



## Career Break

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<b>This document has been assessed for:</b>	
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**Important notice:** During times of national emergency or pandemic, the head of HR will approve relevant and necessary changes to policy and process to allow the spirit of the policy to be maintained whilst caring for and supporting our people.

# Career Break

## 1. Policy statement

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Career Break is one of the types of leave supported through the organisations commitment to work-life balance. Cleveland Police recognises the benefits about achieving a balance between work requirements and home life to the mutual benefit of both the organisation and the individual.

The procedures set out in this document apply to Police Officers and Police Staff (including those police staff employed by the Police and Crime Commissioner for Cleveland).

This policy must be applied fairly, equally, and consistently to all Police Officers and employees irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or any other unjustifiable grounds.

## 2. Purpose

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The purpose of the document is to highlight to both Police Officers and Police Staff the opportunity to take a career break for a defined period subject to the exigencies of the service.

## 3. Underpinning procedures

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All forms and supporting documentation relating to this policy is available on the force intranet, should additional information or support be needed in completing these then the Shared Service Centre will be able to assist

### 3.1 Career Breaks

Career breaks are available to all Police Officers who have successfully completed their probationary period and Police Staff with 2 years'+ continuous service. A Career break can be 6 months to a maximum of 5 years.

Career breaks can be considered for the following reasons and may be granted subject to approval:

**Domestic Responsibilities:** – time at home to care for children, other dependent relative or family related matters.

**Educational:** – to undertake a recognised or approved course of study in order to satisfy a personal ambition or to gain a qualification.

**Personal Development:** – to take advantage of opportunities which may be available through, for example, voluntary work, sport, or travel.

A career break cannot be used for the purposes of getting paid employment. However, some temporary paid employment can be approved.

The decision to approve a career break (staff under the direction and control of the Chief Constable) lies with the Deputy Head of Human Resources. All career break decisions will be ratified by the Workforce planning meeting (WPM). In reaching a decision, factors such as consideration of health, attendance, and conduct could be included. Applications should be forwarded to Human Resources for ratification via the Workforce Planning Meeting (WPM). Once a decision is reached at the WPM the individual shall be advised of the outcome.

For those staff employed by the Police and Crime Commissioner for Cleveland the process is the same as above albeit the decision does not have to be ratified by the WPM. However, should the career break not be supported by the Deputy Head of HR any appeal will be to the Chief of Staff.

### 3.1.1 Appeal

If an individual wishes to appeal, he/she must state the wish to appeal in writing. The appeal must be dated and sent to the Head of Human Resources (Chief of Staff for staff employed by the Police and Crime Commissioner) as soon as is practicable, setting out the grounds for appeal.

If an appeal is upheld without a meeting the individual must be informed in writing and the date the career break shall take effect within 14 days of the appeal letter being received.

If there is to be an appeal meeting the individual must be informed in writing of the date and time of the meeting and be reminded of the right to be accompanied by either a Federation representative or a Police Friend (Police Officer) or by either a trade union representative or a work colleague (Police Staff).

Following the appeal meeting the Chair will notify the individual of the decision in writing within 7 days of the date of the meeting.

If the appeal is upheld the individual must be given notice of the decision and the date the career break shall take effect.

If an application for a career break is declined the letter must state the basis of the refusal and how it applies in this particular case and that there is no further right of appeal.

## 3.2 Status of Person on Career Break

Police Officers are not required to resign. A Police Officer remains subject to the Career Break Agreement, Police (Conduct) Regulations, the application of restrictions on private life, and the Notification and Approval of Business Interests.

Police Officers will retain their uniform and warrant card whilst on a career break. However, access to force property will be withdrawn (this can be changed by agreement).

Police Staff are not required to resign. A Police Staff member will remain subject to the Disciplinary Policy, Official Secrets Act requirements, and Conditions of Service as per their Contract of Employment. Police Staff will retain their ID card whilst on a career break. However, access to Cleveland Police property will be withdrawn (this can be changed by agreement).

At the point of starting the career break, the member of Police Staff will be classed as supernumerary and, under normal circumstances, will not return to the same post they vacated, as per their Contract of Employment, unless they return to the organisation within 12 months of commencing the career break.

A Police Officer will not return to the same post upon returning from a career break but will be posted in accordance with the business requirements of Cleveland Police.

### **3.3 The Career Break Agreement**

If a career break is approved, the DCC (Chief of Staff for employees of the PCC for Cleveland), via the Head of Human Resources, and the Individual enter into a Career Break Agreement which covers the following:

- Category of Career Break;
- Objectives of Career Break;
- Start date, duration and end date;
- Obligations and Expectations, e.g. response to incidents;
- Role of mentor, required Police actions, uniform, warrant card, identity cards etc;
- Contact Arrangements - Mentor and HR;
- Review Arrangements;
- Medical - at start and end of a Career Break;
- Annual Leave arrangements;
- Return to work plans;
- Maternity provisions (if applicable)

The Agreement is held in Human Resources on the individual's personal file for the duration of the career break.

### **3.4 Conditions of service whilst on Career Break (Police Officer)**

Police Officers are not paid during the career break. The career break period does not count for the purposes of reckoning entitlement to promotion, sickness payments, pay, annual leave, and maternity provisions.

A Police Officers' rank and pay point are protected and future pay increments deferred by the duration of the career break. Allowances will not be paid whilst on a career break. **Any officer who has not at the start of their career break completed their ARC assessment (Assessment and recognition of competence) process should note that on their return to work they will be required to complete their ARC in order to progress up the pay scale.**

Police Officers remain subject to the Police Regulations and the Discipline Code, as agreed. Police Officers could be recalled to duty at any time during the break, although

this would only be necessary in extreme circumstances and whenever possible a notice period would be given.

Entitlement on return will be identical to that at start of a career break, subject to relevant changes in nationally negotiated agreements, Regulations, or Home Office Circulars.

Pension rights will be affected by the career break. Individuals should seek advice from the Kier Pensions Administrator concerning any potential issues. Pensions Benefits will be protected at the start of the career break (including death benefits, enhanced ill-health, and injury benefits).

Police Officers are responsible for contacting their local department for Work and Pensions to put in place arrangements regarding National Insurance payments whilst on career break.

Contributions to Police Federation are suspended whilst on career break with no loss of rights. Cleveland Police Federation Group Insurance Scheme is available, subject to agreement of trustees.

Police Officers should put into place arrangements regarding any Sports and Social/Force Lottery contributions.

Whilst on a career break, Police Officers will have an allocated mentor. They do, however, have some input into determining the mentor. See section 3.5 for further information on the role of the mentor.

Police Officers should provide a permanent address (and e-mail address if possible) for contact purposes. Any change must be notified to the mentor and Head of Command/Service Unit Manager.

Career break objectives and timescales can be reviewed at any time by the DCC via the Head of Human Resources and the Police Officer by agreement. A Police Officer will inform Human Resources of any change in circumstances which may affect objectives and timescales of the career break.

Where the DCC via the Head of Human Resources has reasonable grounds for believing that agreed objectives and timescales are not achievable, a Police Officer may be required to attend a Review. As a result of such a Review, the Police Officer may be required to return to duty.

If a Police Officer fails to abide by the career break agreement and policy, consideration will be given to terminating the career break.

#### **3.4.1 Conditions of service whilst on Career Break (Police Staff)**

Police Staff remain members of Cleveland Police and, under normal circumstances, continuity of service is maintained. Police Staff on career break will be classed as supernumerary and will not return to the same post they vacated (as per Contract of Employment), unless they return from a career break within 12 months of commencement of the break.

Police Staff will not be paid whilst on career break. Service accrued whilst on career break will count towards statutory employment rights (employment protection, entitlement to redundancy payment, statutory maternity). However, service will not count towards the calculation of payments (e.g. redundancy) nor will service accrued during the career break qualify as reckonable service towards contractual rights, i.e. incremental progression, calculation of entitlement to annual leave, sickness payments, redundancy selection, contractual maternity, and adoption leave.

The Grade and pay point of a member of Police Staff will be protected whilst on career break and future pay increments will be deferred.

An individual's entitlement on return to work will be identical to that at the start of a career break, subject to relevant changes in Police Staff Council (PSC) Agreements or Home Office Circulars.

Police Staff remain subject to the force Discipline Policy whilst on a career break.

Police Staff should put into place arrangements regarding Sports and Social/Force Lottery contributions.

Whilst on a career break, Police Staff have an allocated mentor. They do, however, have some input into determining the mentor. See section 3.5 for further information on the role of the mentor.

Police Staff should provide a permanent address (and e-mail address if possible) for contact purposes. Any change must be notified to the mentor and Head of Command/Service Unit Manager/Manager within the OPCC for Cleveland.

Career break objectives and timescales can be reviewed at any time by the DCC (Chief of Staff for OPCC employees) via the Head of Human Resources and the member of staff by agreement. The member of staff will inform Human Resources of any change in circumstances which may affect objectives and timescales of the career break.

Police Staff Pension rights will be affected by the career break as the break is treated as a 'break in service'. Police Staff should seek advice from the Kier Pension Scheme Administrator for any potential issues. Pension benefits will be protected at the point of the start of the career break (death benefits, enhanced ill-health and injury benefits).

Police Staff are responsible for contacting their local department for Work and Pensions to put in place arrangements regarding National Insurance payments whilst on career break.

Police Staff remain subject to Conditions of Service and could be recalled to duty at any time during the break.

Where the DCC (Chief of Staff for OPCC employees) via the Head of Human Resources has reasonable grounds for believing that the agreed timescales and objectives are not achievable, the person may be required to attend a Review. As a result of the review, the DCC (Chief of Staff for OPCC employees) via the Head of Human Resources may require the person to return to duty.

If a member of Police Staff fails to abide by the career break Agreement and policy, consideration will be given to terminating the career break.

### **3.5 Attendance at court – whilst on career break ( Police officer and Police Staff)**

The applicants line manager should ensure that there are no court appearances pending and if there are a discussion should be held with the applicant regarding arrangements for their return; these should be detailed on the application form with an appropriate recommendation/agreement.

Equally, if a court case becomes known to the applicant or line manager during the application process, then the Employee Relations team should be made aware of the agreement as required above.

Should attendance at court be required then the person will be paid for their attendance.

### **3.6 Role of the Mentor**

The mentor is the main point of contact between the organisation and the person on career break. They are responsible for advising Human Resources of any welfare matters concerning the individual whilst on career break; keeping the individual up to date with any key organisational changes re significant organisational changes; providing distance learning material etc; any other information considered appropriate. Essentially, the mentor will act as a conduit for the passage of any relevant information between the individual and the organisation and vice versa.

All individuals on career break will have a mentor appointed which should be from the individual's service unit. Where the selection of the mentor is deemed not appropriate an alternative mentor will be selected. The individual should supply the mentor with up to date contact details in order for information to be passed on a regular basis. This information will be held on the career break Agreement document A07.12A (Appendix 2).

### **3.7 Role of Human Resources**

The Human Resources team will maintain and monitor every six months the list of career break individuals ensuring that contact details etc are up to date and accurate. Ensuring that if an alternative mentor is required for whatever reason, this will be implemented and communicated to the career break individual.

### **3.8 Return to Work**

The Police Officer/member of Police Staff will return to work on the agreed return date. The return to work section of the career break Plan should be completed. Notice to return to work should be addressed to the respective Human Resources Business Partner.

#### **3.8.1 Returning to Work (Police Officer)**

A Police Officer is required to inform the Human Resources team in writing, at least three months prior to the return date. Returning to work before the agreed career break return date is permitted, but is subject to there being three months notice. A Police Officer should not normally be required to return to duty early from a career break unless recalled due to the exigencies of the business.

Posting within the force on return from Career Break will be determined via the Workforce Planning Meeting (WPM) and will be subject to the exigencies of the business and will be Resources. The decision will be noted at WPM. In any cases where a decision cannot be reached by WPM the Head of Human Resources, determination will be final.

All Police Officers returning from a career break will be required to satisfy Cleveland Police of their continued suitability to perform the role of Police Officer. This includes:

- A medical examination by the FMA (no later than 8 weeks prior to return date);
- Vetting checks (re criminal convictions) will also be undertaken prior to return.

Where a Police Officer previously considered having a disability under the Equality Act 2010, returns from a career break, any previously agreed reasonable adjustment(s) should be reviewed as part of the return to work programme.

### **3.7.2 Returning to Work (Police Staff)**

A member of Police Staff is required to inform Human Resources in writing, at least three months prior to the return date. Returning to work before the agreed career break return date is permitted but is subject to there being three months notice. A member of Police Staff should not normally be required to return to duty early from a career break unless recalled due to the exigencies of the business.

Under normal circumstances, the person shall not return to their vacated post unless they return from the career break within 12 months from commencement of the break. If a member of Police Staff has a 13month+ career break, a suitability interview will be held prior to returning to work, to determine what role(s) can be undertaken and are available.

From this point an individual will be subject to the Redeployment policy and process for Police Staff and will be dealt with in accordance with the policy (refer to Redeployment policy on policy intranet site for further details).

All Police Staff returning from a career break will be required to satisfy Cleveland Police of their continued suitability to perform as a member of Police Staff. This includes:

- A medical examination by the FMA (no later than 8 weeks prior to return date, if required);
- Vetting checks (re criminal convictions) will also be undertaken prior to return.

Where a member of Police Staff was previously considered having a disability under the Equality Act 2010, returns from a career break, any previously agreed reasonable adjustment(s) should be reviewed as part of the return to work programme.

### **3.7.3 Reorientation Days**

An individual on career break may agree with his/her line manager to carry out up to 10 'days' work (10 periods of work), whether consecutive or not, without bringing the career break period to an end. These days are known as "Reorientation days". For the purposes of this entitlement, any period of work carried out on any day shall constitute one day's work. Therefore if an individual works for 2 hours on one day it will be 'classed' as one "R day" and he/she will be paid for 2 hours work.

Work in this context includes training or any other activity to assist the individual in keeping in touch with the workplace. Any days that are worked do not have the effect of extending the total duration of the career break.

Payment will be made for each hour the individual works, at the individual's normal hourly rate of pay.

For the payments to be made the appropriate the line manager must inform the Human Resources / pay team via e-mail to the Shared Services Centre of the payment requirements. E.g.: dates of work and hours worked on each day.

Such work may be carried out only following agreement between the line manager and the individual. There is no right for the organisation to provide such an undertaking, or for an individual to enter such an undertaking.

### **3.9 Outsourcing (Police Staff only)**

In the event that an individual's post is considered for outsourcing whilst on career break, in line with the Transfer of Undertaking for the Protection of Employment legislation 2006 (TUPE), the organisation will ensure that the individual is consulted upon the situation at every opportunity by a representative from Human Resources.

### **3.10 Redundancy (Police Staff only)**

In the event that an individual's post is being considered for deletion from the organisations establishment whilst on career break: a potential redundancy situation, the organisation will ensure that the individual is consulted and dealt with in accordance with the Redundancy policy for Police Staff. A copy of which can be found on the policy intranet site.

### **3.11 Records**

Human Resources will record and monitor the career break process. Any relevant and appropriate documentation relating to a career break will be recorded on the Oracle system and the individual's personal file.

## **4. Appendices**

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There are no appendices included in this policy.

## **5. Compliance and monitoring**

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Cleveland Police expects every individual to act within approved policies and take appropriate professional advice as necessary.

All Police Officers and Police Staff should be briefed on the Career Break policy at their induction and their attention drawn to key points.

The Head of HR will monitor the implementation of and compliance with this policy on an ongoing basis.

## 6. Version control

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This policy will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

Version	Date	Reason for update	Author
0.1	01.07.11	Policy Review Timetable	████████
0.2	5/7/11	Updated version following consultation	████████
1.0	Aug 2011	Agreed by SDG members to go live	████████
1.1	Nov 2012	Policy amended to reflect introduction of PCC, statement only	████████
1.2	20.11.12	Policy amendment to reflect changes to delegations of authority as a result of the election of the Police and Crime Commissioner (PCC)	████████
1.3	01.04.14	Policy amendment to include the Office of the Police and Crime Commissioner for Cleveland	████████
1.4	01.10.15	Policy amendment to clarify career break appeal procedure	████████
1.5	01.02.17	Policy amended to reflect move to E-forms and fact appendices are removed from the policy	████████
1.6	09.02.18	Amendment to policy to include reference to ARC at para 3.4	████████
1.7	10.05.19	Addition of information re court attendance	████████
1.8	Feb 2020	Change of owner dept. name	████████
1.9	Apr 2020	Addition of COVID 19 message	████████