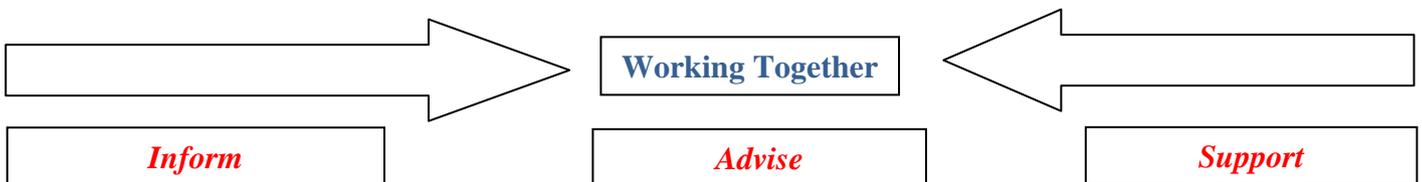




**JOINT HR POLICY DOCUMENT**

***CAREER BREAK***





## Career Break

### Force Policy Document

Policy owner(s)	DCC Norfolk / DCC Suffolk
Policy holder	Head of HR Service Delivery (Norfolk & Suffolk)
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### Approved by

Legal Services	✓
Policy owner	✓
JJNCC	

**Note:** By signing the above you are authorising the policy for publication and are accepting responsibility for the policy on behalf of the Chief Constables.

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**Note:** Please send the original Policy with both signatures on it to the Norfolk CPU for the audit trail.

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### 1 General principles

- 1.1 The purpose of this policy is to provide guidance and information on career breaks for police officers and police staff.
- 1.2 Norfolk and Suffolk Constabularies are committed to ensuring this policy complies with relevant legislation and general principles of fairness, and that consultation has been undertaken with all relevant staff groups.
- 1.3 All Norfolk and Suffolk policies are intended to promote equality, eliminate unlawful discrimination and actively promote good relations regardless of a person's gender, race, ethnic origin, colour, nationality, gender reassignment, sexual orientation,

religion or belief, marital or family status, trade union or staff association or support group activity, disability or age.

- 1.4 Agreement to a career break is at the discretion of the organisation and the scheme may be altered or withdrawn at any time.

## **2 Reasons for career break**

- 2.1 A career break can be taken for a number of reasons, for example, further education, travel, domestic reasons such as childcare or caring for elderly or infirm relatives. During a career break, an individual may undertake paid or unpaid work which is formally approved via a Business Interest application, as long as they can also demonstrate a clear commitment to returning to the organisation at the end of the career break.
- 2.2 The reasons for the career break will be taken into consideration when making a decision on the application.

## **3 Eligibility**

- 3.1 Individuals will be eligible to be considered for a career break if they meet the following criteria:
- Successful completion of probationary period (police officers only).
  - Duration of the career break will not extend beyond compulsory retirement age (police officers only).
  - Minimum two years' service (police staff only).
  - Satisfactory attendance, conduct and performance record, as determined by the Deputy Chief Constable (DCC).
- 3.2 In addition, individuals must also demonstrate within their application:
- A clear commitment to returning to the organisation after career break; and
  - A reasonable reason for the career break; and
  - Duration of career break which meets the terms of this policy.
- 3.3 Applicants should note that the decision to grant a career break may be rescinded at any time before the break is due to commence if they fail to maintain a satisfactory standard of attendance, conduct or performance.

## **4 Length of career break**

- 4.1 Career breaks can be for a minimum of six months and a maximum of five years.
- 4.2 For career breaks of between 6-12 months – dependent on the role and where it is operationally viable – the Constabularies will endeavour to cover the role on a temporary basis to allow the individual to return to that role. There will be no guarantee of reinstatement to the previous role and, for police staff, there will be no

eligibility for redundancy if a role is not available when the individual wishes to [return to work](#).

- 4.3 Up to three separate breaks may be taken provided that the total period does not exceed five years, and there should be a minimum of 12 months between career breaks.
- 4.4 In exceptional circumstances, a total longer period may be agreed by the DCC on the facts of an individual's case. For police officers the end of a career break should not, however, extend past their compulsory retirement date.

## 5 Organisational abstraction

- 5.1 The organisation retains the right to refuse any career break request due to the operational needs of the service, and this will include consideration of existing abstractions from the organisation, i.e. other career breaks and secondments.

## 6 Application procedure

- 6.1 Applicants should check their [eligibility](#) before submitting an application via EnAct. Forms must be submitted at least three months prior to the proposed start date of the career break, unless there are exceptional circumstances.
- 6.2 Line managers dealing with requests via EnAct should ensure that they comment on any future known work commitments and court dates.
- 6.3 HR will confirm the individual's eligibility for a career break, and comment on organisational resourcing issues, prior to forwarding the application to the DCC for final decision.
- 6.4 In reaching a decision, consideration will be given to:
- The individual's eligibility;
  - The reasons for the application;
  - Operational requirements;
  - Availability of appropriate cover; and
  - Impact of skills reduction and any training investment which may be required on the individual's return to work.
- 6.5 The DCC's decision will be confirmed in writing by HR within 28 days of receipt of the application, and where the career break is not approved, reasons will be given for this.
- 6.6 An individual may appeal against the DCC's decision within ten calendar days of receipt of this decision. Appeals must be in writing to the Chief Constable and include grounds for the appeal. The Chief Constable will consider the appeal and notify the individual of the outcome in writing within 28 days of the appeal being received.

## 7 Arrangements prior to commencing career break

- 7.1 Where the career break is approved, the applicant will be provided with written notification of the relevant terms and conditions which apply during career break. The Department Head should also agree expectations and obligations with the individual. The individual must return all warrant/identity cards, security passes, keys, pocket books, uniforms and any other Force property to their line manager prior to the commencement of the career break. Line managers should return all uniform and equipment to Stores.

## 8 Conditions of service during career break

### Conditions of Service

- 8.1 There is no requirement for an Officer or member of staff to resign. However, terms and conditions will be suspended during the break. The agreed return date for a member of staff will be incorporated into the terms and conditions of employment.
- 8.2 Changes made to Conditions of Service or Police Regulations during the career break will apply on their return.

### Use of police powers

- 8.3 For the duration of a career break, police officers are not expected to act in any way to suggest that they are on duty or to execute their powers as a police officer.

### Reckonable/Continuous Service

- 8.4 The career break will not count toward reckonable or continuous service for any benefits including salary, sick pay, pension contributions, annual leave, promotion or redundancy payments.

### Attendance at court

- 8.5 Individuals must be prepared to return to duty at short notice if required to give evidence in court. Travelling expenses and normal pay will be paid for such periods of duty. Any officer on career break who receives a warning to attend court should declare his or her career break status to the Witness Care Unit who will, in turn, advise the Crown Prosecution Service/Counsel.

### Leave

- 8.6 Career breaks do not count for the purposes of reckoning entitlement to annual leave. Provision should be made for granting any remaining annual leave entitlement due to the applicant before the commencement of the career break.

### Legal proceedings/criminal convictions

- 8.7 An individual on career break must report immediately any involvement in legal proceedings or criminal convictions as follows:
- Police officers should contact Professional Standards.
  - Police staff should contact the HR department.

### Maternity

- 8.8 In the event of pregnancy, a woman on career break is entitled to the same maternity provisions as she would have been had she not been on career break. Such individuals should give notice to HR as soon as reasonably practicable of the expected date of childbirth, and the start and end date of the maternity leave period. During the maternity leave period, the status will change from being on career break to being on maternity leave, and will therefore be subject to the relevant terms and conditions outlined in the Maternity, Adoption and Support Leave policy. As the career break is unpaid, individuals should contact the HR Service Desk for queries relating to any entitlement to maternity pay.
- 8.9 If the agreed end date of the career break is later than the end of the maternity leave period, the individual will automatically resume the career break until its end date is reached. If the maternity leave period ends after the agreed end date of the career break, then the career break will be deemed to have ended at the start of the maternity leave period.

### Membership of staff associations/welfare organisations/trade unions

- 8.10 Membership of the following organisations can be maintained by arrangement by the Applicant during the career break:
- UNISON
  - Police Federation
  - Benevolent Fund
  - Gurney Fund
  - Convalescent Home
  - Superintendents Association

### Pay

- 8.11 No salary or allowances will be paid during a career break, and it will not count for the purposes of incremental pay, continuous service or promotion.

### Pension - Police Staff

- 8.12 Police staff remain members of Norfolk or Suffolk Constabulary whilst on a career break and therefore remain part of the Local Government Pension Scheme, unless they elect to opt out. The period spent on a career break should therefore be treated as qualifying service.
- 8.13 The period of career break will count towards pensionable service provided the employee makes the necessary contributions which should commence within six months of returning to work. The Finance Department will write to employees to explain how contributions can be made on the employee's return to work. The member remains subject to the scheme's death-in-service provisions during the career break.

8.14 In the event of a pension becoming payable in respect of an employee on a career break, i.e. early retirement, the average pensionable pay to be applied would be that at the time immediately before the career break, with pension increase applied as appropriate.

#### Pension - Police Officers

8.15 Police officers remain members of Norfolk or Suffolk Constabulary whilst on a career break and therefore remain part of the Police Pension Scheme, unless they elect to opt out. The period spent on a career break should therefore be treated as qualifying (but not reckonable) service.

8.16 As a result, the member remains subject to the scheme's death-in-service and enhanced medical retirement provisions. They also continue to be covered by the injury benefit provisions where applicable. The Home Office has reserved their position as to the buy-back provisions of the Police Pensions. Officers are unable to buy-back pension service for the period spent on a career break.

8.17 In the event of a pension becoming payable in respect of an officer on a career break, i.e. early retirement, the average pensionable pay to be applied would be that at the time immediately before the career break, with pension increase applied as appropriate.

#### Police Regulations/Discipline Codes

8.18 Officers remain subject to Police Regulations and Conduct Codes throughout the career break, and must ensure that they remain up to date with any changes to Police Regulations occurring during the career break.

8.19 Staff will remain subject to the terms of the Disciplinary Policy for the duration of the career break and are expected to maintain the Standards of Conduct and Behaviour.

#### Replacement Allowance and Police Housing

8.20 Officers living in accommodation provided by the Constabularies should discuss their future in the property with their District Commander/Department Head prior to applying for a career break. Officers who are allowed to remain in police accommodation for the entire duration of their career break will be charged by the appropriate Police Authority. An officer cohabiting with or married to an officer should check their partner's eligibility for police accommodation.

8.21 Replacement allowance will not be paid during career break but will recommence on return to work, subject to relevant changes to Police Regulations and provided personal circumstances remain the same. Should personal circumstances change, the allowance would be adjusted to reflect this upon return to duty.

#### References

8.22 Any reference provided in respect of activities during a career break will state that the individual is on a career break and the date on which they are expected to return to work.

### Statutory Sick Pay

- 8.23 This will be payable until the individual is eight weeks into their career break. After this time, the individual may be eligible for other benefits, and should contact the Benefits Agency for further information.

### Undertaking certain activities during career break

- 8.24 During career break, police officers and staff must not undertake, without notification to and agreement of the Deputy Chief Constable, any activities for which payment or reimbursed expenses are received, or any other full time activity. Where these activities have not already been agreed as part of the application procedure, the individual should seek approval prior to undertaking them in line with the [change of circumstances procedure](#) below.

## **9 Keeping in touch during career break**

- 9.1 The onus for keeping in touch during career breaks rests with the individual. Individuals must provide the organisation with a permanent point of contact through which they may be contacted at any time during the career break, and through which any major issues may be communicated. Force Orders will be forwarded to the point of contact by HR.

## **10 Change of circumstances during career break**

- 10.1 During career break, an individual's circumstances may change which may affect the agreed activities of the career break and its timescales. The individual will notify the HR Service Desk of any such change of circumstances, and if necessary a review meeting will be held between the individual and the HR Advisor. The HR Advisor will submit a report via the Head of HR Service Delivery to the Deputy Chief Constable, for a decision on whether the organisation supports the continuation of the career break as a result of the change in circumstances. The individual has the right to appeal to the Chief Constable as outlined in Section 5. If the organisation's support for the career break is withdrawn, the individual will be given at least one month's notice of the requirement to return to work.

### Extending career breaks

- 10.2 If the individual wishes to extend their career break, they should submit a request in writing to the HR Service Desk at least three months prior to their previously agreed return to work date. HR will ascertain from the Department Head, the Head of HR Service Delivery and the DCC as to whether the request can be supported, and confirm the outcome in writing to the individual.

## **11 Return from career break**

### Notification of intention to return from career break

- 11.1 An individual must advise HR in writing of their intention to return to work at least three months prior to the previously agreed end date, together with their GP's details. Whilst there is no obligation on the organisation to vary the return date, an individual may request to return earlier than agreed, giving at least three months' notice of the desired return date.

Role on return from career break – Police Officers

11.2 There is no entitlement for the officer to return to their original role or posting, however they will return on the same outgoing rank and pay point, subject to relevant changes in legislation, Police Regulations, PNB agreements and Home Office circulars.

Role on return from career break – Police Staff

11.3 The individual must give at least three months' notice of their intention to return to work from career break to the HR Service Desk. On receipt of this notification, the HR department will undertake the relevant security and medical vetting, and, if the individual is not returning to their original post or has not already secured an alternative role to return to within the organisation, they will also be invited to attend a meeting with the relevant HR Advisor. At this meeting the HR Advisor will discuss with them the process of securing an alternative role and the implications if no alternative role is found.

11.4 If an alternative role is not secured within three months of the end of the career break then the individual's employment will be terminated at that time on the grounds of 'some other substantial reason'. There would be no entitlement to a redundancy payment. Any such dismissal should be enacted fairly and in line with ACAS procedures, with the appropriate contractual notice being given in writing at a meeting. The end of the notice period should be no later than three months after the end of the career break.

11.5 During career break an individual will already have access to Force Orders and is at liberty to apply for internal vacancies. Once the individual has given notification of their intention to return to work, and has passed security and medical vetting, they will also be given the opportunity to apply for any posts currently being filled by agency staff which appear on the HR vacancy list.

11.6 If the individual is successful in securing a role of the same grade as their outgoing post, they will be appointed on their outgoing spinal column point, updated in line with national pay awards, however if an individual is appointed to a post of lower grade than their outgoing grade, there will be no protection of salary.

11.7 An individual returning from career break will be subject to a four week trial period in their new role. If the job offer is not confirmed at the end of the trial period because the individual is considered unsuitable, notice will be given of termination on the grounds of 'some other substantial reason', and efforts to identify suitable employment will continue until the end of the notice period.

Security vetting

11.8 Normal security vetting will be undertaken by the Professional Standards Department (PSD) on all staff and officers returning from career break. Individuals who spend at least ten months in a country outside the UK during career break will be required to obtain a Criminal Record Certificate from the relevant Embassy in that country on their return to the UK. If the individual has visited more than one country in this period then no certificate will be required.

Medical checks

- 11.9 Once a role has been identified for the individual returning from career break, HR will arrange for Occupational Health to undertake medical checks, which may require the individual to attend a medical examination. The individual must disclose any changes to their health during career break which may affect their return to work.

Training

- 11.10 Prior to the return date the training needs of the individual will be assessed. Retraining may consist of distance-learning, on the job training or in-force training, depending on requirements. Individuals returning to work will not be required to serve a further period of probation. Police officers will not be required to repeat full initial training, and police staff will not be required to serve a further period of probation.

Failure to Return from Career Break

- 11.11 Officers who fail to return on the agreed date will be in breach of a lawful order and will be required to resign or risk referral to the Professional Standards Department.
- 11.12 Staff who fail to return on the agreed date will be in breach of their contract of employment and may be subject to disciplinary action.