

# Career Break Guidance Note

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<b>Governance Committee</b>		<b>Date approved</b>	
<b>Review date</b>			

**Strategic Alignment**  
*Improving the Council’s Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.*

<b>Consultation process</b>		
<b>Stakeholders</b>	Contacts identified for each service	
	<i>Joint Trade Unions</i> <i>JNC for Teaching Staff</i>	
<b>Distribution</b>		

### Change record

<b>Date</b>	<i>28/02/2019</i>	<b>Author</b>	<i>Employee Relations Team,</i> <a href="mailto:EmployeeRelationsTeam@northlan.gov.uk"><u>EmployeeRelationsTeam@northlan.gov.uk</u></a>
<b>Change made</b>	<i>New format</i>		

## Introduction

The following guidance note should be read in conjunction with Section 21 of the Special Leave Policy – Career Break.

This guidance note contains information on the procedure to be followed should an employee wish to make use of the provisions for a career break. It also provides information on conditions and contractual issues relating to a career break.

## Conditions Applying

For all requests for a career break the following conditions will apply.

1. An employee requesting a career break must have two years continuous service with North Lanarkshire Council at the date of commencement of the proposed career break.
2. A request for a career break must be submitted at least six months prior to the **proposed** date of commencement of the career break, if this is feasible.
3. If agreement is reached that a career break can be granted, the employee will be required to sign a career break agreement to ensure that both employee and employer are fully aware of their responsibilities and the conditions applying.
4. The resulting vacancy will be filled on a temporary basis for the duration of the period of career break, where appropriate. If the post can only be filled on a permanent basis as a means of ensuring that there are no gaps in staffing levels, then there can be no guarantee that the existing postholder will return to their substantive post. Suitable alternative employment will be sought.
5. If the employee requesting a career break is in a post that is of a specialist/technical nature, or is difficult to fill, the release date will be left open, within reason, to allow the employee to take up the career break. Failure to fill the post on a temporary basis will not be a barrier to the release of the employee to a career break.

6. Discussion with the manager around this aspect will take place at the time of the initial request.
7. A maximum of two career breaks may be taken by any employee during the course of their employment with the council.
8. An employee must return to work from a career break for not less than two years before a request can be made for a second break.
9. Up to 10 contact days will be available as a means of keeping in touch with the employee to ensure they are kept up to date with any changes in the workplace. Contact days could take place during the career break or at the end of the career break as part of a Service induction, or a mixture of both, whichever best suits the individual and the Service. The contact days can include days at work to cover peak periods of business or holiday periods.
10. In order to keep skills and knowledge up to date, the manager may ask the employee to attend necessary training, either formal training or more informal Service training, during the period of the career break. These training days will count towards the 10 day contact period. Sufficient notice should be given to the employee of any contact days or training days and arrangements should be subject to discussion between the employee and manager in the first instance.
11. If the employee is overseas as a result of the career break, it is not practical to ask the employee to return for up to 10 contact days during a two year break. In this instance any necessary training or induction back into work will be carried out on their return. The performance review and development plan should be used to raise training needs.
12. On return to work from the career break, every effort will be made to ensure that the employee returns to their substantive post and conditions of service. However, if this is not possible, for example where the post is no longer available due to redundancy, an establishment restructure or the post has been filled on a permanent basis, suitable alternative employment will be sought.
13. If the request for a career break can not be met, the employee has the right to raise a formal grievance in terms of the agreed North Lanarkshire Council grievance procedure.

## **Conditions of Service and Employee Benefits**

1. The period of a career break will not be counted as continuous service for contractual purposes.
2. Service prior to and following a career break will be linked and these two periods will count as continuous service for contractual purposes, even although there is a break in service.
3. Please note, although this council will recognise and link the two periods together and count them as continuous service, another local authority or public body may not. If an employee begins work with another council or public body, there could be a potential loss of all service accrued prior to the career break, for redundancy and employment rights purposes, with potential financial loss should redundancy occur at a later date.
4. There is no requirement for the employee to resign their post.
5. A career break is an extended period of unpaid leave.
6. The employee will retain the right to the amount of annual leave entitlement in place at the commencement of the career break, on return to work from the career break. Thereafter, annual leave entitlement will accrue in line with NLC conditions of service.
7. There will be no annual leave entitlement or public holidays available throughout the period of a career break. However, if the employee is at work as part of the 10 day contact period, then annual leave will be credited for the number of days worked, on a pro-rata basis. This will be calculated as a pro-rata of 20 days under Working Time Regulations, regardless of entitlement prior to the career break.
8. An employee granted unpaid leave of absence for the purpose of a career break can elect to pay pension contributions for the whole period in order to maintain full pension benefits. This may be done on return to work. For further pension advice, contact Strathclyde Pension Fund, Tel. 0845 213 0202, [spfo@glasgow.gov.uk](mailto:spfo@glasgow.gov.uk) quoting National Insurance Number.

9. If an employee has a car lease, there are three options available. The preferred option will have to be chosen by the employee prior to the career break. The three options are –
  - a. Car lease is ended/car is purchased, with the payment of appropriate penalty.
  - b. Car lease continues along with lease payments during the career break. Employee will also pay employers contribution.
  - c. Car lease is taken over by another individual, with no penalty to be paid.

For further information contact the Finance Administration Services Team, telephone 01698 302875 / 2796 or e-mail [carleasing@northlan.gov.uk](mailto:carleasing@northlan.gov.uk)

10. Cost of living pay awards will accrue throughout the period of the career break. However, incremental progression will not continue if the employee is not at the top of their grade at the commencement date of the career break. On return to work from the career break, incremental progression will re-commence from the point prior to the break.
11. Employees on a career break will not normally be allowed to undertake full time employment with another employer, other than on a seasonal basis. However, employees will be allowed to undertake part time employment with another employer as long as this does not bring them into conflict with their post within the council.

## **Applying for a Career Break**

Applications for a career break should be made to your line manager for initial consideration using the standard application form attached as Appendix 1. If your line manager agrees to your request, your Executive Director will then give consideration to your request in consultation with the Head of Human Resources.

In addition to the application form, if a career break is authorised, you and your line manager must sign a career break agreement, indicating that you clearly understand the conditions relating to the request.

If a request for a career break is refused, you have the right to raise a grievance in terms of the approved formal North Lanarkshire Council grievance procedure.

A request for a career break must be made at least 6 months prior to the proposed commencement date where possible. This will allow sufficient time to consider your request and to recruit and appoint a replacement.

If your request can be met, the post can then be advertised on a temporary basis.





I request a career break of        year(s) to commence on – (date)

I intend to return to work on – (date)

If this is not your first career break, please provide the following details.

The period of my previous career break was –

From - To -

Employing Service at time of last career break -

\_\_\_\_\_

Employee signature

\_\_\_\_\_

Date

Part 3 – Authorisation (to be completed by line manager and executive director)

**A – Line manager considered application –**

Approve YES  NO

Signature –

Date –

If no, reason(s) –

If yes, what management action will be taken in order to maintain service provision during period of career break.

**B - Executive Director of Service considered application in consultation with Head of Human Resources –**

Approve YES  NO

Signature –

Date –

If no, reason(s)

The following action to be taken –

- make decision and notify employee in writing
- advise employee of right to raise grievance if request can not be granted
- if request is granted - advise payroll, make arrangements to fill vacancy

C – copy of completed form, along with decision in writing, to be provided to employee by line manager

Date employee advised of decision –

Summary of career break approved in this application -					
Date from -					
Date to -					
Contact days during career break –	Date	Date	Date	Date	Date
	-	-	-	-	-
	Date	Date	Date	Date	Date
	-	-	-	-	-

### Career Break Agreement

This agreement to be completed and signed by the employee and his/her line manager only if a request for a career break has been granted.	
Employee Name	
Service/Division	
Employee Number	
N.I. Number	
Current Post Title	
Post Location	
Current Grade/Rate of Pay	
Current annual leave entitlement	
Leased car	Yes/No
HCI Agreement	Yes/No
Any other deductions from pay – please detail	
Period of Career Break From _____ To _____  I intend to return to work on _____ (date)	

- I confirm I have read the Career Break Guidance Note and agree to the conditions applying to my request.

Employee -

Signed \_\_\_\_\_ Date \_\_\_\_\_

Manager -

Signed \_\_\_\_\_ Date \_\_\_\_\_

Copy to Employee (date) -

Passed to relevant HR section for action (date) -