



Career Break Procedure - Police Staff

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 \(police staff\)](#)

[Parental Leave Procedure](#)

[Business Interest Procedure](#)

Other documents:

Career break application form

Career break application appeal form

[Performance Management Framework](#)

Business Interest Notification Form

Process

1 Purpose

- 1.1 North Yorkshire Police (NYP) Career Break is a scheme designed to allow Police Staff to take extended time away from work. The scheme is intended to provide flexible arrangements whereby Police Staff 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

- 1.4 The benefits of Career Break arrangements include the opportunity to return to employment with NYP, 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 staff, NYP believes that it will enable staff to manage their police 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 employee's circumstances or needs.
- 1.7 The decision to approve a career break is the Head of People's (or their deputy in their absence).

2 Eligibility

- 2.1 Any member of Police Staff is eligible to apply for a career break. However, there will be an expectation that the member of staff will have successfully completed two years continuous service with NYP, and that they are on an established (permanent) contract of employment at point of application.
- 2.2 Police staff who are currently the subject to the disciplinary process are not eligible to apply for a career break.
- 2.3 Granting of a career break will be dependent upon 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
- 2.4 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, that the reasons for requesting the break are valid (see above).

3 Duration

- 3.1 The proposed career break should not normally be for less than one year and should not normally exceed five years. In the case of a career break for childcare purposes; the maximum duration can be extended to six years.

- 3.2 Career breaks for health reasons will be limited to 12 months in the first instance. This will enable the Force to engage with the individual and occupational health on a regular basis, as agreed, to ensure the reasons for the career break are still valid and to allow the Force to consider reasonable adjustments to enable a return to work if appropriate. Individuals applying for a career break on this basis may be required to attend Occupational Health for an assessment.
- 3.3 Extended periods of absence, where they cannot be accommodated via one of the other procedures listed under the Working Arrangements and Flexibility Policy, of less than 12 months should normally be accommodated by agreement to use unpaid leave; see Additional Leave of Absence Procedure.
- 3.4 The Head of People (or their deputy in their absence) and the employee must agree the career break start and end dates, and the objectives of the career break before it commences. The extension of an employee's career break beyond normal retirement age will be subject to agreement.
- 3.5 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 a career break for childcare purposes, the maximum duration may be six years).

4 Status During Career Breaks

- 4.1 Although employment is regarded as continuing for the specified duration of the break, certain contractual entitlements and benefits will cease to accrue or apply except for the following terms, which will be binding on the employee and NYP:
- Notice Periods
 - Compliance with the Official Secrets Act and Data Protection Regulations
 - Discipline and Grievance procedures
 - Obligation to work exclusively for NYP or to continue with the original working arrangements where the individual has current agreed alternative employment, other than that with NYP at the beginning of the Career Break. If the employee wishes to pursue a new business interest during their career break, a Business Interest Notification Form should be completed.
 - Any collectively agreed alterations to terms and conditions.
- 4.2 Employees will surrender their identity card and not exercise any powers they may have from their position within NYP.
- 4.3 Continuity of employment will be preserved during the Career Break but will not accrue for the entirety of the career break. On returning from a career break, an employee's service prior and post to the Career Break will count as part of his or her period of continuous employment.

4.4 If a member of Police Staff fails to abide by the requirements of the career break agreement and procedure, consideration will be given to terminating the career break. (see 'Reviews' – section 9.0).

4.5 Any leave entitlements in the year that a career break commences and in the year in which a career break terminates will be calculated on a pro-rata basis.

5 Application for a Career Break

5.1 An employee should apply for a career break by completing the Career break application form and must give eight weeks' notice unless a shorter period of time has been agreed by the Head of People (or their deputy in their absence).

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 disciplinary record, 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 (if applicable).

5.4 Provision should be made for granting any remaining annual leave entitlement (pro rata) due to the individual before the commencement of the career break.

5.5 The employee 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 employee wish to appeal against the decision, then they will submit a notice of appeal to their Assistant Chief Constable / Managing Director/ Chief Executive Officer within 28 days of receipt of the Head of People's (or their deputy in their absence) decision. In the absence of the employee's Assistant Chief Constable / Managing Director/ Chief Executive Officer, their appeal may be considered by another Assistant Chief Constable / the Managing Director/ Deputy Chief Executive Officer. The employee may consult with an appropriate staff association representative in making their appeal. The Assistant Chief Constable / Managing Director/ Chief Executive Officer 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 employee, the Chief Constable, and the Police & Crime Commissioner are preserved.

- 58 Where an application is approved, People Services will prepare a written agreement setting out the obligations - including appropriate training on return from career break - of the individual and NYP. The agreement must be signed by both parties prior to the commencement of a career break.

6 Pensions

- 6.1 Pension rights will be affected by the career break, i.e. the career break is treated as a 'break in service'. Employees are strongly advised to seek advice from the North Yorkshire Pension Fund prior to application, 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. All pension benefits will be protected at the point of the start of the career break, including death benefits, enhanced ill-health benefits and injury benefits.

7 Maternity Provisions

- 7.1 Police Staff who become pregnant on a career break are entitled to the same maternity benefits as Police Staff not taking a career break. An employee on a career break who becomes pregnant should give written 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 procedures as set out in the Maternity Leave Procedure (police staff) will then take effect, and the career break will be suspended (unless the employee, in giving notice of her pregnancy confirms in writing that she does not wish to enjoy the provisions of the Maternity Leave Procedure).

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 employee.

8 Keeping in Touch

- 8.1 During a career break the responsibility for maintaining contact will rest as much with the individual as with the force.
- 8.2 People Services will make contact on a 6 monthly basis to confirm that the circumstances remain unchanged. Employees will be contacted by People Services approximately six

months prior to the end of the career break to ask whether they intend to return and to advise them of the return to work process (see section 10). This does not eliminate the obligation an individual will have under 8.4 below, to notify the Force of any intention not to return. In cases of career breaks for health reasons, regular contact should be agreed at the outset of the career break.

- 8.3 Employees will have an obligation to keep on touch with NYP and must notify within 28 days, where possible, any changes of permanent address or changes in personal circumstances.
- 8.4 If, owing to a change in circumstances, an employee no longer wishes to return to employment with the NYP on the agreed date of return, they must report the reason, in writing, immediately.
- 8.5 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 Employees 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 employee.
- 9.2 Police Staff will be under a general duty to inform the Head of People (or their deputy in their absence) of any circumstances, which may affect the agreed objectives or timescales of a career break.
- 9.3 The need to know of the Head of People (or their deputy in their absence) should be balanced with protection of the employee's right to privacy.
- 9.4 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 or that the career break agreement has been breached, they may require that an employee attend a review.
- 9.5 At the review, an employee has the right to be represented by UNISON or be supported by a work colleague. The employee will be given the opportunity to make appropriate representations to Head of People. As the result of such a review, the Head of People may recommend to the Chief Constable that the career break agreement be terminated. A final decision will be reached by the Chief Constable.

10 Return to Work

- 10.1 Subject to the provisions below, the employee will return to work on the return date agreed by them and the Head of People (or their deputy in their absence). Police Staff will be

required to give a minimum of three month's written notice of confirmation of the date on which they intend to return to work. This notice should detail what this means in terms of the original objectives for the career break.

- 10.2 If an employee decides to return to work from a career break before the end of the agreed period of leave, they shall be permitted, subject to giving a minimum of three months written notice.
- 10.3 Ordinarily, an employee should not be required to return to work from a career break before the agreed date without their consent.
- 10.4 The following return to work criteria will be applied: -
 - 10.4.1 Each employee will be required to satisfy NYP of their continued suitability to work for NYP and will be required to complete Staff Medical Questionnaire prior to returning to the Force. An employee may, as a result of this (and also role dependent), be required to undergo a medical examination. Advice should be sought from People Services where concerns are highlighted as a result of this process.
 - 10.4.2 Employees will be contacted by People Services approximately 6 months prior to their return to work so that information can be gathered to assist the job search.
 - 10.4.3 The employee's new line manager will be responsible for arranging any re-training and re-familiarisation necessary. These should include; induction programme, individual job training, and reviews in line with the [Performance Management Framework](#)
 - 10.4.4 Re-familiarisation training will generally take place upon the employee's return to work, should any time be spent undertaking training as directed by NYP prior to the employee's return to work, payment will be paid at the appropriate rate in line with NYP's conditions of service.
- 10.5 No guarantee can be given that a role will be available for the employee at the end of their career break or that the employee will return to the role they vacated. In these circumstances NYP will aim to provide the same type of work in the same area. Where the same grade and type of work is available, the individual will be offered the post on their previous grade and incremental point. Where the type of work differs, a suitability assessment will be held and the employee will need to meet the minimum criteria in order to be selected for the post. Such assessment will usually consist of an initial paper analysis undertaken by People Services followed by a short assessment process, which will be appropriate and reasonable for the individual circumstances. At this stage vetting status will also be considered in line with paragraph 11.1 below.
- 10.6 Where the only alternative employment at the time of return carries a lower salary/ grade than their previous role, then this will be offered to the employee. If they choose to accept the post, they will be paid the salary and allowances appropriate to the post to which they have been redeployed.

- 10.7 Failure to accept up to three posts offered, or where no such posts can be identified by the end of the career break is likely to may result in termination of the contract.

11 Vetting Considerations

- 11.1 Upon return from career break the employee will be required to complete the following to satisfy NYP security and vetting procedures.

11.1.1 A vetting review 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). There will be a requirement to complete a full RV vetting form if the employee had not previously attained the vetting level required for their role.

11.1.2 A declaration 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.

11.1.3 If the employee 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.

11.1.4 A full "Career Break returnee" form along with the vetting application form.

- 11.1.5 Failure to satisfy the vetting considerations above may affect suitability of posts identified in accordance with paragraph 10.5 above or may lead to termination of contract.

Responsibilities

Chief Constable will:

- Decide whether a career break agreement should be terminated where the Head of People considers that the agreed objectives or timescales of the career break may not be achievable

Assistant Chief Constables / Managing Director / Chief Executive Officer will;

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

Head of People will;

- Consider career break applications and inform the employee of their decision within 28 days of receipt of their application
- Agree the career break start and end dates and objectives with the employee
- Agree the obligations and expectations on the employee during their career break

- Refer any employees where they consider that the agreed objectives and timescales of a career break may not be achievable, to the Chief Constable for a decision as to whether the career break should be terminated

People Services will;

- Prepare a written agreement to confirm the details of the career break, including the obligations of the employee and NYP
- Contact the employee at least every 6 months to confirm that their circumstances remain unchanged
- Contact the employee approximately 6 months prior to the end of their career break to gather information to assist in undertaking a search for a suitable role
- Co-ordinate a search for a suitable role for the employee to return to
- Write to an employee to confirm their return to work and their new role
- Issue written confirmation of termination of career break where no suitable role can be identified
- Provide advice and guidance on the interpretation and implementation of this procedure.

Employees 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
- 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 three months' written notice if they wish to return early from their career break
- Provide a minimum of three months' written notice of their wish to return to work at the end of their career break
- Complete an Staff Medical Questionnaire prior to their return and attend a medical if required
- Complete Vetting Forms and satisfy vetting requirements to enable their return to work

New Line managers will;

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

Vetting Section will;

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

Health and Wellbeing will;

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

Definition of Special Terms

North Yorkshire Police – collectively the Police, Fire and Crime Commissioner 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 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