



ABERDEEN
CITY COUNCIL

CAREER BREAK

POLICY

**Approved by the Finance, Policy and Resources Committee on 20 September 2016
(updated February 2018 and October 2019)**

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SECTION 1: INTRODUCTION

Context

It is expected that this Career Break policy will assist with employee engagement and wellbeing and generally improve the staff experience. It should also help the Council with recruitment and retention and its aim of being an employer of choice. This in turn should help improve the customer experience and assist in the effective use of resources.

Policy statement

The Council recognises the difficulties that individuals may have in balancing their working life with their out of work commitments and is therefore committed to developing policies to support the principle of work life balance and to provide a working environment which values and nurtures a diverse workforce

The Council accepts that employees' circumstances change for a variety of reasons and may result in their requesting a period of extended leave from the workplace. Any such requests received should be dealt with under this Career Break policy.

SECTION 2: SCOPE AND CORE PRINCIPLES

Scope

This policy applies to all employees of the Council who have at least 2 years' continuous service, excluding teachers and other employees under SNCT terms and conditions, who have a separate provision in the SNCT agreement.

Core principles

- A career break is an opportunity for an employee to take a period of extended unpaid leave, which could be for a variety of reasons, including:
 - To care for young children, elderly relatives or dependants
 - Following a period of maternity, adoption or paternity leave
 - To undertake a course of study or personal development
 - To undertake voluntary work
 - To travel abroad
 - Personal circumstances
- An employee's entitlement to apply for a career break is dependent on their length of service **with Aberdeen City Council**. In cases where the employee has less than 2 years' continuous service, the Chief Officer has discretion to consider applying the policy's provisions in exceptional circumstances i.e. caring for someone who has fallen seriously ill.
- An employee will not normally be permitted a career break for the purpose of taking up alternative paid employment. Employees wishing to undertake any other paid employment on a career break must seek advance written approval from their Chief Officer. Consent will be at the discretion of the Council.
- The minimum period for which an employee can request a career break is 6 months, up to a maximum of 2 years. In exceptional circumstances a longer duration may be approved by the Chief Officer.
- The granting of a career break will be dependent on the needs of the service at the time in question, with each application considered on the merits of the individual case. The final decision on any application will be at the discretion of the Council.

- In considering the application, the service will be required to determine how the role/duties of the post are to be covered during the break e.g. backfill, agency working etc.
- A minimum of 2 months' formal notice should be given for any career break application.
- Employees will normally be entitled to one career break in the course of their employment. However, discretion to grant further career breaks in exceptional circumstances may be permitted.
- Employees will be required to agree their intended date of return prior to the commencement of the career break. Any change to the agreed date will be subject to the discretion of the Chief Officer.
- Employees will be expected to take all outstanding holidays prior to the commencement of a career break of 1 year or more.
- Where appropriate informal contact should be maintained between the employee and the line manager during the career break.
- Employees will be entitled to return to the post they held before their career break, however, should this not be practicable due to exceptional circumstances (e.g. redundancy, re-organisation) the employee will be placed on the redeployment register and offered a suitable alternative vacancy with comparable duties, terms and conditions, pay and location where such a vacancy exists.
- For contractual purposes, a career break will be treated as a "temporary suspension of contract" during which the normal contractual benefits such as pay and other allowances will not apply.

SECTION 3: GENERAL INFORMATION

Applying for a Career Break

To apply for a career break, employees should complete and submit an application for career break form to their line manager. After discussion with the employee, the line manager will approve or decline the request providing comment, following which it will be escalated to the Chief Officer for final consideration and decision. Where necessary HR advice should be sought. The employee will be notified by e-mail of the decision, and where approved will receive a confirmation letter outlining the conditions of the career break.

If the application is refused, the employee will be advised as to the grounds for refusal. An employee will normally have to wait 12 months from the date of the last application before applying again. If the employee can show, however, that there has been a substantial change to personal circumstances, and in particular caring responsibilities where this is the purpose for the career break, that 12-month restriction may be lifted.

If the employee is dissatisfied with the decision made in respect their application, then they may raise a grievance in accordance with the Council's Managing Grievances Policy.

PLEASE NOTE THERE IS CURRENTLY NO FACILITY TO BOOK A CAREER BREAK VIA COREHR

Terms and Conditions of Employment

For contractual purposes, the period of the career break will be treated as a "temporary suspension of contract" during which the normal contractual benefits will not apply (for example pay and other allowances). These will resume again at the stage they were prior to the career break when the employee returns to work.

The period of a career break will not count towards continuous service. The break itself will not constitute a break in continuity of service, instead continuity will resume when the employee returns to work.

There will be no entitlement to incremental progression of pay during the career break and therefore the employee will return to the same grade and salary point as they left.

Annual leave will not accrue during a career break. The employee will retain the right to the amount of annual leave entitlement in place at the

commencement of the career break, on their return to work. Thereafter, annual leave entitlement will accrue in line with conditions of service.

During the career break, the employee remains a Council employee and subject to any relevant Council codes of conduct. Where it is identified that the employee is engaging in activities inconsistent with the terms on which the career break was originally approved, or which potentially have a direct impact on continued future employment, the Chief Officer will determine appropriate action to be taken. This may include terminating the career break and/or disciplinary investigation.

Pensions

Whilst on a career break, neither the employee nor the Council will pay pension contributions. As such the employee will not build up pension during this period.

In accordance with the Local Government Pension Scheme provisions, when the employee returns to work, if they would like to buy the pension “lost” while on no pay during their career break they can do so through an Additional Pension Contribution (APC) contract. The cost of the APC contract can be split between the employee and employer provided they elect to buy the lost pension within 30 days of returning from leave of absence. This is known as a Shared Cost APC and the employer pays 2/3rd of the cost while the employee pays 1/3rd.

If the employee elects after the 30-day period, they will need to meet the full cost of the APC contract. APCs can be paid over a period of time or as a one-off lump sum.

To investigate a Shared Cost APC contract an application form is required to be completed by the employee which can be obtained at www.nespf.org.uk.

Salary Sacrifice

Employees who participate in any salary sacrifice scheme(s), e.g. childcare vouchers, cycle scheme or car leasing, that relies on salary deductions should contact the Employee Benefits Team to discuss the impact of the career break on agreed payments. The employee will normally be required to repay any outstanding balance before commencing their career break.

Maternity/Adoption/Shared Parental Leave and Career Breaks

A career break may be taken immediately after a period of maternity, adoption or shared parental leave where the employee meets the qualifying criteria. The employee will be required to take any annual leave accrued during the maternity, adoption or shared parental leave period immediately prior to commencing the career break. The career break will thereby commence on the date immediately following any such period of annual leave, where so requested.

If the employee has received the 12 weeks maternity/adoption pay at 50% of their pay and fails to return to work for at least three months at the end of the maternity, adoption, shared parental leave or at the end of the career break which follows immediately after, they will be required to pay back the 12 weeks at 50% of normal pay.

Keeping in Contact

Prior to the commencement of a career break the employee and their line manager should discuss and agree a level of contact during the break and the preferred methods of communication to be used. The line manager should keep a record of the agreed arrangement and pass this to the HR Service Centre for inclusion in the employee's personal file.

The level of contact and information needs will vary in each individual case and consideration will need to be given to the purpose of the career break and to what the employee wishes to be kept informed of. Where required, the line manager can take HR advice for details of the type of information they should be providing to employees on a career break. The employee is obliged to provide their line manager with appropriate contact details and inform of any changes during the break.

Extension or Reduction of a Career Break

It is recognised that an individual's circumstances can change rapidly, and in exceptional circumstances, there may be a need for flexibility to allow for employees to return to work earlier than planned. It may, however, not be operationally feasible for managers to accommodate an employee returning to work early and employees should be aware that there is no automatic right to return early.

An employee can apply for an extension to their career break, with the proviso that the cumulative total of the time already approved together with the extension period does not exceed the normal 2 year limit. The Council is not obliged to grant the extension.

In applying for an extension or an early return, the employee must provide a minimum 2 months' written notice to the Chief Officer.

Returning to Work

The line manager will help make the employee's return to work as smooth as possible, and a meeting should be held to discuss:

- organisational changes
- re-training/refresher training
- any skills, qualifications or experience gained during the career break of relevance to the post held
- any other relevant issues

If the employee decides not to return from their career break they will be required to resign in accordance with their contract of employment.

If at the end of the agreed career break period, the employee fails to return and has not provided written notice of their resignation, the provisions of the career break policy will no longer apply and consequently the employee will lose the right to a guaranteed return to work and the contract of employment will be terminated. HR advice should be sought.

Where an employee whose post is covered by a higher level Disclosure (i.e. PVG or a Standard or Enhanced Disclosure) has spent a continuous period of 3 months or more in a foreign country during their career break, a foreign criminal history check will require to be undertaken before they recommence work for the Council. In this regard, the Foreign Criminal History Checks guidance should be referred to.

SECTION 4: REVIEW OF THE POLICY

People and Organisation will review this policy every 3 years. It will, nevertheless, be subject to continual review and amendment in light of experience of its operation, employment best practice and statutory requirements. Changes will only be made following normal consultation arrangements.