

Career Break Policy

This policy sets out the process for requesting a career break and the terms and conditions governing a career break once in place.

Key words: Career break, employment break

Version: 10.1

Approved by: Strategic Workforce Group

Ratified By: People and Culture Committee

Date this version was ratified: 10th October 2024

Date issued for publication: 14th October 2024

Review date: April 2027

Expiry date: 31 October 2027

Type of Policy: Non-Clinical

This is a controlled document. Whilst this document may be printed, the electronic version posted on the intranet is the controlled copy. Any printed copies of this document are not controlled. As a controlled document, this document should not be saved onto local or network drives but should always be accessed from the Trust Website.

Contents

1.0 Quick look summary	4
1.1 Version control and summary of changes.....	4
1.2 Key individuals involved in developing and consulting on the document.....	8
1.3 Governance.....	8
1.4 Equality Statement	8
1.5 Due Regard	8
1.6 Definitions that apply to this policy.....	8
2.0 Purpose and Introduction.....	9
3.0 Policy Requirements	8
4.0 Eligibility.....	9
5.0 Duties within the Organisation	10
6.0 Applications.....	10
7.0 Terms of Scheme	11
8.0 Vacancy Cover.....	13
9.0 Extension to Career Break.....	13
10.0 General Conditions	13
11.0 Appeal Process	16
12.0 Timescales.....	17
13.0 Monitoring Compliance and Effectiveness	18
14.0 Links to Standards/Performance Indicators	18
15.0 Dissemination and Implementation.....	18
16.0 References and Bibliography.....	18
17.0 Training	18
18.0 Fraud, Bribery and Corruption consideration	19
Appendix 1 Application Form	20
Appendix 2 Scheme Terms and Conditions Letter	23
Appendix 3 Scheme Training and Work Update Agreement	26
Appendix 4 Return to Work Programme	30
Appendix 5 Flowchart	32
Appendix 6 The NHS Constitution	34
Appendix 7 Due Regard Screening Template	35
Appendix 8 Data Privacy Impact Assessment Screening.....	37

Policy On A Page

SUMMARY & AIM

What is this policy for?

The Career Break Scheme gives employees an opportunity to leave their employment for up to 5 years and to return to work at a later time keeping up to date in the intervening period.

KEY REQUIREMENTS

What do I need to follow?

Staff: Make an application using the form contained in the policy ensuring that deadlines are met.

Managers: To receive applications from their staff make sure that they respond within the timescales in the policy and to ensure that a staff members pay is not affected by liaising with the employee services team as required.

TARGET AUDIENCE:

Who is involved with this policy?

The Career Break Scheme is open to all employees on permanent or fixed term contracts of employment, whether full or part-time, who have completed a minimum of 12 months continuous service with the Trust. This will include continuous service transferred to the Trust as a result of the integration of services from other NHS employers

TRAINING

What training is there for this policy?

HR advisory team staff will support managers and staff in the application of the policy.

1.0 Quick look summary

Please note that this is designed to act as a quick reference guide only and is not intended to replace the need to read the full policy.

1.1 Version control and summary of changes

Version	Date	Comments (description change and amendments)
1	April 2012	Harmonisation of former LPT, LCCHS and LCRNHS.
2	May 2012	Formatted – final version.
3	July 2012	Required clarification as highlighted (This has been added): 6.5.1 Employees will have the right to return to work on a grade and working hours commensurate with the post they held prior to the career break being taken. If the employee returns to work within one year, the same job will be available, as far as is reasonably practical. However, if the break is longer than one year and regardless of the length of the career break, employees may return to as similar a job as possible but not necessarily to the same post or at their former base. Where employees are required to return to a different base, they will not be eligible to claim excess daily travel expenses.
4	October 2013	Amendment to Career break agreement to include a section about pension scheme.
5	January 2014	Updated to emphasise the importance of employees having their professional registration maintained upon return from career break and during.
6	November 2015	<ul style="list-style-type: none"> • Amended maximum length of career break to 5 years in line with Agenda for Change Terms and Conditions of Service • Clarified responsibilities and authorisation of career break • Amended paragraph 6.3.3 and 9.12 to match Professional Registration policy and clarified that Nurses need to comply with the NMC Revalidation process in order to maintain their professional registration. • Para 9.4 - Added in reference to shared parental leave • Para 9.6 - Clarification that incremental progression is conditional on meeting locally agreed performance requirements and this cannot be achieved whilst on a career break. • Added paragraph 9.9.4 to clarify entitlement to pension “death in membership benefits” whilst on a career break if continuing to make pension payments. • Added new paragraph 11 which sets out the appeal process • Renumbered Monitoring and Compliance paragraph from 11 to paragraph 12 • Added paragraph 16 - Training requirements • Appendix 5 - Added NHS Constitution Principles which apply to this policy. • Appendix 6 - Due Regard Screening added • Appendices 1 and 2 - Updated Application form and agreement letter to reflect the pension changes, clarify

Version	Date	Comments (description change and amendments)
	December 2015	<p>incremental progression whilst on career break, pay protection and professional registration requirements.</p> <ul style="list-style-type: none"> • Appendix 1 - Service Manager title changed to Head of Service. <p>Sections 10 and 11 Amended appeals process to mirror other HR policies.</p>
7	October 2018	<ul style="list-style-type: none"> • Paragraph 4.1 amended to clarify that staff on fixed term contracts with more than 12 months continuous service may apply for a career break • Paragraph 5.3 amended to clarify that all approved and authorised forms must be submitted to hrinputting no later than 8 weeks before commencement of the career break . (This timescale is concurrent with the 3 months.) • Paragraph 5.4 amended to clarify that written reasons for refusal must be provided by Head of Service • Paragraph 6.3.1 amended to make clear that training days are unpaid. • Paragraph 6.3.3 removed • Paragraph 6.5.2 amended to clarify local induction, corporate induction and completion of mandatory training e-learning modules is part of the re-entry programme • Paragraph 6.5.3 amended to clarify that any delay in the return to work date must be notified by e-mail to hrinputting@leicspart.nhs.uk • Added in new paragraph 6.5.7 to clarify that it is the manager's responsibility to notify hrinputting of the employee's return to work • Amended paragraph 6.5.8 to clarify the reason for managers notifying Employee Services on the date the employee return to work is to ensure they are paid correctly. • Paragraph 9.5 - clarified to make clear that annual leave not taken prior to commencement of career break cannot be paid in lieu • Paragraph 9.7 - clarified what happens with pay protection if on a career break for one year or more • Paragraph 9.8 - clarified what happens to any excess mileage entitlement in force at the time of the commencement of the career break. • Paragraph 9.9.2 - amended paragraph to make clear that Employee Services must be notified of any request to continue to pay pension during a career break. • Added new paragraph 9.12 - Salary Sacrifice • Changed Professional Registration paragraph to 9.13 and reworded to make requirements clear and consistent with Professional Registration Policy • Amended application form - added name to be printed, job title and base of employee and manager • Amended Appendix 2 - approval and terms and conditions letter. Also added instruction - "For HR use only"

Version	Date	Comments (description change and amendments)
		<ul style="list-style-type: none"> Added new Appendix 5 - a flow chart to show the career break application process to be followed. Changed Appendix 5 - NHS Constitution Principles to Appendix 6 Changed Appendix 6 - Due Regard Screening to Appendix 7 Added in definition of Head of Service and of Employee Services in Definitions Section of Policy – page 7.
8	July 2021	<ul style="list-style-type: none"> Para 6.5 amended to include wording from Agenda for Change Section 34 Para 9.6 Amended to refer to Pay Step progression instead of annual increments Appendix 2 amended to refer to pay step progression and not incremental progression.
9	March 2022	<ul style="list-style-type: none"> Para 6.5.5 which enabled managers to delay employees return to work by up to 2 months in exceptional operational circumstances removed. Para 6.6 which refers to the managers responsibility to hand over the management of the career break if they move/leave the service during the period of the career break renumbered to para 6.5 Para 6.7 which refers to managers responsibility to notify Employee Services of the date the employee has returned to work so that they are paid renumbered to para 6.6.
10	August 2024	<ul style="list-style-type: none"> Section 6.2 Added: By exception consideration of a shorter timescale will be afforded. If staff want to opt in for their pension contributions it has to be done in advance. The Trust have to obtain a figure as to what this amounts to each month and it has to be paid a week before pay day so that it goes to NHS pensions with all other staff's contributions. Contributions cannot be made retrospectively. Section 7.3.1 added - up to 10 days. Section 7.5.1 added - Managers have a responsibility to let employee services know when someone returns. Section 7.5.2 added - Staff will be required to maintain their membership of the DBS update service through the career break. The charge associated with this can be reclaimed on return from the career break. Section 8.1 added - NB: Please take into consideration that after 4 years a fixed term contract may automatically become a permanent employee Section 10.2 added - Any requests should be formally approved or turned down in writing in line with the rest of the Policy. <p>Managers should consider the following in deciding whether to approve or not:</p> <p>Registration where applicable has been kept up to date</p> <p>DBS compliance has been kept up to date</p> <p>Are you paying pension on your substantive role</p>

Version	Date	Comments (description change and amendments)
		<p>Has Core Mandatory Training been kept up to date for those who wish to bank within LPT.</p> <p>If staff are paying pension through their substantive role, they must not make contributions through their bank post.</p> <ul style="list-style-type: none"> • Section 10.3 added – once returned from career break • Section 10.5 added - Should the staff member not be returning within the same leave year, any overtaken leave will be taken from the final salary. • Section 10.7 – section retitled Pay Protection for staff in receipt of pay protection • Section 10.9.1 added - [for up to another 18 months] • Section 10.9.2 added - You should indicate on your application if you wish to continue pension contributions. The employee services team will request a figure and let you know. • Section 10.13 added - Payment will be made using Payroll form P6 Non Standard Payments Timesheet available on Staffnet. • Section 11.2 added - Generally a person who has exhausted their sick pay will not be able to enter into a career break. • Appendix 1 section 15 added - I will have hours overtaken annual leave which I understand will be taken from my final salary prior to the commencement of my career break. • Appendix 1 section 16 removed - My salary sacrifice scheme is for (state which scheme) and is due to end on (please insert date) • Appendix 1 Managers comments 1 added - This includes the requirement to undertake up to 10 days paid work and 2 days per year training – pro-rata to hours worked + duration of agreed career break to be agreed between the manager and staff member. • Appendix 1 Managers comments added - to indicate whether they support the application and for the appropriate Head of Service to give final approval • Appendix 3 Section 4 added - to commence no later than 3 months prior to the date of return • Appendix 3 Section 6 added - to be confirmed annually • Appendix 4 renamed - Return to Work Programme • Section 11.3 – removed ‘informing the employee of their right to lodge a grievance under Stage 2 of the Trust’s Grievance and Disputes Policy and Procedure.’
10.1	March 2026	<ul style="list-style-type: none"> • Minor amendment

For Further Information Contact: Human Resources lpt.hrinputting@nhs.net

1.2 Key individuals involved in developing and consulting on the document

Name	Designation
Diane Mallon	HR Business Partner
Wider Consultation	All LPT Staff Bands 7 and above Trust Policy Experts

1.3 Governance

Level 2 or 3 approving delivery group	Level 1 Committee to ratify policy
Strategic Workforce Group	People and Culture Committee

1.4 Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all. This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity.

If you would like a copy of this document in any other format, please contact lpt.corporateaffairs@nhs.net

1.5 Due Regard

LPT will ensure that due regard for equality is taken and as such will undertake an analysis of equality (assessment of impact) on existing and new policies in line with the Equality Act 2010. This process will help to ensure that:

- Strategies, policies and procedures and services are free from discrimination.
- LPT complies with current equality legislation.
- Due regard is given to equality in decision making and subsequent processes.
- Opportunities for promoting equality are identified.

Please refer to due regard assessment (Appendix 7) of this policy.

1.6 Definitions that apply to this policy.

Career Break	A period of unpaid leave lasting between 3 months and 5 years.
Due Regard	Having due regard for advancing equality involves: <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics. • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people. Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
Head of Service	Refers to senior managers with designated responsibility for leading a service.

Employee Services	The part of the Human Resources and Organisational Development Directorate responsible for providing transactional services to existing employees including payroll inputting, processing excess travel, maternity/paternity/adoption/ shared-parental leave, career break and retirement applications.
--------------------------	---

2.0 Purpose and Introduction

This policy governs the procedure for employees requesting a career break and the terms and conditions of the career break when in place.

The Trust values the contribution made by its employees to the provision of a high quality service. It recognises the need to ensure that its recruitment strategies are sufficiently flexible to enable the employment and retention of staff of all grades and disciplines.

All staff should act in accordance to our Trust leadership behaviours for all and be able to evidence adherence in situations that involve career breaks. A fundamental approach to developing our Leadership behaviours for all is the ability to both give and receive feedback in a positive and insightful way. The feedback method is based on defining; Context, Understanding, Behaviour and Effect (CUBE).

Many of the Trust's employees combine their working lives with the responsibilities of childcare, caring for dependent relatives and other domestic commitments. Employees may wish to undertake work overseas to broaden their professional experience or undertake a course of study, either to improve their performance at work or to further their personal development. (This list is not exhaustive). There are, therefore, times when experienced and valued employees need or wish to take time away from work.

The following arrangements set out the agreed criteria to enable employees to take a period of unpaid leave as a career break.

3.0 Policy Requirements

- 3.1 The Career Break Scheme gives employees an opportunity to leave their employment on a long term basis and to return to work at a later time keeping up to date in the intervening period.
- 3.2 The Scheme is not to be used where the main reason is to enable a person to leave the NHS to work for another organisation.

4.0 Eligibility

- 4.1 The Career Break Scheme is open to all employees on permanent or fixed term contracts of employment, whether full or part-time, who have completed a minimum of 12 months continuous service with the Trust. This will include continuous service transferred to the Trust as a result of the integration of services from other NHS employers.
- 4.2 The Trust reaffirms its commitment to equal opportunities and emphasises that the Scheme will be open to all staff irrespective of age, colour, creed, disability, ethnic or national origin, marital status, nationality, race, religion, sex and sexual orientation.
- 4.3 Employees who have a 'live' Warning issued under any of the Trust's policies or who are working to an informal /formal performance framework will not be excluded from

eligibility to apply for a career break. Where one is granted, however, any unexpired term of a “live” Warning issued under any of the Trust’s policies will continue following the return to work.

- 4.4 Where a formal investigation has been commissioned under any of the Trust’s policies or is in the process of fact finding a career break will not be granted. Applications may be submitted when the outcome of the investigation is known.

5.0 Duties within the Organisation

5.1. The Duties of Managers and Supervisors

Managers and supervisors responsible for staff are expected to manage their staff’s career break. They should, as a matter of routine, take the following actions:

- Provide relevant and timely information to the employee services team to ensure that the pay of the staff member is correct.
- Contact the staff member at agreed intervals and by agreed methods.
- Ensure that the staff member has confirmed their commitment to the scheme on an annual basis.
- Take any actions to suspend relevant IT systems whilst the employee is on career break. This includes raising a helpdesk call with HIS so that the employee’s email account is not deleted after 3 months of inactivity.

5.2. Responsibilities for Staff

Staff members are required to:

- Complete their application for a career break in accordance with the procedure
- confirm their commitment to the scheme on an annual basis (See appendix 3)
- Maintain professional registration as required
- Maintain DBS compliance as required.
- Ensure that they consider what actions they wish to take regarding pension contributions
- Maintain contact with their manager as agreed in the plan
- Give written notice if they intend not to return from their career break.

5.3. Responsibility of Human Resources

Provide advice to managers and staff on the application of this procedure

5.4. Responsibilities of Staff Side

Staff Side Representatives provide advice and support to their members throughout the application of this policy.

6.0 Applications

- 6.1 Applications to participate in the scheme will be made on the Career Break Scheme Application Form (Appendix 1) which will be accompanied by supporting information from the employee's line manager.

- 6.2 Applications will be made at least 3 months prior to the proposed date of commencement of the break. Approved and authorised forms **must** be submitted to Employee Services at the lpt.hrinputting@nhs.net email address no later than 8 weeks before commencement of the career break. This timescale is concurrent with

the 3 months. By exception consideration of a shorter timescale will be afforded.

If staff want to opt in for their pension contributions it has to be done in advance. The Trust have to obtain a figure as to what this amounts to each month and it has to be paid a week before pay day so that it goes to NHS pensions with all other staff's contributions. Contributions cannot be made retrospectively.

- 6.3** To ensure consistency and the fair application of the Scheme across the Trust, all applications will be considered by the appropriate Head of Service, in conjunction with Human Resources. All approvals will be at the discretion of management and will take into account the needs of the service.
- 6.4** Applications will not be unreasonably refused and reasons for any refusal will be given in writing by the line manager or the Head of Service.
- 6.5** Employees accepted on to the Scheme will be required to signify their acceptance of the Career Break Scheme Terms and Conditions (Appendix 2).

7.0 Terms of Scheme

- 7.1** The individual on a career break must agree to be bound by the following terms of the Scheme. Failure to comply with these terms may be taken as a repudiation of the agreement and entitle the Trust to terminate the agreement and Contract of Employment.

7.2 Length of Break

The minimum length of a career break is 1 month, and the maximum length is 5 years. Employees may take more than one break, but the aggregate length of time taken must not exceed 5 years.

7.3 Work update and Training

- 7.3.1** Wherever possible a period of up to 10 days per year paid employment will be spent at work to help employees keep up to date. In addition, employees will spend a minimum of 2 days per year on training to refresh and update their skills. The training days will be unpaid although reasonable expenses incurred by employees during the work update and training will be met, subject to a maximum limit of the amount that would have been due had s/he actually worked. Updating will be arranged between the employee and their line manager and detailed in the 'Career Break Scheme Training and Work Update Agreement' (Appendix 3).

Payment will be made using Payroll form P6 Non Standard Payments Timesheet available on Staffnet

- 7.3.2** It is the responsibility of employees to ensure that they regularly read professional journals, where appropriate, to keep up to date with developments and current thinking.

7.4 Communications

- 7.4.1** Employees taking a career break will be provided with copies of Trust Newsletters and notes of departmental and other relevant meetings on a regular basis as agreed between the employee and their line manager when drawing up the 'Career Break Scheme Training and Work Update Agreement' (Appendix 3).

7.4.2 Employees on a career break must maintain regular contact with their line manager as agreed when drawing up the 'Career Break Scheme Training and Work Update Agreement' (Appendix 3).

7.5 Return to Work

7.5.1 Employees will have the right to return to work at the equivalent salary level, reflecting increases awarded during the break, and working hours commensurate with the post they held prior to the career break being taken. If the employee returns to work within one year the same job will be available, as far as is reasonably practical. However, if the break is longer than one year and regardless of the length of the career break, employees may return to as similar a job as possible but not necessarily to the same post or at their former base. Where employees are required to return to a different base, they will not be eligible to claim excess daily travel expenses. Where a Management of Change process takes place whilst the employee is on a career break, they will be included in the consultation process and will be notified prior to their return to work of any change to their current post.

Managers have a responsibility to let employee services know when someone returns.

7.5.2 Employees will be required to give written notice of the intended date of their return to work. If the break is less than a year, 2 months written notice is required. If the break is one year or more, 6 months written notice is required. In order to facilitate an effective return to work, employees will undertake a re-entry programme to include:

- A re-induction course (local to the workplace)
- Continuing on and off the job training
- Additional management support
- Attendance at a Corporate Induction Course if appropriate and / or completion of mandatory training e-learning modules
- A nominated person to give peer support
- A review at the end of 3 months (See Appendix 4).

Staff will be required to maintain their membership of the DBS update service through the career break. The charge associated with this can be reclaimed on return from the career break.

7.5.3 Management reserves the right to require employees to return on the date stated on the application form. Failure to do so will be taken as a repudiation of the Contract of Employment and lead to the termination of employment. However, in exceptional circumstances, consideration will be given by management to delay the return to work for a mutually acceptable period of time. In this circumstance managers must notify Employee Services through the email lpt.hrinputting@nhs.net of the agreed change of return date.

Employees are encouraged to give as much notice as possible if they decide not to return to work from a Career Break but must give at least 2 months' notice. Those deciding not to return should tender their resignation in writing.

7.5.4 Where a manager leaves the service or moves to a different area within the Trust it is essential that they hand over responsibility for the management of the Career

Break to their successor.

7.5.5 It is the responsibility of the line manager on the day of an employee's return from career break to notify Employee Services that the employee has returned to work in order to ensure that they are paid correctly.

8.0 Vacancy Cover

- 8.1 When providing cover for an individual's work while on the Scheme, the following possibilities will be explored:
- A member of staff may be temporarily promoted. This may have real advantages in terms of staff development
 - Appointment on a fixed term contract. NB: Please take into consideration that after 4 years a fixed term contract may automatically become a permanent employee
 - Secondment
 - If the length of the break is more than one year, then the vacancy may be filled on a permanent basis.
- 8.2 Arrangements for cover will be made prior to a final decision being made as to whether an individual can be approved to go on a Career Break.

9.0 Extension to Career Break

- 9.1 Employees wishing to extend the agreed length of their Career Break will only be allowed to do so if cover arrangements may also be extended. Any extensions must not exceed the 5 year maximum break.
- 9.2 Employees must give a minimum of three months' notice of their intention to extend their Career Break.
- 9.3 Requests for an extension must be made in writing and approved by the line manager.
- 9.4 Where an extension is refused, the employee will have the right to request a review by the manager's manager. The reviewing manager will take advice from the Human Resources Department. The reviewing manager's decision will be final with no further right of appeal.

10.0 General Conditions

10.1 A period of absence on the Trust's Career Break Scheme shall not be regarded as a break in service although the absence will not count as reckonable service.

10.2 Other paid employment during a Career Break

Employees on career breaks will not normally be expected to take up new paid employment with another employer, except where, for example, work overseas or charitable work could broaden experience. A period or periods of short term or part time work may be acceptable, once approved by the line manager (who will take advice from the Human Resources Department).

Any requests should be formally approved or turned down in writing in line with the rest of the Policy.

Managers should consider the following in deciding whether to approve or not:

1. Registration where applicable has been kept up to date
2. DBS compliance has been kept up to date
3. Are you paying pension on your substantive role
4. Has Core Mandatory Training been kept up to date for those who wish to bank within LPT.

If staff are paying pension through their substantive role, they must not make contributions through their bank post.

This will be considered on a case by case basis. Paid employment may be essential for Nurses in order to maintain their professional registration.

10.3 Sick Leave

An individual is not entitled to Occupational Sick Pay (OSP) whilst on the Career Break Scheme, but, provided that the employee complies with the conditions of the scheme, the periods of service prior to and following the career break will be aggregated for entitlement to OSP once returned from career break (Entitlement to SSP is covered by Statute).

10.4 Maternity Leave

An individual is not entitled to Occupational Maternity Pay (OMP) if the beginning of the eleventh week before the expected week of childbirth occurs whilst the individual is on a Career Break Scheme. However, a career break period will count towards the qualifying period for entitlement to paid maternity leave, following that career break (Entitlement to SMP is covered by Statute). The same applies for individuals who are on adoption leave, paternity leave or shared parental leave.

10.5 Annual Leave

By definition, there is no entitlement to annual leave during the career break itself. Any annual leave accrued before the break must be taken prior to commencement as this will not be carried forward and cannot be paid in lieu. For the purposes of entitlement to long service annual leave the period on the career break does not count, but service before and after the break should be aggregated.

Should the staff member not be returning within the same leave year, any overtaken leave will be taken from the final salary.

10.6 Pay Step

Progression through all pay step points in all pay bands is conditional on individuals demonstrating that they meet locally agreed performance requirements through annual appraisal. Employees on career break will not be able to meet performance requirements and will not therefore be able to progress through the pay steps whilst on career break. Further explanation on pay step progression is contained within the LPT's Pay and staff expenses policy.

10.7 Pay Protection for staff in receipt of pay protection

If the career break is for 12 months or more, the period of pay protection will be incorporated into the period of the employee's career break. There will be no pay during the period of the career break and pay protection will only be reinstated on the employee's return to work if there is any protection entitlement remaining.

10.8 Excess Mileage

Staff in receipt of an excess mileage entitlement at the beginning of their career break will have the remaining excess mileage period incorporated into the career break. It will not be paused and reactivated on return to work. It will only be reinstated on the employee's return to work if there is any entitlement remaining.

10.9 NHS Pension Scheme

1091 The NHS Pension Scheme Regulations allow a member who has commenced a Career Break to choose to remain pensionable for a period of up to 24 months. For the first 6 months the Employee contributions are paid by the Employee and Employer's contributions are paid by the Employer. Then the Employee can choose [for up to another 18 months] to pay both the Employee and Employer contributions. These payments must be made during the Career Break and cannot be made retrospectively.

1092 It is important that the Payroll and Pensions teams are made aware when employees choose to remain pensionable. In this situation the employee must contact Employee Services lpt.hrinputting@nhs.net who will then request from the Payroll Team details of the contributions to be made by the employee and the employer during the career break. The employee will need to arrange a standing order with the Finance Department lpt.financialaccounting@nhs.net to ensure that the monies are received by the Trust by the 10th of each month. The Finance Department will assist you set up the standing order.

You should indicate on your application if you wish to continue pension contributions. The employee services team will request a figure and let you know.

1093 If the employee does not want to pay pension contributions for part or all of the maximum 24 months, the Payroll department will update the pension record when the pension contributions cease. If the unpaid pension contributions are for 12 months or more and the Employee has a contract to purchase additional membership of the NHS Pension Scheme the contract to purchase additional membership will be terminated.

1094 Employees who continue to contribute to the NHS Pension Scheme for up to 24 months whilst on Career Break will be entitled to 'death in membership' benefits during that period only. When pension contributions cease, the entitlement to 'death in membership' benefits will also cease. For further information on Life Assurance and Family Benefits please go to the NHS Pensions website.
<https://www.nhsbsa.nhs.uk/nhs-pensions>

10.10. Redundancy Rights

10.10.1 In the event of a potential redundancy situation arising during the period of the employee's absence on a Career Break, the terms of the Trust's Management of Organisational Change Policy will be applied to the individual on a Career Break in the normal way.

10.10.2 The period of a Career Break will not constitute a break in employment. However, it will not count as 'qualifying reckonable service' for the purpose of establishing entitlement to a redundancy payment under the Trust's Management of Organisational Change Policy.

10.10.3 Individuals on a Career Break may, therefore, be eligible for a redundancy

payment, providing they have attained the minimum qualifying periods of reckonable service, as defined in the Trust's Management of Organisational Change Policy prior to the commencement of a Career Break.

10.10.4 In the event of a redundancy situation arising following the individual's return to work, the period of reckonable service before and after the break should be aggregated.

10.11 Lease Cars

Employees with a lease car will be entitled to retain the lease car for private use until the expiry of the lease, or alternatively employees may return the car. They may, however, be liable to pay a termination fee for early termination of the lease. If employees choose to retain the car, they will be responsible for the total cost including the contribution which would have been made by the Trust. They will be required to submit monthly mileage returns for monitoring purposes. Employees will also undertake to meet any excess costs at the end of the lease contract period.

10.12 Salary Sacrifice

Employees participating in salary sacrifice schemes e.g. The Home Electronic Scheme must notify the providers of their commencement on Career Break and reduction in salary so that appropriate changes can be made to the repayment schemes.

10.13 Professional Registration

10.13.1 It is a requirement of the LPT scheme (where practicable) for all employees on a career break to undertake a minimum of 10 days paid work annually for updating purposes. Employees who are required to hold professional registration in order to carry out their duties will need to ensure that they take whatever action is necessary during their Career Break to maintain their professional registration so that they can participate in the agreed updating activities.

Payment will be made using Payroll form P6 Non Standard Payments Timesheet available on Staffnet.

N.B. Professional bodies recognise that employees on an unpaid career break may choose to allow their registration to lapse or to give up their licence to practice and in the event this occurs provide advice and guidance on how to revalidate or re-register in order to resume practice and return to work.

10.13.2 In circumstances where an employee is unable to or chooses to allow their registration to lapse whilst they are on a career break, it is the employee's responsibility to ensure that they take the necessary steps to re-register prior to their return to work. All employees should therefore refer to the Trust's Professional Registration Policy and for Nurses the NMC Revalidation Policy.

10.13.3 Employees who are required to be registered in order to carry out the duties of their post and who fail to renew their registration prior to their agreed return to work date will not be permitted to return to work in their substantive post until confirmation of re-registration has been received.

11.0 Appeal Process

11.1 Employees can appeal the outcome of the original decision by writing to their 'next

in line manager' giving the grounds for the appeal.

11.2 The 'next in line manager' with support from HR if necessary, will arrange a meeting with the employee. The meeting needs to take place as soon as is reasonably practicable, but no later than the timescales set out in Section 11 below.

Generally, a person who has exhausted their sick pay will not be able to enter into a career break. The employee should be sent a letter confirming the date and purpose of the meeting and giving them the option to bring a colleague or staff side representative.

11.3 For the meeting, the 'next in line manager' hearing the appeal should have reviewed both the request, and the line manager's response, and be sure that they have everything they need to make an informed decision. Once the meeting has taken place, the decision should be confirmed in writing as soon as is reasonably practicable after the meeting, but no later than the timescales set out in Section 11 below. The decision will either be to:

- uphold the appeal, specify the exact nature of the agreed change, and establish a start date and an end date if applicable, or
- reject the appeal, in writing, and state the grounds for the decision.

11.4 If you have been able to agree at this stage, you should complete a change of circumstances form and send it to lpt.hrinputting@nhs.net and forward a copy to your Human Resources representative.

At the point that the application is approved the H2 and the form needs to be sent to lpt.hrinputting@nhs.net

12.0 Timescales

12.1 All requests must be considered and decided on within a period of **3 months** from first receipt to notification of the decision on appeal.

12.2 The line manager should hold the meeting within 28 days of receiving the request and notify the employee of the decision in writing within 14 days of the meeting.

12.3 Employees who are dissatisfied with the outcome of their request are entitled to lodge an appeal within 14 days of the notification, with the appeal to be heard within 14 days.

12.4 The employee will be informed of the outcome of their appeal within 14 days of the appeal meeting.

12.5 These time limits may be extended where both the employee and line manager are in agreement.

13.0 Monitoring Compliance and Effectiveness

Page / Section	Minimum Requirements to monitor	Method for Monitoring	Responsible Individual /Group	Frequency of monitoring
	Number of approved applications for Career Break	Monitor the increase in successful applications	Deputy Director of HR & OD WDG	Bi-monthly
	Number of non-approved applications	Monitor the number of appeals	Deputy Director of HR & OD WDG	Bi-monthly

14.0 Links to Standards/Performance Indicators

TARGET/STANDARDS	KEY PERFORMANCE INDICATOR
Care Quality Commission registration standards (outcome 14) <i>Supporting Workers</i> (21) of the Health & Social Care Act (2008) (Regulated Activities Regulations 2010 CQC essential standards)	That the trust maintains compliance with CQC registration standards, this policy supports outcome standards 14

15.0 Dissemination and Implementation

The dissemination and implementation process is:

- Line-Managers will convey the contents of this policy to their staff
- Staff will be made aware of this policy using existing staff newsletters and team briefings
- The policy will be published and made available on Staffnet.

16.0 References and Bibliography

- Agenda for Change Terms and Conditions Handbook
http://www.nhsemployers.org/employershandbook/afc_tc_of_service_handbook_fb.pdf
- LPT combined flexible working scheme
- NHS Pension Scheme
<https://www.wsh.nhs.uk/CMSDocuments/Staff/GeneralDocuments/NHSPensionSchemeBooklet.pdf>

17.0 Training

There is no training requirement identified within this policy.

18.0 Fraud, Bribery and Corruption consideration

The Trust has a zero-tolerance approach to fraud, bribery and corruption in all areas of our work, and it is important that this is reflected through all policies and procedures to mitigate these risks.

Fraud relates to a dishonest representation, failure to disclose information or abuse of position in order to make a gain or cause a loss. Bribery involves the giving or receiving of gifts or money in return for improper performance. Corruption relates to dishonest or fraudulent conduct by those in power.

Any procedure incurring costs or fees or involving the procurement or provision of goods or service, may be susceptible to fraud, bribery, or corruption so provision should be made within the policy to safeguard against these.

If there is a potential that the policy being written, amended or updated controls a procedure for which there is a potential of fraud, bribery, or corruption to occur you should contact the Trusts Local Counter Fraud Specialist (LCFS) for assistance.

Appendix 1

CAREER BREAK SCHEME APPLICATION FORM

Please read the Career Break Scheme Policy Document prior to completing this form.

1.	Full Name: (Please Print):
2.	Home Address:
3.	Post Title:
4.	Band: <u>add in assignment no.</u>
5.	Base:
6.	Contracted Hours:
7.	Work Pattern Details (e.g. shift/night work etc.):
8.	Name of Line Manager:
9.	Reasons for Wishing to Join the Scheme:
10.	Intended date of Commencement of Career Break:
11.	Intended Length of Career Break:
12.	Pension Options 1. I do not want to contribute to my NHS Pension scheme during my Career Break Yes (please tick to signify this is your choice) 2. I wish to continue to pay the employee contributions into the pension scheme for up to the first 6 months of my Career Break and LPT will make the employers contributions toward my NHS Pension. Yes(please tick to signify this is your choice) 3. I wish to continue to pay both the employee and employer contributions into the pension scheme from the 7 th month up to the 24 th month of my Career Break: Yes / No (delete as necessary)

13	<p>Protection I am */ am not* in receipt of pay protection.(* please delete as appropriate) My pay protection is for years (please insert number of years) and will cease on (please insert date)</p>
14	<p>Excess Mileage I am currently claiming excess mileage. Yes/No (please delete as necessary) My excess mileage is due to expire on (please insert date)</p>
15	<p>Annual Leave I will have hours annual leave to take prior to the commencement of my career break.</p> <p>I will have hours overtaken annual leave which I understand will be taken from my final salary prior to the commencement of my career break.</p>
16	<p>Salary Sacrifice I am currently paying into a salary sacrifice scheme. Yes/No (please delete as necessary)</p>
17.	<p>Lease Car I currently have a lease car contract. Yes/No (please delete as necessary) The contract is due to end on (please insert date) Which scheme - GMP (standard lease) or TUSKER (Salary sacrifice)</p> <p>Signature of applicant.....Date.....</p> <p>Job Title..... Base</p>

Footnote:

Employees who have a 'live' Warning issued under any of the Trust's policies or who are working to an informal /formal performance framework will not be excluded from eligibility to apply for a career break. Where one is granted, however, any unexpired term of a "live" Warning issued under any of the Trust's policies will continue following the return to work.

Manager's Comments

*** Delete as appropriate**

*1. I support the application and have discussed the terms and conditions of the Career Break Scheme with the applicant. I have also discussed this application and taken advice from my HR Advisor and/or HR Business Partner

This includes the requirement to undertake up to 10 days paid work and 2 days per year training – pro-rata to hours worked + duration of agreed career break to be agreed between the manager and staff member.

The following cover arrangements will be made during the absence of the applicant:

Manager's Signature..... Date.....

Managers Name (please print)

Job title.....Base.....

Contact details:

(include e-mail address and telephone number)

*2. I am unable to support the application for the following reasons:

Manager's Signature..... Date.....

Managers Name (please print)

Job title.....Base.....

Contact details:

(include e-mail address and telephone number)

N.B Employee Services will complete and send out the career break approval letter. It is the responsibility of the Manager to approve the application (or reject it) and complete the change of circumstances form at the relevant time to indicate whether they support the application and for the appropriate Head of Service to give final approval.

To be completed by the appropriate Head of Service:

The application is approved / not approved*. (*Please delete as appropriate and give reasons if the career break is not approved)

Manager's Signature..... Date.....

Managers Name (Please Print)

Job title.....Base.....

Contact details:

(include e-mail address and telephone number)

Please send completed form by email to Employee Services at:

ipt.hrinputting@nhs.net along with the H2 form a minimum of 8 weeks before the start of the Career Break and copy to your HR Advisor/Business Partner.

Employee's Manager: please also diarise at the start of the career break to take any actions to suspend relevant IT systems whilst the employee is on career break. This includes raising a helpdesk call with HIS so that the employee's email account is not deleted after 3 months of inactivity.

NB: Please note, if this form is not fully completed, it will be returned to you, and this may delay the approval process.

THIS LETTER IS FOR HR USE ONLY

Direct dial: xxxx xxx xxxx
Email: xxxxxxxxxxxxxxxxxxxx

DATE ADDRESS

CAREER BREAK SCHEME

Terms and Conditions

Dear,

I am pleased to confirm that your application to take a Career Break has been approved. Please find below the terms, conditions and obligations of the Scheme.

Terms of the Career Break Scheme

For a full explanation of the terms and conditions, please refer to the attached Policy Document.

1. Your Career Break will commence on.....
2. You have indicated that you wish to return to work after years/months on the Career Break Scheme. When you intend to return to work, you will give your Manager notice of your intended date of return. This will be at least 2 months (where the break is for up to one year) or 6 months (where the break is one year or more).
3. In the event that you request to vary or delay the date of your return, your Manager will discuss the reasons for this with you and may agree a new date for your return. The maximum period of delay will be 2 months.
4. You undertake to keep your Manager informed of any change of personal circumstances, specifically your contact details, but in particular any change in your plans for your return to work.
5. You undertake to keep up-to-date with developments within the Department and within your profession and to spend a period of 10 days per year at work to keep up to date. In addition, you will spend a minimum of 2 days per year on training to refresh and update your skills. *OR

Your manager has agreed to waive the requirement to spend a period of 10 days per year at work to keep up to date and the 2 days training per year to refresh and update your skills because you are living or undertaking voluntary work overseas and it is not practicable for you to return to the UK for this purpose.*

(N.B. * delete the option above which does not apply.)

6. If you allow your registration to lapse whilst you are on your career break it is your responsibility to ensure that you re-register prior to your intended date of return to work.
7. The Trust undertakes to:
 - a) Enable you to return to work in approximately.....years / months.

If you return to work within one year, the same job will be available, as far as is reasonably practicable. If however the break exceeds one year, you will be offered working hours and a post on a grade commensurate with the post you held prior to the break being taken. Where you are required to return to a different base, you will not be eligible to claim excess daily travel expenses.
 - b) Provide you with opportunities during your Career Break for work update and training and for regular contact to be maintained with you, as agreed with your Manager.
 - c) Devise a re-entry programme to facilitate your return to work, as agreed between you and your Manager.
8. **Pay Protection**

If your career break is for 12 months or more and you are in receipt of pay protection at the commencement of your career break, the remaining period of pay protection will be incorporated into the period of your career break.
9. **Excess Mileage**

If you are entitled to claim excess mileage at the commencement of your career break, the period for which you are able to claim excess mileage will be incorporated into the period of your career break.
10. **Pay Step**

Progression through all steps in all pay bands is conditional on individuals demonstrating that they meet locally agreed performance requirements through annual appraisal. During the period of your career break you will be unable to meet the agreed performance requirements and will not therefore be able to progress through the pay steps. Further explanation on pay step progression is contained within LPT's Pay Policy and NHS New Pay Deal.
11. **NHS Pension Scheme Options**

You have indicated in your application that you wish to continue to pay your pension whilst on career break/do not wish to pay your pension whilst on career break* (delete as appropriate).

Please note that it is the responsibility of the employee to make the arrangements to pay the pension contributions to LPT. You should therefore contact our Finance team

to make the necessary arrangements .Failure to do so will mean that your pension contributions will not be paid and a late payment will mean that your membership of the NHS pension scheme will not be continued, and no further contribution will be accepted. *(delete this paragraph if employee has opted not to continue to pay pension during the career break)*

12 Other Terms and Conditions

Other terms and conditions applying to a Career Break which concern continuity of service, sick leave, maternity leave, annual leave, redundancy rights, pension, salary sacrifice and lease cars etc. are as detailed in the Trust's Career Break policy document. Please ensure that you have read and understood these before signing the attached Acceptance of Terms and Conditions.

I am enclosing two copies of this document. You should sign and return one copy to me. The second copy is for your own records.

Yours sincerely

(Name of HR Officer)
Human Resources Officer

c.c. Employees Manager

Please do not detach

**ACCEPTANCE OF TERMS AND CONDITIONS
OF THE CAREER BREAK SCHEME**

I accept the terms and conditions of the Career Break Scheme as set out in the attached Policy Document, and in this letter as agreed with my manager.

Name
(Please Print)

Signed

Date

Please return the signed completed acceptance by e-mail to Employee Services at the generic e-mail address: lpt.hrinputting@nhs.net and copy to your manager to ensure all the necessary actions are taken.

**CAREER BREAK SCHEME
TRAINING AND WORK UPDATE AGREEMENT**

This form should be completed by the employee taking a Career Break and their line manager. It should be regularly updated. A copy should be kept by each party and a further copy will also be placed on the employee’s personal file.

Name:
Post Title:
Base:
Date of Commencement of Career Break:
Expected Date of Return:

NB: In some circumstances e.g. voluntary service overseas, the requirement for training and update days may be waived by agreement between both parties.

1. TRAINING

There is a minimum requirement of 2 days training per year. Please list below dates and details of training to be undertaken.

Date	Details of Training

Details of any further training undertaken:

Date	Details of Training

3. PROFESSIONAL JOURNALS

During the Career Break the following journals/publications will be read on a regular basis.

1
2
3
4
5

4. NOTES OF MEETINGS ETC to commence no later than 3 months prior to the date of return

During the Career Break you will be sent copies of the following documents on a monthly basis:

1
2
3
4
5
6
7
8
9
10

5. CONTACT WITH MANAGER

The following arrangements will be made for you to maintain contact with your manager (please give details and dates):

- 1.
- 2.
- 3.
- 4.
- 5.

**Return to Work
Programme**

This form should be completed by the employee returning from a Career Break and their line manager. A copy should be kept by the employee and the Manager for inclusion on the personal file.

Name:
Post Title:
Date of Return from Career Break:
Length of Career Break:

1. Re-Induction Course.

Please give details below of steps to be taken to re-induct the returner to the Trust and their post:

2. Induction Date. (may not be necessary if mandatory training is still in date)

You will be required to attend Induction on(Date)

3. Training.

Please give details below of any specific training or development to be undertaken during the re-induction period (e.g. mandatory training e-learning modules)

4. Management Support

Please give details below of specific support e.g. individual meetings to be held with employee.

5. Peer Support.

You will receive peer support from the following nominated individual:-

Name:

Job Title: **Base:**

6. Three Month Review.

This form to be signed after completion of a 3 month re-induction period.

Employee's Comments:

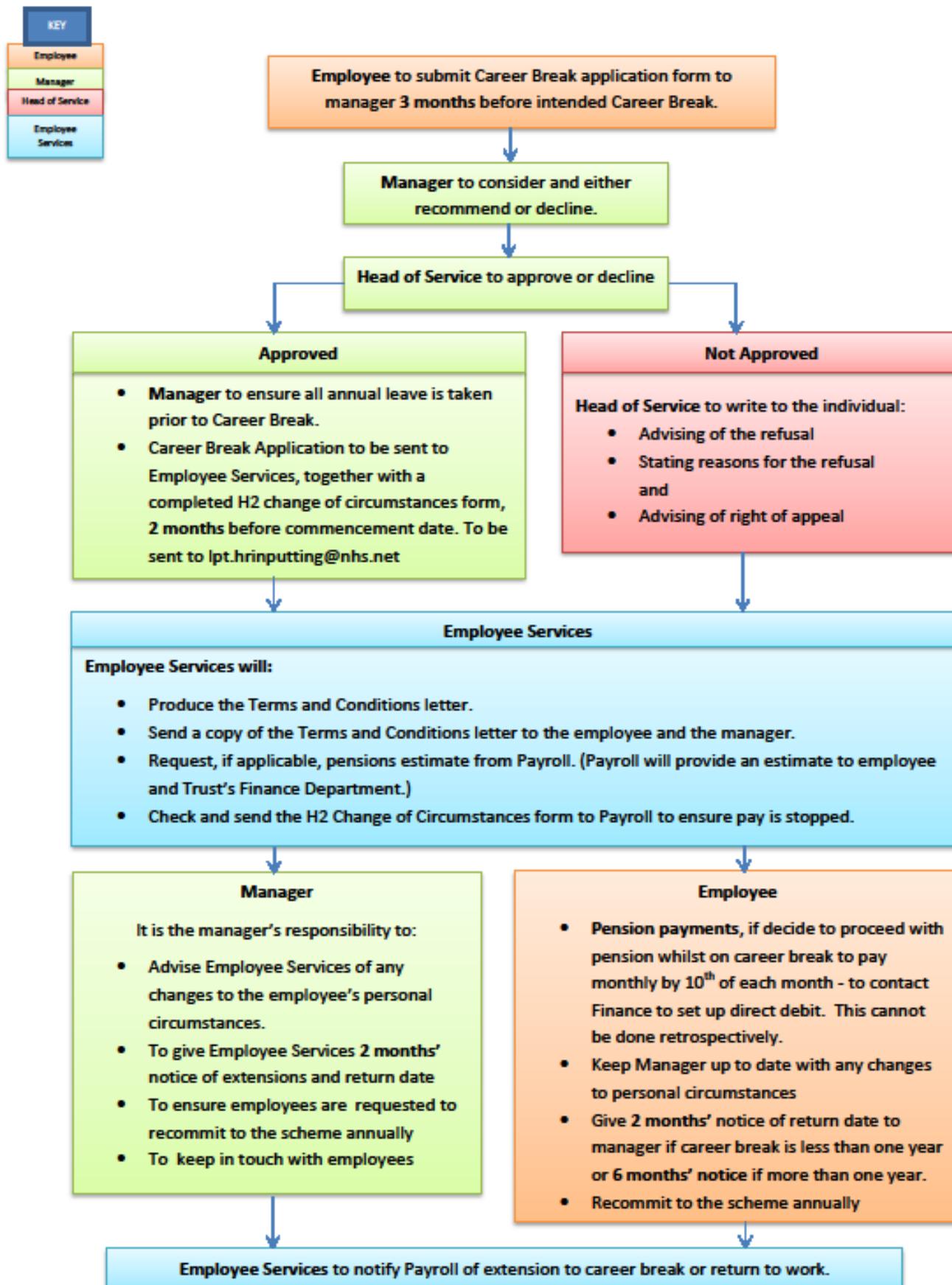
Signed: **Date:**

Manager's Comments:

Signed: **Date:**

Appendix 5

FLOW CHART FOR CAREER BREAK APPLICATION AND APPROVAL



Appendix 6 The NHS Constitution

- The NHS will provide a universal service for all based on clinical need, not ability to pay.
- The NHS will provide a comprehensive range of services.

Shape its services around the needs and preferences of individual patients, their families and their carers	<input type="checkbox"/>
Respond to different needs of different sectors of the population	<input type="checkbox"/>
Work continuously to improve quality services and to minimise errors	✓
Support and value its staff	✓
Work together with others to ensure a seamless service for patients	✓
Help keep people healthy and work to reduce health inequalities	✓
Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance	<input type="checkbox"/>

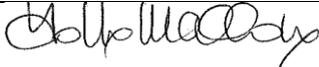
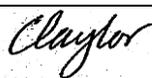
Appendix 7 Due Regard Screening Template

Section 1	
Name of activity/proposal	Career Break Policy
Date Screening commenced	August 2024
Directorate / Service carrying out the assessment	Human Resources
Name and role of person undertaking this Due Regard (Equality Analysis)	Diane Mallon, HR Business Partner
Give an overview of the aims, objectives and purpose of the proposal:	
<p>AIMS: The Trust values the contribution made by its employees to the provision of a high quality service. This policy is designed to ensure that the Trust's recruitment and retention strategies are sufficiently flexible to enable the employment and retention of staff of all grades and disciplines. The Career Break policy aims to provide all employees with the opportunity to leave their employment on either a short term or long term basis and to return to work at a later time, keeping up to date in the intervening period.</p>	
<p>OBJECTIVES: To support the Trust's employees in combining their working lives with the responsibilities of childcare, caring for dependent relatives and other domestic commitments and to provide clarity on the process to be followed.</p> <p>To support employees who may wish to undertake work overseas to broaden their professional experience or undertake a course of study, either to improve their performance at work or to further their personal development.</p> <p>To support experienced and valued employees at times when they either need or wish to take time away from work.</p> <p>To support managers in treating all employees submitting a request for a Career Break equitably, fairly and consistently.</p> <p>To encourage the retention of experienced and valued employees at times when they either need or wish to take time away from work and to ensure that all employees are treated equitably, fairly and consistently.</p>	
Section 2	
Protected Characteristic	If the proposal/s have a positive or negative impact please give brief details
Age	<p>Yes, this policy and procedure is supportive of staff who fall within the remit of the Equality Act 2010 protected characteristics including disabled employees and makes adjustments to ensure the process is fair.</p> <p>The policy will ensure managers adopt a consistent approach to dealing with applications made for Career/Employment Breaks regardless of protected characteristics.</p>
Disability	
Gender reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion and Belief	
Sex	
Sexual Orientation	
Other equality groups?	
Section 3	
Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please tick appropriate box below.	
Yes	No
High risk: Complete a full EIA starting click here to proceed to Part B	Low risk: Go to Section 4. <input checked="" type="checkbox"/>
Section 4	
If this proposal is low risk please give evidence or justification for how you reached this decision:	
Key aspects of the Equality Act 2010 are embedded throughout the policy ensuring reasonable adjustments are considered. These may include, but are not limited to,	

identifying appropriate and/or additional measures of support such as a link worker/support worker to accompany employees at meetings. In addition, all employees can apply for a career break, no matter what their circumstances, as long as they have been in continuous employment with the Trust for 12 months, on a permanent contract and they are not being investigated under any of the Trust's policies.

The Trust is also happy to associate itself with the Workforce Race Equality Standard which came into effect from the 1st April 2015. Embedded within the standard are a number of workforce metrics which will help to identify and reduce any evidence of adverse impact towards black employees compared to other groups and actions have been agreed to address these accordingly.

Equality monitoring has been incorporated in the overall policy compliance process which aims to provide assurance that any potential adverse impact on any protected group during the implementation of the policy and associated procedures are identified and removed at the earliest opportunity.

Signed by reviewer/assessor		Date	August 2024
<i>Sign off that this proposal is low risk and does not require a full Equality Analysis</i>			
Head of Service Signed		Date	August 2024

Appendix 8 Data Privacy Impact Assessment Screening

<p>Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.</p> <p>The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</p>		
Name of Document:	Career Break Policy and Procedure	
Completed by:	Diane Mallon	
Job title	HR Business Partner	Date August 2024
Screening Questions	Yes / No	Explanatory Note
1. Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.	No	
2. Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.	No	
3. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?	No	
4. Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?	No	
5. Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.	No	
6. Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?	No	
7. As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.	No	
8. Will the process require you to contact individuals in ways which they may find intrusive?	No	
<p>If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via Lpt-dataprivacy@leicspart.secure.nhs.uk In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</p>		
Data Privacy approval name:	 Hannah Plowright	
Date of approval	11/09/2024	

Acknowledgement: This is based on the work of Princess Alexandra Hospital NHS Trust

