



## Career Break Procedure (Police Officers)

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

### Overarching Policies:

[Working Arrangements and Flexibility Policy](#)

### Procedures:

[Additional Leave of Absence Procedure](#)

[Annual Leave Procedure](#)

[Compassionate Leave Procedure](#)

[Emergency Leave Procedure](#)

[Maternity Leave Procedure \(police officers\)](#)

[Parental Leave Procedure](#)

[Business Interest Procedure](#)

### Other documents:

Career break application form

Career break application appeal form

[Performance Management Framework](#)

[The Police Regulations 2003](#)

[Police \(Performance\) Regulations 2020](#)

Business Interest Notification Form

## Process

### 1 Purpose

- 1.1 The North Yorkshire Police (NYP) career break scheme is a scheme designed to allow Police Officers to take extended time away from work. The scheme is intended to allow police officers flexible working arrangements whereby they may take periods of unpaid leave on a long term basis.
- 1.2 All applications are subject to approval by the Force and the existence of this procedure does not imply an absolute right.

- 1.3 The principles underpinning these procedures are found in Working Arrangements and Flexibility Policy. This procedure also aligns with the agreement reached within the Police Negotiating Board (Circular 00/16 Advisory) and the Home Office Circular 4/2001. Please also see Annex OO Determination under regulation 33.
- 1.4 The benefits of Career Break arrangements include the opportunity to return to service in the same rank, and enable previous service to count for pay, allowances, annual leave and other purposes. These benefits are subject to the conditions set out in the following paragraphs.
- 1.5 By providing a Career Break scheme for Police Officers, NYP believes that it will enable officers to manage their police officer career more effectively, and this will benefit the Force through improved motivation and commitment, and greater recruitment and retention opportunities.
- 1.6 The scheme is intended to supplement the existing arrangements for annual leave, compassionate leave, parental leave or additional leave of absence, and aims to provide longer-term facilities where the existing arrangements may be insufficient to cater for an individual's circumstances or needs.
- 1.7 The decision to approve a career break is the Chief Constable's. This is delegated to the Head of People (or their deputy to progress in their absence).

## **2 Eligibility**

- 2.1 Any officer is eligible to apply for a career break. However, there will be an expectation that they have successfully completed their probationary period.
- 2.2. Granting of a career break will be dependent on there being a valid reason for requesting a career break, for example;
- Care for dependent children, relative or partner
  - Personal health reasons (limited to 12 months in the first instance)
  - Education
  - Travel
  - Voluntary work
- 2.3 Applicants are asked to consider how the planned career break may benefit themselves and the organisation when they return. In deciding whether to approve an application, the Head of People (or their deputy in their absence) should satisfy themselves that the applicant has a clear commitment to continuing a career in the Police Service and that the reasons for requesting the break are valid (see above).

## **3 Duration**

- 3.1 The proposed career break should not be for less than one year, and should not exceed five years, save in exceptional circumstances where the duration may be increased up to a maximum of six years.
- 3.2 Extended periods of absence, of less than 12 months, which cannot be accommodated via one of the other procedures listed under the Working Arrangements and Flexibility Policy, should normally be accommodated by agreement to use unpaid leave; see [Additional Leave of Absence Procedure](#).
- 3.3 The Head of People (or their deputy in their absence) and the officer must agree the career break start and end dates, and the objectives of the career break before it commences. The extension of an officer's career break beyond compulsory retirement age will be subject to agreement.
- 3.4 The career break may be taken as one continuous period not exceeding five years, or two periods, together totalling not more than five years, provided that at least one year's service is completed between each period. (In the case of exceptional circumstances, the maximum duration may be six years).

#### **4 Status During Career Breaks**

- 4.1 The Head of People (or deputy in their absence) and the officer must agree on a case by case basis, before the start date of the career break, the obligations and expectations on the officer and the Force during the career break. These must include: -
  - 4.1.1 The officer's response to incidents that may arise and that require police action (This will include the decision to retain or not their warrant card)
  - 4.1.2 The need to comply with the Official Secrets Act and Data Protection Regulations
  - 4.1.3 The application of the restrictions under Regulation 6 of [The Police Regulations 2003](#) (An understanding of any restriction on the private life of the officer that may conflict with their application for career break)
  - 4.1.4 The application of the restrictions under Regulations 7 – 9 of [The Police Regulations 2003](#). (An understanding of any business interests which the officer wishes to undertake which may conflict with their application for career break). If the officer wishes to pursue a business interest during their career break a [Business Interest Notification Form](#) should be completed.
  - 4.1.5 The appropriateness and practical arrangements for any short-term returns to the Force. (The possible need to accommodate the requirement to complete the 2 day officer safety training every 12 months)

- 4.1.6 The need to keep up to date with legislative requirements.  
(The need to agree these arrangements may form part of the 'keeping in touch' section 8.0)
- 4.1.7 Refresher training on return to the Force.  
(This may include a decision as to when exactly this should begin)
- 4.1.8 The continued application of the Force's Police Officer Discipline procedures.
- 4.1.9 The officer's action in maintaining and securing their uniform and equipment.  
(This may mean returning their uniform and equipment to the Force, and it being re-issued on the completion of the Career Break)
- 4.2 All pay and allowances authorised under Police Regulations or agreed by the Police & Crime Commissioner will be suspended for the duration of the career break and will not count for the purposes of reckoning entitlement to pay, annual leave or increments. An officer's rank and pay point will be protected for the duration of the career break.
- 4.3 National Insurance and pension contributions will not be payable during the period of the career break.

## **5 Application for Career Breaks**

- 5.1 An officer should apply for a career break by completing the Career break application form, and must give 28 days' notice unless the Head of People (or their deputy in their absence) agrees a shorter period.
- 5.2 The application form will then be submitted to the Head of People (or their deputy in their absence) who will make the decision whether to approve a career break. They will take into account the circumstances in which the application for career break is made, and will consider the applicant's health, attendance, performance and conduct, as well as the wider organisational context, in the decision making process. Where the applicant is involved in formal procedures relating to attendance or performance, it may, depending on circumstances, be appropriate for these procedures to conclude prior to a decision over a career break application being made. The Code of Ethics and current disability legislation will be taken into consideration where appropriate.
- 5.3 Particular attention must be paid to outstanding court commitments and every effort should be made to discharge any commitments before the commencement of a career break.
- 5.4 Provision should be made for granting any remaining annual leave entitlement (pro rata) due to the officer before the commencement of the career break. Upon return from the career break, the officer's annual leave entitlement will be calculated on a pro rata basis.

- 5.5 The individual will be informed of the Head of People's (or their deputy in their absence) decision within 28 days of applying. In cases where the application is not approved, the applicant will be informed, in writing of the reasons within 28 days of applying.
- 5.6 Should the officer wish to appeal against the decision, then they will submit a [notice of appeal](#) to their Assistant Chief Constable, within 28 days of receipt of the Head of People's (or their deputy in their absence) decision. In the absence of the officer's Assistant Chief Constable, their appeal may be considered by another Assistant Chief Constable. The officer may consult with an appropriate staff association representative in making their appeal. The Assistant Chief Constable may either uphold the decision or approve the application. Their decision is final.
- 5.7 Where an application is approved, it will be the responsibility of People Services to make all the necessary administrative arrangements to ensure that the interests of the individual, the Chief Constable, and the Police, Fire & Crime Commissioner are preserved.
- 5.8 Where an application is approved, People Services will prepare a written agreement, setting out the obligations – see section 4.1. The agreement must be signed by both parties prior to the commencement of a career break.

## **6 Pensions**

- 6.1 In accordance with pension regulations protected rights will be applied and upon return to duty, following the authorised period of career break, officers will be reinstated back into the pension scheme they held membership of prior to the commencement of their career break.
- 6.2 It is not possible for an officer to buy back pension contributions suspended during a career break. (Please refer to PNB 00/16 and HO circular 33/2003).
- 6.3 Officers are recommended to seek the advice of the pension provider and that of a professional Independent Financial Advisor, in respect of any matters to do with alterations to their pension situation, as this is outside the remit of this procedure.

## **7 Maternity Provisions**

- 7.1 Police officers who become pregnant on a career break are entitled to the same maternity benefits as officers not taking a career break. An officer on a career break who becomes pregnant should give notice as soon as is reasonably practicable after she becomes pregnant of the probable date of the birth of her child. The provisions of the maternity scheme as set out in the [Maternity Leave Procedure \(police officers\)](#) will then take effect, and the career break will be suspended (unless the officer, in giving notice of her pregnancy confirms in writing that she does not wish to enjoy the provisions of the maternity leave scheme).

## **7.2 Death of a Baby and Still Birth**

7.2.1 If a baby dies or is still born after the start of the 24th week of pregnancy, the maternity leave procedure would still apply. In addition, the individual will be entitled to Parental Bereavement Leave at the end of their maternity leave. Reference should be made to the Parental Bereavement Leave section of the Compassionate Leave procedure. In these circumstances, please contact People Services for advice.

7.3 Resumption of the career break in due course should be subject to further agreement between the Head of People (or their deputy in their absence) and the officer.

## **8 Keeping in Touch**

8.1 During a career break, responsibility for maintaining contact will rest as much with the individual as with the Force.

8.2 Officers will have an obligation to keep in touch with NYP and must notify changes of address or changes in personal circumstances. Furthermore, officers are required to contact People Services, on a 6 monthly basis to confirm that their circumstances remain unchanged and that they still intend to return to the Force.

8.3 If, owing to a change in circumstances, an officer no longer wishes to return to NYP on the agreed date of return, they must report the reason, in writing, immediately.

8.4 In exceptional cases, consideration will be given to extending the period of the career break providing that the overall period of the break does not extend the six-year maximum. This decision will be taken at the discretion of the Head of People (or their deputy in their absence).

## **9 Reviews**

9.1 Officers should establish the career break objectives and timescales with the Head of People (or their deputy in their absence). These may be reviewed at any time during the career break by agreement between the Head of People (or their deputy in their absence) and the officer.

9.2 Officers will be under a general duty to inform the Head of People (or their deputy in their absence) of any circumstances or change in circumstances, which may affect the agreed objectives or timescales of a career break.

9.3 Where the Head of People (or their deputy in their absence) has reasonable grounds for believing that the agreed objectives and timescales of a career break may not be achievable, they may require that an officer attend a review.

9.4 At the review, the officer has the right to be represented by an appropriate staff association representative or work colleague and will be given the opportunity to make appropriate representations to the Head of People. As a result of such a review, Head of People may recommend to the Chief Constable that the career break agreement be terminated and an officer returns to duty, after a minimum notice period of one month. A final decision will be reached by the Chief Constable.

## **10 Replacement Allowance**

10.1 Replacement allowance will not be paid during absence on a career break but entitlement on return will be identical to that on commencement of the career break, subject to relevant changes in regulations.

## **11 Return to Duty**

11.1 Subject to the provisions below, the officer will return to duty on the return date agreed by the officer and the Head of People (or their deputy in their absence).

11.2 If an officer decides to return to duty from a career break before the end of the agreed period of leave, they shall be permitted, subject to there being a suitable post, to return to service with the same determined hours and work pattern within one month of giving notice to return. In any event, the officer should return within three months of having given notice.

11.3 Unless subject to a review (section 9.0), an officer should not be required to return to duty from a career break before the agreed date without their consent.

11.4 The following return to work criteria will be applied: -

11.4.1 Each officer will be required to satisfy NYP of their continued medical suitability to perform the role of Police Officer and will be required to complete a Medical History Questionnaire prior to returning to the Force. An officer will also be required to undergo a medical examination. Advice should be sought from People Services where concerns are highlighted as a result of this process.

11.4.2 Officers have a responsibility to inform the Force as soon as is practicable of any injury, accident, or illness likely to be construed as permanently disabling.

11.4.3 Officers will be contacted by People Services approximately 6 months prior to their return to work and will be required to provide information to assist in identifying a suitable post for them. They will be required to attend Headquarters prior to returning to work so that, their uniform and equipment can be issued.

11.4.4 The new line manager will be responsible for arranging any re-training and re-familiarisation necessary. These should include; induction programme, individual job training, reviews in

line with the Force's Staff Performance Management Policy, supportive action [Performance Management Framework etc.](#)

11.4.5 Any training or familiarisation as outlined in 11.4.4. above will take place upon the return of the officer following completion of their career break.

11.4.6 Although NYP will endeavour as far as possible to provide a post or duties which were as similar or the same as that which the officer left to take the career break, no guarantee, can be given by the force that upon returning to work, an officer will receive the same posting or duties that applied before the commencement of their career break. In all cases every effort will be made to balance the needs of the organisation with the needs of the individual. There is no right of appeal against the posting decision.

## **12 Vetting considerations**

12.1 Prior to return from career break a vetting review will be carried out.

12.2 The officer will be required to complete a vetting review form and a career break returnee form (clearly marked with the length of time they have been on a career break along with details of any time spent out of the country).

12.3. In addition to completing a vetting review form, a declaration is required indicating whether or not they have come to the attention of police or relevant law enforcement agencies (this would include declarations regarding UK Police Forces).

12.4. If the officer has resided in another country for more than 6 months they will also need to provide, where possible, a Criminal Records check from the relevant law enforcement agency.

12.5 Failure to achieve vetting clearance will render the officer unable to perform their role. This may be regarded as gross incompetence and may lead to a stage 3 meeting under Police (Performance) Regulations 2020 being convened.

## **Responsibilities**

### **Chief Constable will:**

- Decide whether an officer should be recalled to duty during their career break

### **Assistant Chief Constables will:**

- Consider appeals made by officers to decline their application for a career break

### **Head of People will:**

- Consider career break applications and inform the officer of their decision within 28 days of receipt of their application
- Agree the career break start and end dates and objectives with the officer
- Agree the obligations and expectations on the officer during their career break
- Refer any officers where they consider that the agreed objectives and timescales of a career break may not be achievable, to the Chief Constable for a review

**People Services will:**

- Prepare a written agreement to confirm the details of the career break, including the obligations of the officer and NYP
- Contact the officer 6 months prior to the end of their career break to gather information to assist in making a posting decision
- Write to an officer to confirm their return to duty and their posting
- Provide advice and guidance on the interpretation and implementation of this procedure

**Officers will:**

- Submit applications and any appeals in line with this procedure
- Submit a Business Interest Notification form if they intend to pursue a business interest during their career break
- Sign the career break agreement prior to the commencement of their career break
- Confirm to People Services at least every 6 months that their circumstances remain unchanged and that they still intend to return OR
- Notify the Head of People of any circumstances or changes in circumstances which may affect the agreed objectives or timescales of a career break
- Provide a minimum of one month's written notice if they intend to return early from their career break
- Complete a Medical History Questionnaire prior to their return and attend a medical
- Complete Vetting Forms and satisfy vetting requirements to enable their return to duty
- Attend Headquarters prior to their return to work so that their uniform and equipment can be arranged

**New Line managers will:**

- Co-ordinate retraining /re- familiarisation arrangements for an officer on their return to work

**Vetting Section will:**

- Complete vetting review for an officer's return to duty

**Health and Wellbeing will:**

- Provide advice on an officer's medical fitness to return to duty.

## **Definition of Special Terms**

**North Yorkshire Police** – collectively the Police, Fire and Crime Commissioner for North Yorkshire and the Chief Constable in their respective corporate capacities as the employer of staff (or, in the case of the Chief Constable in so far as Police Officers are concerned, deemed or de jure employer.

**North Yorkshire Police Personnel** – Collectively, Police Service Personnel and Commissioner Staff as defined below.

**Police Service Personnel** – Police Officers under the direction and control of the Chief Constable and Police Staff in the employment of the Chief Constable.

**Chief Constable's Staff** – All staff in the employment of the Chief Constable of North Yorkshire Police

**Commissioner's Staff** – All staff in the employment of the Police, Fire and Crime Commissioner for North Yorkshire, (PFCCNY).

**Police Staff** – collectively, Commissioner and Chief Constable Staff.

**Work colleague (in the capacity of the right to be accompanied)** – any member of North Yorkshire Police Personnel