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CAREER BREAK SCHEME

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**1. INTRODUCTION**

1.1 The aim of the career break scheme is to help to enable you to have a long-term career whilst having an opportunity to take an unpaid break at some point. This could be for example to:

* Cover domestic or other responsibilities
* Continue childcare provision after parental or paternity leave
* Undertake activities beneficial to your career development (e.g. full time study)
* Accomplish a personal goal or aspiration in life that you wish to do before retirement (e.g. travel, live abroad or personal project)
* Any form of recovery that will help to facilitate your return to work

1.2 The scheme recognises that a long break can be beneficial and is likely to facilitate increased productivity and motivation. The scheme hopes to encourage the retention of trained, skilled and knowledgeable staff.

1.3 For the avoidance of doubt, the scheme involves resigning from Council employment and there is no certainty of re-employment at the end of the Career Break. The Council cannot guarantee that you will be able to return to your previous post, type of work or at the same location but every effort will be made to find suitable employment. The job search will commence from the notified date of return and will be for a maximum of 3 months.

1.4 Consideration for acceptance of a Career Break will be based on the needs of the service.

**2. DURATION OF THE CAREER BREAK SCHEME**

2.1 The duration of the career break must be between six months and two years only. Applications for less than six months will need to be made under the Extended Leave Scheme.

**3. ELIGIBILITY FOR THE SCHEME**

3.1 The scheme is available to all of the Council’s permanent employees with at least one year’s continuous service with Tower Hamlets.

3.2 For clear business reasons, the Council will not normally grant a career break more than once within any 5 year period.

**4. MAKING A REQUEST**

4.1 You must submit a request by completing the Career Break form (available on the intranet under ‘[HR & workforce development](http://towernet/Intranet/staff_services/hr__workforce_development.aspx) > [Leave](http://towernet/Intranet/staff_services/hr__workforce_development/leave.aspx) > Career break’ and submit this to your manager. You must state the length of Career Break required and whether your request is being made under the statutory rights under the Flexible Working Regulations. To be eligible for this statutory right, you must have been continuously employed by the Council for at least 26 weeks and not have submitted a request in the previous year.

4.2 Your manager will consider the request and submit this to a third tier manager or above for approval. They will then consider your manager’s comments and feedback to your manager.

4.3 If your application is successful, your manager will notify you within 28 days of receiving your request and forward a copy of your application to your HR & WD Snr. Business Partner for placing on your personal file. If your application is approved, you should be aware that a career break will have implications on your pension and National Insurance Contributions. From 1st April 2014 the Local Government Pension Scheme changes so that all entitlements from that date onward are based on a proportion of actual earnings. Any procedure that reduces pay in any year will therefore reduce the amount of pension entitlement accrued in that year. It has no effect on previously accrued benefits. You are advised to contact the Pensions Section for detailed advice.

4.4 Under the Flexible Working Regulations, your manager can only consider one statutory request to work flexibly every twelve months. However the Council will consider all requests when received including requests for other types of flexible working options. You will only be entitled to have one application heard in accordance with your statutory rights.

**5. DECLINED REQUESTS**

5.1 The Council aims to deliver responsive and high quality services and your manager therefore, has to consider any potential impact that your absence may have on service delivery. Managers will need to decline requests where there is likely to be a detrimental effect on the ability to meet customer demand, quality, performance or some other business reason such as the ability to re-organise work.

5.2 If your application is not successful, your manager will arrange a meeting with you within 28 days of receiving your request. You are allowed to bring a work colleague or trade union representative to the meeting. Your manager will then write to you, explaining the reasons for their decision within 14 days of the meeting and forward a copy of your application and their response to your HR & WD Snr. Business Partner for placing on your personal file.

5.3 In circumstances where you believe that your request has not been properly considered, you may wish to appeal.

5.4 If you have submitted a statutory request under the Flexible Working Regulations, you will be entitled to a two stage appeal process.

5.5 The first stage will be to make your appeal in writing within 14 days after receiving written notice that your request has been declined. When appealing, you will have to set out the grounds for your appeal and ensure that it is dated. Your appeal will be then be heard by an independent more senior manager to the one that originally considered your application, within 14 days. You are entitled to be accompanied by a colleague or a trade union representative. Where the decision is taken by a third tier manager, an independent third tier manager can hear your appeal and likewise for a Service Head.

You will receive written notice of the outcome of the appeal. You also have a further right of appeal, which will be considered under the final stage of the Grievance Procedure.

5.6 Should you not have a statutory right under the Flexible Working Resolutions, and you wish to appeal, you can seek resolution through the Final Stage of the Grievance Procedure. You must put your appeal in writing to your Corporate Director (and also send a copy to the HR & WD Senior Business Partner who covers your Directorate). The Corporate Directorate (or her/his nominated deputy) will then convene a meeting. The reply from the Corporate Director (or her/his nominated deputy) will then be the final response by the Council.

**6. APPLICATION FOLLOWING MATERNITY/ADOPTION LEAVE**

6.1 You may apply to take a career break after taking maternity/adoption or additional maternity or adoption leave. Please note however that the Council’s Occupational Maternity/Adoption pay is paid to you by the Council whilst you are on maternity/adoption leave only if you immediately return to work for a period of at least 3 months.

6.2 If you decide to take a career break immediately, i.e. without returning to work for a period of a least 3 months following maternity/adoption leave or additional maternity or adoption leave, you will be required to repay in full the occupational maternity pay element of the Council’s Maternity Scheme or the monies received under the Adoption Leave Scheme. The process for the Council to reclaim the money is triggered once Central Services (HR) Section receives the ‘Confirmation of Leavers Form from your manager, which will indicate your last day of service.

6.3 As you will need to resign from the Council’s employment, your right to return will no longer apply, although the Council will make every effort to try and find a suitable position. You therefore need to carefully consider this option and the terms and conditions of the scheme including your entitlements. Human Resources can advise if necessary.

6.4 Statutory Maternity/Adoption Pay does not have to be repaid.

**7. TERMS AND CONDITIONS**

7.1 If you wish to participate in the Career Break Scheme you must:

* Resign from the Council’s employment and comply with the normal leavers procedure;
* Repay in full any outstanding Council loans before starting their career break;
* Inform the Council of the length of your proposed career break
* Undertake to inform the Council at all times of any change to your address or contact details during the career break period, in order that the Council may communicate with you e.g. your e-mail address;
* Declare immediately to the Council if you have taken up employment with another employer during your career break period;
* Give a minimum of 4 weeks’ notice in writing to Human Resources to confirm your wish to return to work on the agreed date.

7.2 If you have started paid employment with another employer whilst on the Career Break Scheme, you will not be eligible to return. This does not include holiday or seasonal jobs abroad. If you are not sure, please contact the People Resourcing Team with details of the type of work you are interested in.

7.3 You will only be able to return to the Council’s service if there is a suitable vacant post.

7.4 You must resign from the Council’s service and will not be entitled to any form of consultation, redundancy or severance payments if there is a subsequent reorganisation in your former service area that deletes your previous post.

7.5 Your resignation from the Council’s service will be considered as a break in service for redundancy purposes and continuity of service. Accordingly you will, on your return, be subject to the Council’s Probation Procedure. You will however retain your service for occupational sick pay, occupational maternity entitlement, and annual leave.

7.6 If you should become pregnant whilst on a career break, you should inform the Central Services (HR) team straight away. Your career break will continue as previously agreed. However you will have the option of extending your career break, to end no later than the last return-to-work date of the maternity period you would have received had you remained working for the Council. Central Services (HR) will be able to advise you of this date. To take advantage of this facility, you must:

* Request an extension, giving the proposed date to end your career break
* Supply the Council with your MatB1 form.

Any request for an extension to the career break in this circumstance will be automatically agreed but all other conditions of this scheme will remain unchanged.

**8. MAINTAINING CONTACT DURING THE CAREER BREAK**

8.1 It will be your responsibility to make regular contact with your manager to be updated on Council news and developments in your professional field.

**9. EXTENDING/REDUCING THE LENGTH OF YOUR CAREER BREAK**

Your Career Break will end on the date specified in your confirmation letter. Provided you have given the appropriate notice, your redeployment period will begin on the following working day. There is no mechanism to extend or reduce the length of your Career Break except as detailed in 7.6 above.

**10. RE-ENTRY INTO THE COUNCIL’S EMPLOYMENT**

10.1 You must give a minimum of 4 weeks written notice to the People Resourcing Team of the date of your intended return to work. They will undertake a job search and will also arrange for you to have access to all internal vacancies through a web-based Redeployment portal.

10.2 The job search will commence following your notification and will be for a maximum of 12 weeks. This period is to allow for opportunities of re-employment only. You will not be a council employee during this period and will not be entitled to receive pay.

10.3 You will be asked to complete an up-to-date Employee Profile Form detailing your relevant skills, abilities and experience in order to be matched to suitable vacancies within the Council.

10.4 In searching for work, the Council will endeavour as far as reasonably practicable to identify jobs that correspond to your previous grade.

10.5 You will be given priority over external job applicants and will be interviewed first provided you meet the minimum short listing requirements. A standard application form must be completed in full once a post has been identified. However, there will not be priority over staff who are currently within the Council’s employment and are displaced, e.g. medical redeployees and those employees who are affected by restructuring within the Council’s services and are subject to the Redundancy and Redeployment Procedure.

10.6 If you successfully return to the post that you left or a new post at the same grade, you will remain on your previous spinal column point.

10.7 In the event that a post at the same level is not available, the Council reserves the right to identify a post of up to two grades lower and one grade higher than your former substantive post. For a lower graded post, you will be placed on the top spinal column point for that grade. If you return to a higher grade post, you will be placed on the lowest spinal column point for that grade. All posts applied for will be subject to a short-listing and a selection process.

10.8 If you are successfully re-employed, you will not be required to attend the Council’s Corporate Induction. Your manager will assist and support you in identifying on-the-job training and/or training courses that will enhance your skills and confidence following your break from work.

**11. NON-IDENTIFICATION OF WORK**

11.1 If the Council is unable to find you suitable employment within 12 weeks, the Council will have discharged its obligations in full in respect of the Career Break Scheme and employment opportunities. The HR & WD People Resourcing Team will confirm this in writing

11.2 If an offer of suitable employment is made and you decline, the Career Break Scheme will cease with immediate effect. In the case of what constitutes a suitable offer, suitability will be determined by the appropriate Service Head of the new employing Directorate and their decision will be final. There will be no right of appeal.

**12. PENSION**

12.1 Whilst you are on the Career Break Scheme you will cease to be a member of the Local Government Pension Scheme as you will have resigned. It is therefore advisable to seek advice from the Pension Section to determine how the break in service will affect your pension benefits. You will not be able to make any pension contributions for the duration of your Career Break.

**13. POST VACATED**

13.1 Your manager will need to decide how to cover your vacant post and in most cases will fill the post on a permanent basis. However consideration should be given to redistribute the duties of the post according to service needs and requirements or cover with fixed term contract(s), if this meets service needs, to enable you to return to the same post.

13.2 Your manager must consider whether your job can be suitably covered for a long period of time. A lengthy break from employment can be very disruptive and make the job difficult to do.

**14. FURTHER INFORMATION**

14.1 If you wish to apply for this scheme please read the above conditions and discuss your options with your line manager first. Further advice is available from the Central Services team (HR).