

CAREER BREAK (POLICE OFFICERS)

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NORFOLK
CONSTABULARY



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CONSTABULARY

CAREER BREAK (POLICE OFFICERS)

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Legal Basis

Legislation specific to the subject of this policy document:

- Police Regulations 2003 and the Determinations of the Secretary of State there under, Regulation 33, Annex OO

Other relevant legislation which you must check this document against (required by law) (*Delete as applicable for each policy*)

- Human Rights Act 1998 (in particular A.14 – Prohibition of discrimination)
- Equality Act 2010
- Crime and Disorder Act 1998
- Health and Safety at Work etc. Act 1974 and associated Regulations
- General Data Protection Regulation (GDPR) and Data Protection Act 2018
- Freedom Of Information Act 2000
- The Civil Contingencies Act 2004

Other documentation which you must check this document against:

- College of Policing – Code of Ethics

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- Norfolk and Suffolk Constabularies' Standards of Professional Behaviour
- College of Policing – Authorised Professional Practice

1. Our policy

- 1.1 The purpose of this policy is to provide clear information on career breaks for police officers, including conditions during a career break and the procedure to follow to apply for one.
- 1.2 Norfolk and Suffolk Constabularies (together the Constabularies) are committed to ensuring this policy complies with relevant legislation and that consultation has been undertaken with all relevant staff groups. All our policies and procedures are non-contractual. We can update them at any time and will consult with the Federation as applicable.
- 1.3 The Constabularies will review this policy periodically to ensure that it reflects appropriate standards and continues to meet our needs, and to reflect any changes in legislation or police regulations.
- 1.4 All our policies promote equality, eliminate unlawful discrimination and actively promote good relations regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, economic or family status. Managers have a specific responsibility to ensure the fair application of this policy and all officers and staff are responsible for supporting their colleagues and ensuring its success.
- 1.5 The Director of People has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the HR Managers, HR Delivery.

2. Introduction

- 2.1 The Constabularies recognise there may be occasions when officers wish to apply for a career break in order to undertake other responsibilities or activities which require a break from work. The career break scheme enables officers to do this and to continue with their career progression on return.
- 2.2 Officers should note that agreement to a career break is at the discretion of the relevant Constabulary.

3. Who this policy is for

- 3.1 This policy is for all police officers of Norfolk and Suffolk Constabularies.
- 3.2 Police staff should refer to the ['Career Break \(Police Staff\)' policy](#).

4. Eligibility

- 4.1 All eligible officers are entitled to request a career break. To be eligible to apply the officer must:

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- have completed their probationary period.
- have a satisfactory performance, conduct and attendance record (a career break is less likely to be approved if the officer is subject to formal misconduct or unsatisfactory performance procedures (UPP), however any relevant personal circumstances will be taken account of).
- . demonstrate a beneficial reason either personally or to the Constabulary for requesting a career break and explain how they and /or the Constabulary will benefit upon their return.
- affirm their commitment (on the application form) to returning to work following the career break.

5. Reasons for a career break

5.1 Reasons for a career break will generally fall within the categories below, however officers may have other valid reasons and each request will be considered on its own merits.

- childcare or other dependants' care or responsibilities.
- an educational course or studies intended to assist the officer with their future career progression (the benefit must be stated in the officer's application).
- other personal development e.g. voluntary service or alternative paid employment of a developmental nature that will be of benefit on the officer's return (the benefit must be evidenced in the officer's application). A career break is not, however, intended to provide the opportunity to pursue an alternative career.
- health and well-being – intended for officers who feel a career break would support their health or well-being. Please note that before proceeding with a formal career break application for health or well-being purposes, the officer and line manager must first discuss this informally, giving full consideration to alternative supportive measures including flexible working arrangements, adjustments to current role, or potential redeployment. Line managers should seek advice from their HR Advisor and are advised to make a referral to Workplace Health where appropriate.

5.2 Any officer who may choose to resign, e.g. to pursue an alternative career or any other reason, rather than take a career break is reminded that they may re-join the police service within 5 years, subject to the re-entry Regulations. For full information please see guidance from the College of Policing [here](#).

6. Length of career break

6.1 Career breaks will usually be for a minimum of six months and a maximum of five years in total. For shorter periods, other forms of leave may be appropriate and should be considered e.g. an extended period of annual leave; parental leave; unpaid leave. Please see the Leave and Time Off Policy (Police Officers) for further information.

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- 6.2 For those officers seeking a four or five-year career break, an initial maximum term of three years may be approved and the officer may then subsequently apply for a further one year to two years rolling extension.
- 6.3 The length of the career break will be agreed with the officer by the ACC of their own directorate, in light of current and anticipated organisational needs and relative to the reason requested.
- 6.4 More than one career break can be applied for during the course of an officer's career but the combined lengths should not exceed five years and there should be a minimum of 12 months between career breaks. Exceptionally, career breaks totalling more than five years may be approved and/or a shorter gap may be considered in exceptional circumstances.
- 6.5 Career breaks must not extend beyond the normal retirement age for police officers.

7. Application procedure

- 7.1 Officers considering applying for a career break should familiarise themselves with this policy, paying particular attention to the conditions as listed under section 11 below.
- 7.2 Officers should firstly discuss their intention to apply for a career break with their line manager, before submitting a formal application.
- 7.3 All career break applications will require approval by the ACC of the officer's directorate.
- 7.4 For those officers considering a career break for care of children or other dependants, the officer may wish to also consider and discuss other alternatives such as flexible working or parental leave with their line manager before proceeding with a career break application. Further information please see the Flexible Working Policy (Police Officers) and Leave and Time Off Policy (Police Officers).
- 7.5 If an officer is considering spending time living and/or working abroad during their career break they must consider timescales and what they intend to do abroad, as this may affect their eligibility to return to the Constabulary. Officers considering this should speak to their HR Advisor, who will seek advice on their behalf from Vetting Department, before they submit a career break application. Any application with a stated intention to include travel abroad which may mean the officer is ineligible for vetting upon return, will not be approved.
- 7.6 Formal career break requests should be submitted via an on-line Career Break Application Form. The application should be submitted at least three months prior to the desired start date. Applications submitted with less than with three months' notice of the required start date will only be considered in exceptional circumstances.
- 7.7 Line Managers and Heads of Department dealing with requests should ensure they comment on the officer's eligibility and any future known work commitments and

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court dates, on the online form. Advice from the relevant HR Advisor may be sought at the manager's request.

- 7.8 HR and PSD will conduct relevant checks pertaining to the application.
- 7.9 The Head of HR Strategy and Planning will comment on organisational resourcing impact prior to forwarding the application to the ACC.

8. Approval process

8.1 The ACC's decision of acceptance or rejection will be confirmed to the officer in writing within 28 days of submission of their application. Where a career break is rejected, reasons for this will be given in writing. Approval of all career breaks, including the length of the break, is at the discretion of the ACC.

8.2 When making a decision on a career break request, the following will be taken into account (this list is not exhaustive):

- current skill set, role and rank;
- operational and resourcing requirements – to ensure that these are not undermined;
- conduct, performance and attendance record (a career break is less likely to be approved if the officer is subject to formal misconduct or UPP action, however any relevant personal circumstances will be taken into account);
- reason for career break;
- length of the career break being requested;
- current work commitments e.g. attendance at court.

8.3 The decision to approve a career break may be rescinded by the Constabulary at any time before the start of the career break if there is an exceptional and unforeseen circumstance for doing so.

8.4 The officer also has the right to rescind their request for a career break at any time prior to commencing their career break.

9. Right of appeal

9.1 Officers have the right to appeal if their career break application is rejected and if they wish to appeal, they should submit a written appeal notice to the Deputy Chief Constable (DCC) within 28 days of receiving the rejection.

9.2 The DCC will personally consider the appeal and make their decision.

9.3 Whilst it will not be offered as a matter of course, an officer may request an in-person meeting with the DCC as part of the appeal process, at which they may be accompanied by a Federation representative or police friend.

9.4 If the application is approved upon appeal, the officer will receive written confirmation of the approval. If the application is refused on appeal, the officer will

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receive written notification of this and the DCC's rationale will be clearly stated. The DCC's decision is final.

10. Commencement of career break

10.1 Before commencing a career break, the officer will be required to sign an agreement which will cover the obligations and expectations of both parties for the duration of the career break. This will include:

- start and end dates
- length of career break
- objectives
- re-engagement on return
- application of Police Regulations 2003
- notification requirements in relation to any change of circumstances

10.2 Objectives with timescales for the career break (as applicable) will be agreed with the ACC and Director of People. These may be varied at any time during the break by agreement.

10.3 Officers must inform the Director of People of any change in circumstances at any time which may affect their career break objectives or timescales. In line with Police Regulations 2003, if there are reasonable grounds for believing the objectives and timescales may not be achievable the officer may be required to attend a review. As a result of such a review the officer may be required to return to duty after a minimum one month notice period. In such circumstances, the officer will have the opportunity to make representations before a final decision on their return is made.

11. Conditions of taking a career break

Status

11.1 The officer will not be required to resign in order to commence a career break. They will remain subject to the Police Regulations 2003 and the Secretary of State's Determinations thereunder, in particular:

- Regulation 6 - Restrictions on the private life of officers;
- Regulation 7 - Business interests of members of police forces: general;
- Regulation 8 - Business interests: notification and determination.

11.2 The officer will also remain subject to Police (Conduct) Regulations 2020, and the Code of Ethics.

Uniform, equipment, warrant cards

11.3 All uniform, equipment, warrant cards and ID cards must be returned to the Constabulary prior to commencement of the career break.

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Rank

11.4 The officer's rank held before commencing their career break will be protected for the duration of the break and they will be guaranteed to return to the same rank.

Reckonable service

11.5 The period of a career break does not count as reckonable service for the purpose of calculating entitlement to key benefits including:

- pay increments
- pension
- increase in annual leave entitlements
- long service awards

Pay

11.6 The period of a career break is unpaid.

Pension

11.7 The officer's police pension will be affected by a career break.

11.8 The period of a career break does not count as pensionable service and there is no buy-back option of contributions for that period on return to work.

11.9 Officers will however remain a member of the Police Pension Scheme during their career break (unless they choose to opt out) and will have a protected entitlement to all pension benefits based on their service accrued up to the start of the career break, including ill health, injury and death benefits.

11.10 Officers can discuss the implications of a career break on their police pension by contacting the pensions administrator, currently XPS Administration.

Annual Leave

11.11 Officers will not be entitled to paid annual leave during a career break, nor will they accrue any leave entitlements during the career break. Provision should be made for the officer to take any outstanding annual leave, public holiday leave, time in lieu and re-rostered rest day entitlements prior to the start of their career break. Prior to starting the career break the officer's DMS account should show zero balances.

Sickness

11.12 If an officer falls sick during a career break they will not be entitled to occupational sick pay. To find out about sickness benefits paid by the government please visit www.gov.uk

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Maternity/Adoption/Shared Parental Leave

- 11.13 Officers who become pregnant or adopt, or otherwise become a new parent, whilst on a career break are entitled to suspend their career break and take police maternity leave/adoption leave/shared parental leave (as applicable) on the same basis as those officers not taking a career break.
- 11.14 Any officer to whom the above applies to should contact People Customer Services giving notice of the expected week of childbirth/adoption placement as soon as reasonably practicable. The officer will be advised of the process to take maternity leave/adoption leave and/or request shared parental leave.
- 11.15 When an officer takes maternity/adoption/shared parental leave, their career break will be suspended and the normal provisions of the applicable leave policy will apply.
- 11.16 If the officer wishes to resume their career break on conclusion of their maternity leave/adoption leave/shared parental leave period this will be subject to further agreement with the ACC.

Legal proceedings/criminal charges

- 11.17 Officers must report immediately to PSD, any involvement in legal proceedings or criminal charges whilst on a career break. This will be dealt with in accordance with Police Regulations and appropriate legal procedures.

Subscriptions and membership

- 11.18 Officers are responsible for informing the Federation, and any other support or welfare associations they are a member of if applicable, that they are on a career break and for making their own arrangements for maintaining membership.
- 11.19 Federation members should contact the Norfolk or Suffolk Federation office to make their own arrangements for paying subscriptions whilst on career break. To arrange this please email Suffolk@polfed.org or Norfolk@polfed.org as applicable.
- 11.20 Any subscriptions made through the Payroll will cease.

Business interests

- 11.21 During a career break officers must not undertake any alternative employment or have any business interest without the Constabularies prior agreement.
- 11.22 It is acknowledged that officers may wish to engage in employment or a business during their career break, subsidiary to the main reason and purpose of their career break. If an officer wishes to do so, they must seek prior approval in accordance with the [Business Interests and Additional Occupations Policy](#). Failure to notify and seek approval may result in disciplinary action and affect the career break agreement.
- 11.23 If an officer has a pre-authorised business interest, any changes in the amount of time they wish to commit to this during their career break should be applied for in accordance with the above policy.

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12. Maintaining contact during career break

- 12.1 Responsibility for maintaining contact during the career break rests as much with officer as with the Constabularies.
- 12.2 Officers must ensure that the Constabularies have their current address and contact details and must send this to People Customer Services at peoplecustomerservices@suffolk.police.uk Any change in contact details must be notified to People Customer Services immediately. The Constabularies retain the right to contact an officer at any time where deemed necessary.
- 12.3 Officers must also inform the Constabularies of any changes in circumstances which may affect their return to work, including any medical conditions or disabilities.

13. Returning from career break

Date of return

- 13.1 Officers are required to contact the Head of HR Strategy and Planning three months in advance of their end date, to confirm their intention to return on this date (or any change in their circumstances which may affect their intention to return), in order to commence the return process.
- 13.2 If an officer would like to return any earlier, this will be agreed, within one month of the officer giving notice of their intention to return if there is a suitable vacancy, or in any other case within three months of notice of intention to return.
- 13.3 If a change in circumstances affects an officer's intention to return and they wish to resign, they must discuss this with the Head of HR Strategy and Planning and then, in accordance with Police Regulations, must give 28 days' notice of resignation.
- 13.4 If an officer fails to return to duty on their confirmed return date without good cause, they may become subject to misconduct proceedings, which could lead to their dismissal.
- 13.5 If an officer wishes to extend their career break, this will also be considered providing it doesn't exceed five years or take them beyond their compulsory retirement date. In exceptional circumstances, extensions that take the length of career break beyond five years may be approved. If an officer wishes to request an extension they should send their request in writing to the Head of HR Strategy and Planning setting out what benefits a continuing career break would bring to them and the Constabulary and how this will further benefit them and the Constabulary upon their return.
- 13.6 Extensions are subject to approval by the ACC.

Posting

- 13.7 Postings on return will be determined by Workforce Planning dependent upon operational need. There is no guarantee that an officer will be able to return to their

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original posting. They will be able to return on their same determined hours and pattern as before the start of the break, unless mutually agreed otherwise.

- 13.8 The period prior to return will be used to enable discussions regarding options and choices upon return, particularly if the original posting is no longer available, e.g. identifying either a role that can accommodate the hours and pattern or agreeing to amend the hours/pattern to meet the role. If the officer chooses to take a role which may require them to alter their hours/pattern by agreement, a Flexible Working Application should then be completed.
- 13.9 Officers must attend any meetings, and complete any documentation required to make arrangements for their return.

14. Vetting

- 14.1 The officer's return to work will be subject to vetting.
- 14.2 The officer will need to be able to evidence that they have been resident in the UK for the last 3 years (RV clearance) or 5 years (MV clearance) otherwise they will not meet the vetting requirements. The exceptions to this being travel for up to a year travelling, or visiting friends and family.
- 14.3 If an officer is returning to a specialist role, a higher level of vetting may be required.
- 14.4 Failure to pass the vetting process will invalidate the career break agreement and therefore may affect the officer's right to return to duty.

15. Medical

- 15.1 Officers will be required to attend a medical with Workplace Health prior to their return to work and must be medically fit for duty. They may also be required to attend an appointment with the Force Medical Advisor (for example, if there has been a significant change to their health during the career break).
- 15.2 See Workplace health clinical protocol for further information.

16. Training needs

- 16.1 Prior to starting their career break, the officer and line manager should ensure the officer's PDR is up to date.
- 16.2 On return from career break, once the new posting has been determined, arrangements will be made with the officer's new line manager and Learning and Development to assess training needs and agree a training plan, which will assist the officer's re-introduction to the workplace.