

CAREER BREAK (POLICE STAFF) POLICY

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NORFOLK
CONSTABULARY



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CONSTABULARY

CAREER BREAK (POLICE STAFF)

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Official

Version Number: 2

Page 1 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

Index

1. Statement of policy	3
2. Who this policy is for	3
3. Introduction	3
4. Eligibility criteria	4
5. Reasons for a career break.....	4
6. Length of career break.....	5
7. Before applying for a career break.....	5
8. Application procedure	5
9. Notification of decision	6
10. Right of appeal.....	7
11. Terms and conditions of a career break.....	7
Resignation.....	7
Employment status	7
Continuous service	8
Sick pay	8
Maternity and adoption leave pay	8
Local Government Pension Scheme.....	8
UNISON membership and subscriptions.....	8
Uniform and equipment.....	8
Alternative employment/business interests	9
12. Personal responsibility	9
13. Request to extend or bring forward end date	9
14. Re-employment following career break.....	10
Implications if re-employment is not secured	10
Security vetting	10
Medical.....	11

Legal Basis

Legislation specific to the subject of this policy document:

- Employment Rights Act 1996
- Equality Act 2010
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

Other relevant legislation which you must check this document against (required by law)

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Health and Safety at Work etc. Act 1974 and associated Regulations](#)
- UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018
- [Freedom Of Information Act 2000](#)

Other documentation which you must check this document against:

- [College of Policing – Code of Ethics](#)
- [Norfolk and Suffolk Constabularies' Standards of Professional Behaviour](#)
- [College of Policing – Authorised Professional Practice](#)

Official

Version Number: 2

Page 2 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

1. Statement of policy

- 1.1 This policy sets out the eligibility criteria and application process for taking a career break, the appeal process for applications which are declined, and the terms and conditions that apply to career breaks.
- 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. Unless we have expressly stated that a policy is contractual, all our policies and procedures are non-contractual. We may change them at any time and will consult with UNISON on any changes proposed. Our policies may also be periodically updated to reflect changes in legislation.
- 1.3 The Constabularies will review this policy periodically to ensure that it reflects appropriate standards and continues to meet our needs.
- 1.4 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.
- 1.5 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.
- 1.6 Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success.

2. Who this policy is for

- 2.1 This policy is for all police staff employees.
- 2.2 Police officers should refer to the Career Break (Police Officers) Policy.

3. Introduction

- 3.1 We recognise that police staff may wish to take an extended break from work during their career with the Constabularies. Career breaks are an important factor in retaining our skilled staff who have stated their intention to continue a career with the Constabularies. We will do all we can to support career breaks and will give due consideration to personal, practical and operational circumstances when making application decisions. Approval of all career breaks is at the discretion of the relevant Constabulary.
- 3.2 It is important that all staff are aware that in order to commence a career break, they will be required to resign from the Constabulary.
- 3.3 Furthermore, whilst individuals will be supported in their intention to secure a new role to return to at the end of their career break, there is no guarantee of

Official

Version Number: 2

Page 3 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

re-employment. Where an individual is successful in securing re-employment, their continuous service accrued prior to the career break will be preserved.

4. Eligibility criteria

4.1 All staff with a minimum of two years' continuous service with the Constabularies are eligible to request a career break. Both full-time and part-time staff with the relevant service are eligible.

5. Reasons for a career break

5.1 It will be necessary to demonstrate a considered reason when applying for a career break, as well as a clear intention of returning to employment with the Constabularies at the end of the break.

5.2 Reasons for taking a career break will generally fall within the categories below, however there may be other valid reasons:

- care or support for dependants;
- further education or study;
- personal development/projects e.g. voluntary work, travel, sporting activities;
- health or well-being

5.3 A career break may be requested specifically for health or well-being reasons where an individual feels they would benefit from an extended period away from work. It is important to stress that this will always be at the member of staff's personal request, rather than management led, including the length of the break (subject to the usual minimum six month period, as per paragraph 6.1 below).

5.4 Examples of when an individual might wish to apply for a career break for health/well-being purposes include: to adjust to a recently diagnosed disability; to undertake a long-term course of treatment or adjust following life changing surgery or medical treatment; to enable a further period of recuperation following long term ill health; or the desire to improve and focus on their long-term health and well-being.

5.5 Before applying for a career break for health or well-being purposes, the individual and their line manager may wish to discuss alternative supportive measures including flexible working arrangements, possible reasonable adjustments etc.

5.6 Career breaks are not intended for the purpose of pursuing an alternative career outside the Constabulary, however undertaking alternative paid employment will be permitted if this is for the purpose of funding the career break.

Official

Version Number: 2

Page 4 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

6. Length of career break

- 6.1 Career breaks will usually be for a minimum of six months and a maximum of five years.
- 6.2 For shorter breaks, other forms of leave may be appropriate and should be considered, for example parental leave, carer's leave, an extended period of annual leave, unpaid leave (please refer to the Police Staff Leave and Time Off policy).
- 6.3 Exceptionally, career breaks longer than five years may be approved.
- 6.4 Individuals may apply for more than one career break during the course of their career, but the combined duration should not exceed five years and there should be a minimum of 12 months between each break. A shorter gap, however, may be considered if the reason for the break is to care for dependants.

7. Before applying for a career break

- 7.1 Before formally applying, you are strongly encouraged to informally discuss your intentions with your line manager. This will allow time for any preliminary discussions about potential timing and prepare the basis for a formal application.
- 7.2 It is advisable to seek independent advice on any of the following aspects which may be of relevance before formally applying:
 - Pension (LGPS and/or private pensions)
 - Welfare loans
 - Maternity/adoption/shared parental leave rights
 - Court attendance
 - PIP (Professionalising Investigations Programme) accreditation rules, and any other role-specific professional accreditation
 - UNISON membership
- 7.3 Any individual considering spending time living and/or working abroad during a career break will need to think about timescales, and the purpose of their time abroad. Time spent abroad may affect eligibility to return to work for the Constabularies (since there are minimum UK residency requirements for vetting purposes see paragraph 14.10 below). Individuals can contact their HR Advisor regarding any intention to spend extended time abroad, who will seek guidance on their behalf from the PSD Vetting Department.

8. Application procedure

- 8.1 All career break applications require approval from the individual's Head of Department. Individuals are strongly advised not to commit themselves to any plans before their application has been agreed in writing.

Official

Version Number: 2

Page 5 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

- 8.2 The career break application will need to be submitted at least three months prior to the date the individual would like to start their career break. However, in exceptional circumstances (e.g. care of a dependant) discretion may be exercised. The career break application form can be found on the intranet under 'HR & Payroll Forms' on the ERP Hub.
- 8.3 The formal application should set out:
- the reason for the proposed career break;
 - the dates between which the individual wishes to take their career break;
 - the benefits to the Constabulary, if any, of the proposed career break.
- 8.4 Line managers dealing with requests should ensure they comment on the individual's application any future known work commitments including any court dates. Line managers may wish to contact their HR Advisor for any advice regarding an individual's application.
- 8.5 HR and PSD will conduct relevant checks pertaining to the application. A career break is unlikely to be approved if the individual is subject to formal disciplinary or capability procedures, however any relevant personal circumstances will be taken into account.
- 8.6 The application will then be forwarded to the relevant Head of Department for a decision.

9. Notification of decision

- 9.1 The decision will be confirmed to the individual in writing within 28 days of receipt.
- 9.2 When considering an application, the Head of Department will take the following into account:
- the purpose of, or reasons for, the career break;
 - current work commitments e.g. attendance at court, completion of a project;
 - the individual's skill set;
 - operational requirements and priorities;
 - the individual's conduct, performance and attendance record (a career break is unlikely to be approved if the individual is subject to formal conduct or capability procedures, however any relevant personal circumstances will be taken into account);
 - the length and start date of the career break requested;
 - the number and length of any previous career breaks taken;
 - any other objective justification.

Official

Version Number: 2

Page 6 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

9.3 If the career break is declined, the reason(s) will be given in writing, and the individual will be informed of their right to appeal. In some cases, a career break may be agreed in principle but subject to a different start date. In these circumstances the right to appeal in relation to the original requested dates will still apply.

10. Right of appeal

10.1 Individuals have the right of appeal if they feel the decision made on their application is unreasonable.

10.2 Appeals should be submitted in writing to the Director of People within 14 days of receiving the original decision, stating any relevant supporting information.

10.3 The Director of People will consider the appeal and will notify the individual of their decision in writing within 14 days.

10.4 If an application is approved on appeal, the career break start date will be confirmed with the individual. If the application is rejected on appeal, the individual will be notified of the reason in writing. The Director of People's decision is final.

11. Terms and conditions of a career break

Resignation

11.1 All staff are required to resign from the Constabulary prior to commencing a career break. Individuals should not submit their resignation before they have written confirmation that their break has been approved. The resignation must be submitted in accordance with the individual's contractual notice period, and the date to submit this in order to commence their break on the agreed date will be confirmed in writing to them by People Customer Services. The career break will commence on the first day after the individual's employment contract ends (i.e. the day after the notice period expires).

11.2 In line with the Leave and Time Off Policy, the individual is required to take any accrued annual leave, public holiday leave and any other accrued time remaining in their DMS accounts before their employment terminates and career break starts. Please see the Leave and Time Off Policy for full details.

Employment status

11.3 All terms and conditions of employment will cease to apply from the start date of the career break, except for any obligations of confidentiality which are expressed to continue after termination. No salary will be paid during the career break, annual leave will not accrue and there will be no entitlement to any other Constabulary benefits. There is no guarantee of re-employment following the career break, but support will be given (see section 14 below).

Official

Version Number: 2

Page 7 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

Continuous service

11.4 If employment with the Constabulary is taken up again at the end of the career break, the period of employment before and after the career break will be aggregated to count as reckonable and continuous service for the purpose of entitlement to contractual benefits, including annual leave, family leave, long-service awards, redundancy pay and sick pay. The period of the career break itself will not count as reckonable or continuous service.

Sick pay

11.5 If an individual falls sick during their career break they will not be entitled to sick pay from the Constabulary. To find out about sickness benefits paid by the government please visit www.gov.uk.

Maternity, paternity, and adoption leave pay

11.6 If an individual has or adopts a child whilst on a career break they will not be entitled to maternity, paternity or adoption pay from the Constabulary. To find out about maternity and adoption benefits paid by the government please visit www.gov.uk

Local Government Pension Scheme

11.7 For those who are members of the Local Government Pension Scheme, membership of the scheme will cease when their employment contract ends, and the career break commences. No further contributions will be made, and the individual's pension benefits accrued up to that point will be frozen.

11.8 If the individual returns to the Constabulary's employment at the end of their career break, they will be auto-enrolled back into the pension scheme and their contributions will resume. There is no buy-back option of contributions for the career break period.

11.9 Individuals may obtain further information on the implications of a career break on their pension by contacting the Norfolk Pension Fund or Suffolk Pension Fund, as applicable.

UNISON membership and subscriptions

11.10 Those who are members of UNISON and pay subscriptions to access their benefits and services should contact the branch before their career break starts for advice, if they wish to continue their membership and make arrangements for paying contributions. Any automatic deductions for subscriptions made through the Constabulary's payroll will cease on commencement of the career break.

Uniform and equipment

11.11 All security/ID passes and equipment must be returned to the Constabulary prior to commencing a career break.

Official

Version Number: 2

Page 8 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

Alternative employment/business interests

11.12 We acknowledge that during a career break some individuals may wish to engage in other paid employment or business activity to support their career break.

11.13 Individuals may undertake other work during a career break without prior notification to the Constabulary and will not be required to complete a Business Interest and Additional Occupation application. Please note that any employment or business-related activities undertaken during the career break period will be considered as part of the vetting process prior to re-employment at the Constabulary at any future date.

11.14 Any employment reference request which we may receive for an individual during a career break will state that they are on a career break and their intended date of return.

12. Personal responsibility

12.1 Every individual on a career break has a personal responsibility to notify the Constabularies in writing at peoplecustomerservices@suffolk.police.uk of the following at their earliest opportunity:

- any involvement in legal proceedings or criminal charges against them;
- any change of address or contact details;
- any change in their proposed return to work.

12.2 Failure to comply with the terms of the career break policy and career break agreement may lead to termination of the career break. If any change in personal circumstances potentially affects the Constabulary's support of an individual's re-employment or continuation of their career break, they will be invited to a review meeting with HR to discuss this. The individual may be accompanied by a UNISON representative or work colleague at any such meeting.

13. Request to extend or bring forward end date

13.1 Any request by an individual to extend their career break will be considered providing that the total time spent on career break does not exceed five years. Requests to bring forward the end date will also be considered.

13.2 A request to either extend or bring forward the end date should be submitted in writing to People Customer Services at least three months prior to the current end date, or the new proposed end date, whichever is sooner. The request will be forwarded to the Director of People for consideration, and the individual notified of the decision in writing as soon as possible and within 28 days of the request.

Official

Version Number: 2

Page 9 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

14. Re-employment following career break

- 14.1 HR Delivery will contact the individual three months before their career break is due to end in order to discuss their intention to return and provide information and support. This will include welfare, the process for applying for job vacancies and relevant policy information. It will also provide an opportunity for any questions from the individual. Contact will normally be by phone call or email. Alternatively, a face-to-face meeting with a member of HR may be requested.
- 14.2 If, despite repeated contact attempts by HR, the individual does not engage or inform of their intentions before the end date of their career break, the career break agreement will terminate on the agreed end date and no further support with re-employment will be offered.
- 14.3 To support the intention of re-employment individuals will be given access to all vacancies, including those which are advertised internally only, to apply as an internal candidate for a period of three months prior to their career break end date, and up to three months after this date if they are still looking for a role at that point.
- 14.4 Please be aware that no priority is given to career break returners above any current internal staff during the recruitment procedure.
- 14.5 If the individual is appointed to a role of the same pay band as their outgoing role, they will re-join on their outgoing pay point (updated in line with any national pay award increases). If they are appointed to a role of a lower pay band than their outgoing role, they will return on the highest pay point of the band of the new role. There will not be any protection of previous pay.
- 14.6 Any training needs will be discussed with the individual prior to, or upon, their return with the new line manager. There will be no requirement to serve a further probation period.

Implications if re-employment is not secured

- 14.7 If the individual does not secure a role within three months following their career break end date, the career break arrangement will terminate and if they wish to apply for any vacancies in the future they will need to do so via the Constabulary website as an external applicant. For any return to employment from that point onwards, their new continuous service start date will be the start date of their new employment, and service prior to the career break will not count as reckonable or continuous.

Security vetting

- 14.8 If successful in securing a new role the individual will be required to complete and submit a full vetting application form.
- 14.9 It is important to complete and return vetting forms as soon as possible since all vetting checks must be completed before an individual can return to work.

Official

Version Number: 2

Page 10 of 11

CAREER BREAK (POLICE STAFF) POLICY

Official

14.10 As already explained above, time spent overseas could affect the individual's return to work. Individuals will need to be able to evidence that they have been resident in the UK for the last three years (recruitment vetting clearance) or five years (management vetting clearance) otherwise they will not be eligible for vetting. The only exception to the residency requirement is for travel of a period of up to one year (including to visit friends and family). The level of vetting required depends on the role.

Medical

14.11 The individual will be required to complete a medical questionnaire prior to returning to work and must be medically fit for re-employment. Upon receipt of their completed questionnaire, if a medical appointment is deemed necessary this may be with a nurse adviser, screening nurse or the Force Medical Advisor.