditions: Policy Applicable – NHS Grampian Career Break Policy

1. Definition of Career Break:

A Career Break is a variation in contract when an employee is on a period of leave where no pay (see KIT days) is granted to the above named employee.

2. Duration of Career Break:

From _____ to _____

3. Employee Status during Career Break:

- i) Absence on a Career Break will not count as reckonable service.
- ii) The Career Break will not constitute a 'Break in Service' and the employment will remain continuous throughout. No new entitlements will be accrued during the Career Break but entitlements already accrued will be 'frozen' for the duration of the Career Break and resumed on return to substantive employment.

4. Sick Leave

No Occupational Sick payments will be made during the Career Break apart from the duration of the prearranged KIT Days, which are paid employment. It is unlikely

that SSP will be applicable as this is calculated on the average earnings for the 8 week period ending the day prior to the period of incapacity.

5. Annual Leave

No paid holidays will be applicable during a Career Break (other than KIT days as previously stated).

6. Maternity Leave

No Occupational or Statutory Maternity Payments are likely to be applicable during a Career Break as payments are calculated on the average earnings for an 8 week period from the 22nd to 15th week period prior to the expected week of confinement.

7. Superannuation

The NHS Superannuation scheme provides for members of all schemes (excluding locum practitioners) who are on an authorised career break, to choose to continue to pay contributions towards membership for a limited period provided that their contract of employment is retained.*

Members who choose to continue to pay contributions to the scheme can do so for a period of six months. During this period, contributions also remain payable by the employer. The member can choose to extend the period for a further 18 months. However if this option is taken, the member would be responsible for payment of both employee and employer contributions. The contributions must be paid for the first six months to allow the member the option to extend for a further 18 months if required.*

Contributions should be submitted by employers to the Scottish Public Pensions Agency in the same way each month as for all other active members. Therefore contributions must be made by the employee each month; these should not be paid as arrears on return to work.

Employees who choose to pay contributions during their career break will be contacted by the HR Service Centre before the leave begins to be notified of the monthly payments they are required to make, and the process for doing so, in order to sustain their membership to the scheme. The level of contributions will be based on the employee's salary which was in place immediately prior to the member going on the Career Break.

Employees will have completed an Application for Career Break, detailing their decision with regard to Superannuation contributions. Employees should contact the Pensions Agency on return from their Career Break to make arrangements to contribute to an Additional Voluntary Contributions Scheme, should they wish to pay back contributions.

*Extract from: Authorised breaks (NHS Circular 2013_3)

8. Employee Obligations

(i) Information change:

The employee must advise their Manager of any change in circumstances, e.g. postal address, e-mail address, name, reason for Career Break changing, etc.

(ii) Skills Updating:

In most circumstances the employee would be required to be available for up to a maximum of 10 days (KIT days) per year to undertake work, professional updating sessions or to attend relevant courses. For applicants who will be out of the UK for the duration of the break it will be necessary to be flexible on this point and agreements should be reached **prior** to the Career Break commencing.

When moving abroad, following initial orientation in the country we would require you to contact us to propose either:

- (a) specific period of relevant work with VSO/other work agreed to be relevant to the organisation; and/or
- (b) commitment to undertake clinical skills updating/work at (insert grade/role description) level on return to Aberdeen each year or by the end of the break have undertaken an intensive update period, the outcome of which will confirm your suitability for this level of work; or
- (c) some mutually agreed suitable alternative.

(iii) Returning:

Employees must 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 or at least 3 months before the agreed date of return if the Career Break lasts for more than one year.

(iv) Extension:

For any extension the employee should **request** an extension, of which they cannot ask for an extension greater than 1 year and as long as it does not result in the total length of an employee's Career Break exceeding 5 years. See **Section 6.3** of the Career Break Policy.

9. Management Obligations:

i) Return to Work:

- a) As far as is reasonably practical, members of staff will 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.

- b) Should organisational change have affected your substantive post you will be treated equitably to others in the organisation at the time of the change.
- c) You will be guaranteed at least ten days paid employment per year, pro rata for shorter breaks, in order to keep abreast with changes and developments in the Service. This may include training courses and professional updating.
- d) If requested a monthly information pack including Team Brief, Internal NHS Grampian magazines, etc. can be made available to you on receipt of a stamped addressed envelope. Significant matters will of course be communicated.

ii) Skills Updating:

Be available for KIT days, however where travel difficulties prevent you from undertaking at least 2 days (full time) paid employment per year for skills updating in NHS Grampian, evidence of skills updating in another geographic area may be accepted but no payment will be applicable.

Where an alternative arrangement is reached, e.g. the employee wishes to undertake intensive skills updating in NHS Grampian towards the end of the Career Break, only a maximum of 10 KIT days for that year can be guaranteed as 'paid' employment while the remaining time may be classed as 'unpaid' and therefore not reckonable service.

The above terms and conditions are understood and agreed.

Employee
Signature: _____ Date _____
Name in block capitals: _____

Manager
Signature: _____ Date _____
Name in block capitals _____