

Career break scheme

Extracts from the Local Terms and Conditions of Service

Effective 1st September 2001

EXTRACT FROM PART 3, LOCAL TERMS AND CONDITIONS OF SERVICE

11.12 Career Break Scheme

- 11.12.1 Employees who have completed one year's service with Ealing may take an unpaid career break of between six months and three years duration to cope with domestic responsibilities (such as the care of young children, elderly or sick relatives) or to undertake further education or career development training (unpaid).
- 11.12.2 Applications under this scheme must be made two months before the date on which the break is to commence, and must be in writing to the designated manager stating: the reason(s) for wanting a career break; when it is to start and; the duration.
- 11.12.3 If there is any formal action being taken under the disciplinary, managing unsatisfactory performance or medical capability procedures then the employee will not be able to take a career break until the outcome of that action is known.
- 11.12.4 Any outstanding loans (for example career development, season ticket or car purchase loans) must be repaid before the start of the career break unless the employee enters into a formal agreement with the Council to continue the repayments through the period of the break.
- 11.12.5 Any request to vary the duration of the break, once approved, must be made in writing to the designated manager. The employee must give at least three months written notice of her/his intention to return to work.
- 11.12.6 For breaks of more than twelve months duration the Council will not guarantee that an employee can return to the substantive post that s/he occupied at the start of the break. When an employee notifies her/his intention to return to work s/he will be redeployed to a suitable alternative post using the redeployment procedure (see part 2, para 13.3.2.2). In the event that s/he is redeployed to a lower graded post the pay protection arrangement set out in part 2, para 13.3.2.3) will apply. The refusal of an offer of alternative employment without good reason will result in the employee losing the right to return to work and will lead to the employment being terminated at the end of the career break period.
- 11.12.7 The employee will share the responsibility for maintaining contact during the career break with a contact officer nominated by the Council. The employee may also be required to attend work and or training for up to two weeks of each year during the break. Reasonable notice of this requirement will be provided to the employee and the timing will be set, taking account of the stated purpose of the career break. Normal salary will be paid for that attendance. Further guidance of the setting up and management of career breaks is set out in section 4.

11.12.8 The contact officer will be responsible for ensuring that the employee is kept informed of:

- i) any developments in the employee's own service and/or department; any relevant issues from across the Council
- ii) any other information that the employee should be aware of (e.g. any Council wide notifications, consultations, letters to employees, etc.)

11.12.9 Employees may not take up paid employment with another employer, or self-employment during a career break

11.12.10 Application of other service conditions in relation to the Career Break Scheme

i) **Annual Leave** - Employees taking a career break which will extend beyond the end of their annual leave year must take any outstanding annual leave entitlement at the beginning of the career break. Employees will not accrue annual leave during a career break nor will the period count as continuous service for the calculation of entitlement.

ii) **Sick Leave** - Employees will not be eligible for sick pay during a career break nor will the period count as continuous service for the calculation of entitlement.

iii) **Pension** – For those with 2 or more years 'qualifying service' Pension rights will be preserved at the start of the break and will restart on the return to work. The period will not count as 'qualifying' or 'reckonable' service for pension purposes. (Employees are responsible for seeking advice on their pension rights and entitlements from the Pensions Section).

iv) **Maternity Leave** - Women employees may take a career break immediately following on from a period of maternity leave. The following conditions apply:

a) any annual leave entitlement which accrued during the period of maternity leave must be taken at the start of the career break;

b) the three month return to work period to qualify for the additional contractual maternity pay (see part 2, para. 11.6) will be deferred to the end of the career break. The employee's liability to repay this money (if received) or eligibility to receive this money (if deferred) will be dependant on the employee returning to work for a local authority for a minimum three month period at the end of the career break;

c) the return to work rights at the end of the career break will be those in paragraph 11.2.6 (above) and not those which would apply to a return from maternity leave;

d) there will be no additional right to thirteen weeks parental leave.

v) **Continuous Service** – a career break will not constitute a break in service for statutory redundancy purposes. The periods of continuous service before and after the career break will be aggregated but the term of the break itself will be discounted in any subsequent calculation of ‘continuous service’ for any enhancements to severance pay.

vi) **Extended Leave Scheme** – a career break is not meant to be an alternative to extended leave and the reasons for granting each type of leave are different. The reason for taking a career break must involve some dependency care issue or the potential for losing a significant opportunity for study/development.

a) An employee who has an existing agreement with their manager for a period of absence under the extended leave scheme (see part 3, para 11.6) and who then takes a career break instead, will not be able to take the planned ‘extended leave’ unless it can be incorporated into the term of the career break.

b) Leave, which had been ‘accumulated’ for the purposes of taking the extended leave (see part 2, para 11.5 and part 3, para 11.6.4), must be used in the first 12 months of a career break.