



Career Break Policy

Policy Title

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Section 1 – Policy Intentions

Policy statement

The Police and Crime Commissioner and Chief Constable recognise the need to ensure that Police Staff, OPCC Staff and Officers enjoy a healthy work-life balance. We will strive to support individuals where we reasonably can, balancing their needs and aspirations against those of the employer and ensuring a return on investment in recruitment and training.

Introduction

A career break is an unpaid, extended period of leave from work that begins with an intention to resume work at an agreed date in the future and is open to both police officers and OPCC and police staff. Other types of leave are dealt with in the Leave Policy.

Neither staff nor officers will be required to resign but individuals will not accrue contractual rights, i.e. terms and conditions of employment. These will cease during the break. This policy sets out the obligations and expectations of both the individual and the employer during a career break.

Implications of the policy

Where possible, we have harmonised the terms of both police staff and police officers. This is not always possible however as police staff are protected by Employment Law and Police Staff Council Conditions of Service and police officers by Police Regulations. We do not anticipate any adverse effect to individuals.

The policy should enable consistent and effective decision making. Where operational or managerial circumstances require any decision making that would adversely affect adherence to the policy or procedure, in line with the 'Statement of Intent' of the constabulary and the police service 'Code of Ethics', if an officer/ police staff member believes that they need to make a decision that steps outside of policy and procedure they should do so, provided that:

- the officer/ police staff member raises the matter at the earliest opportunity (and ideally before any such decision is made) with their line manager declaring their intended (or actual) course of action if notification is made after the decision is taken,
- produces, in a timely manner, a signed and dated written explanation of why it is/ was deemed necessary to step outside of policy and procedure, and
- maintain an adequate record of this written rationale for audit purposes appropriate to the circumstances/ contravention



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1.1 Duration of a Career Break

A career break may be a period of four weeks or more. For shorter periods other forms of leave may be appropriate and should be considered.

The duration of a career break will not exceed two years for police staff and five years for police officers. This can be taken at different intervals each of which the individual will have to apply for separately.

1.2 Reasons for taking a Career Break

Reasons for a career break application generally fall within the following categories, although each request will be considered on its own merits, including the individual's circumstances and the operational needs of the organisation. The Force must be satisfied of the individual's intention to return to work.

- ◆ To care for dependents
- ◆ Travel
- ◆ Study (not necessarily relevant to the employer at a recognised educational institution)
- ◆ Voluntary Service
- ◆ Recuperation¹

1.3 Eligibility

All eligible individuals are entitled to request a career break, however, a career break may not always be granted. The determining factor will be the **organisational needs**.

In order to apply, individuals must have:

- ◆ OPCC and police staff – 2 years continuous service, and have completed their probationary period.
- ◆ Police officers – 2 years continuous service and have completed their probationary period.
- ◆ A satisfactory conduct record (a career break would not normally be permitted if applicants are the subject of an outstanding grievance against them, capability or disciplinary procedure).
- ◆ A satisfactory attendance record where their Bradford Factor does not exceed 192, unless there are exceptional circumstances.

1.4 Consideration of Request

*All Applications for Career Break will have to be presented to **Superintendent or Head of Department** for approval and ratification. Line Managers must be aware that their approval to any such application does not guarantee the Career Break will go ahead; Superintendent or HoD will be the final arbiters on these matters.*

When considering a request for a career break the following will be taken into account (this list is not exhaustive):



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- ◆ The current responsibilities of the individual, e.g. attendance at court or completion of a project.
- ◆ The current skill set of the individual.
- ◆ That operational requirements/needs are not undermined due to lack of resources.
- ◆ The requirement to attend time critical training.
- ◆ The length of the career break being requested.
- ◆ The potential cost to the organisation to release the individual to take up the career break.
- ◆ Any other objective justification based on the operational need.

1.5 Returning Police Staff / Redeployment / Redundancy / Restructure

OPCC and police staff who are granted a career break of up to 2 years will normally be able to return to their substantive post. The Department/Policing Area will be expected to hold the post open.

If the releasing department undergoes a restructure whilst a member of OPCC & Police Staff is on a career break, the People Service Centre will contact the individual/s to inform them that they will have the following options;

- ◆ Accept voluntary redundancy if it is being offered.
- ◆ Choose not to be included in the restructure and voluntarily resign before the agreed end date of the career break.
- ◆ Be included in the re-structure that will result in either compulsory redundancy or being awarded a post.
- ◆ If awarded a post the individual can choose to end the career break early to return to work or continue the career break until the agreed end date.

If a member of OPCC or police staff wants to return to work on a different hours or work pattern then when they must submit an Alternative Working Request Form. The form should be requested via Resourcing and returned to the Resourcing inbox.

1.6 Returning Police Officers

On return police officers (regardless of the length of the career break) will be posted as determined by the Workforce Strategy Group depending on operational need. However, the officer will return to work on the same determined hours and work pattern as before the start of the career break.

If an officer wants to return to work on a different hours or work pattern then when they must submit an Alternative Working Request Form for consideration by the Workforce Strategy Group. The form should be requested via Resourcing and returned to the Resourcing Inbox.

1.7 Extension of Career Break and requests for more than one Career Break

Individuals may apply for an extension via Resourcing while on a career break; however, this will be subject to a new agreement by the Workforce Strategy Group. Individuals should not expect automatic approval.

Police officers who have returned to work may apply for another career break but it is unlikely that this will be approved with less than a 2 year gap between each break. OPCC and police staff who have returned to work may apply for another career break providing there a 2 year gap between each break and together these do not exceed two years.



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After 10 years of continuous service following a career break an individual may apply for a further break of up to 2 years.

Exceptions may be considered for a shorter gap if the reason for the request is to care for dependents

1.8 Business Interests

Although individuals are not able to take a career break to take up paid leave individuals are entitled to apply to undertake a business interest subject to qualifying criteria to ensure that it is compatible with the duties and responsibilities of a member of the Gloucestershire Constabulary. Applicants should contact the Professional Standards Department (PSD) for information. Applicants must seek permission from their line manager who makes a recommendation which is then sent to the Head of PSD for approval. Decisions will be made on a case-by-case basis.

The Business Interests Policy of the Police and Crime Commissioner for Gloucestershire and the Chief Constable of Gloucestershire Constabulary allow police officers, special constables, members of the OPCC and police staff opportunities to pursue legitimate business interests compatible with their duties.

Such business interests should:

- ◆ Not be in breach of the Police Regulations 2003 (in the case of Police Officers).
- ◆ Not be in breach of the Special Constables (Amendment) Regulations 2012 (in the case of Special Constables).
- ◆ Not undermine the contractual duty of mutual trust and confidence under the employment contract with OPCC and Police Staff preserve the employees integrity at work.

The process to apply for a Business Interest is detailed within the Business Interests Policy.



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Section 2 – Terms and Conditions

2.1 *Conditions of Service*

Terms and conditions will be suspended during the break, however, any changes made to Conditions of Service and Police Regulations during the individual's career break will apply on their return. Police Officers remain a member of the constabulary for the purposes of Regulations and Determinations except for those under part 4 (pay), part 5 (leave) and part 6 (allowances and expenses).

To be posted, individuals must continue to abstain from any activity which is likely to interfere with the impartial discharge of their duties/employment. See Appendix A [Police Regulations 6 \(Restrictions on Private Life of members\)](#) and [Reg. 7 \(Business Interests in compatible with membership of a police force\)](#)

Police officers are not expected to act in any way that would suggest that they are on duty, except where it would be reasonable to expect a good citizen to act.

Police staff and officers must continue to comply with the Official Secrets Act, Data Protection Act, Computer Misuse Act and any other relevant legislation or regulations.

2.2 **Reckonable Service**

The career break period will not count toward reckonable service for any benefits including salary, sick pay, pension contributions, annual leave, the award of a long service certificate, promotion and redundancy payments.

2.3 **Rank and Grade**

Police officers will retain their rank as at the commencement of the career break.

OPCC & Police staff who are granted a career break of up to 2 years will normally be able to return to their substantive post.

2.4 **Pay**

Time off for a career break will be unpaid. The individual will not incur increments nor be paid allowances during the career break.

Police officers will retain their pay point as at the commencement of the career break.

OPCC & police staff will be subject to the terms and conditions of their substantive post.



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2.5 Occupational Sick Pay

Individuals who become ill while on a career break will not be entitled to Occupational Sick Pay. Individuals may be entitled to Sickness Benefit. For further information contact the local Benefits Agency Office.

If the individual is not medically fit to return to work they should be reinstated on the agreed date on Occupational Sick Pay, if entitled to receive it.

The Attendance Management Policy will apply immediately. If reasonable adjustments have been considered and there is no reasonable possibility of return, dismissal procedures on grounds of capability will be considered for police staff and Unsatisfactory Performance Procedures for police officers.

2.6 Housing Allowance or Transitional Rent Allowance

The entitlement to Housing Allowance or Transitional Rent Allowance will cease on commencement of a career break but will be protected and commence on return.

Individuals on a career break for more than six months who live in Force accommodation will be required to vacate with no right of return. For a period of less than six months the individual may remain but will be required to pay rent at the current market rate.

2.7 Pension

While on a career break, the individual's pension will be deferred and all benefits protected. Pension contributions will cease and the break in service will not count towards pensionable pay/service. Individuals are encouraged to seek independent information and advice from the following providers;

- ◆ The Pension Section, Gloucestershire County Council, Shire Hall, Gloucester (information only).
- ◆ Health Assured (details of which are on Insight).
- ◆ An independent Financial Adviser.
- ◆ Unison for Unison members.
- ◆ Federation for Federation members.

Police officers on a career break do not have to opt out of the Police Pension Scheme (PPS); they can remain a member with a service break. They will not have the option of buying back that period of absence.

Police Officers in the PPS, who opt out do not have the option of re-joining CARE scheme. The individual may have to undergo a medical examination at their expense to determine whether or not they are eligible for ill-health benefits.

OPCC & Police Staff and employer contributions for the Local Government Pension Scheme will be deducted for the first 30 days of the career break. This will normally be deducted from the last salary prior to the beginning of the career break.

No further deductions will be made for OPCC & Police Staff until the individual returns to work, PSC Admin will notify the individual of the option to repay arrears of contributions within 30 days of their return to work.



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2.8 National Insurance

The employer will cease to make payments toward NI contributions. Employees are advised to contact their local Job Centre for information.

2.9 Annual Leave

Individuals will not accrue annual leave while on a career break and must use their annual leave entitlement prior to commencement of their career break. Individuals will begin to accrue annual leave on their return.

2.10 Disciplinary Action

Individuals, regardless of location, must report any changes in personal circumstances, involvement in legal proceedings or criminal investigations, allegations or convictions. Failure to report these will result in disciplinary action.

2.11 Return of Property of the Office of the Police and Crime Commissioner or Constabulary

All warrant/identity cards, security pass, keys, pocket books, uniforms and any other property belonging to either organisation must be returned to line managers prior to departure.

Radios including accessories, which have been personally issued to individuals, must be returned to their LPA/Departmental Airwave Liaison Office. If the radio is required on return the individual must raise a call with the IT helpdesk for the re-issue of the radio, accessories and training required.

2.12 Subscriptions and Membership

Individuals are responsible for informing Unison, Staff and Support Associations of their absence and for making their own arrangements for maintaining membership. Any subscriptions paid through the payroll will cease.

Members may apply to re-join the Gloucestershire Police Federation Insurance Scheme on return; application forms may be obtained from the Federation Office.

Federation members may continue to pay federation subscriptions. Members must contact the Gloucestershire Police Federation to make their own arrangements for paying subscriptions while on a career break.

Unison members must inform the Branch Office of their absence prior to taking their career break. Members must inform the Branch Office of their return within two weeks of return in order to maintain their membership.

2.13 Contact

Contact is a personal obligation. The individual must ensure that their employer has their current address/contact details and notification of any change of circumstances. This information must be sent to the People Service Centre. We reserve the right to contact the individual if deemed necessary.

The individual will be informed if there are significant changes that are likely to affect the individual directly e.g. a restructure or redundancy.



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Prior to departure both the line manager and the individual should ensure that the PDR is up-to-date.

2.14 Temporary Return to Work

Depending on the role, some individuals will have an obligation to temporarily return to work, e.g. to appear as a court witness even while on a career break. If the need to return is not foreseen prior to commencement of the career break, the individual will be contacted and travelling expenses may be met by the employer.

Any temporary return to work will be a formal agreement in writing between the individual and the employer. Agreements will include rates of basic pay, terms and conditions, the nature, and purpose of the temporary return to work and the duties or activities that will be undertaken.

Payment during a temporary return to work will be at an individual's basic hourly rate, exclusive of allowances and enhanced pay unless the hours required to work attract an unsocial hour's allowance. If the post attracts Market Force Factors this will be included.

2.15 Breach of Agreement

Individuals must inform the People Services Centre of any circumstances which may affect the career break agreement or return to post. If we have reasonable grounds to believe that the agreement has been breached, a review may be instigated.

2.16 Resignation

We would appreciate early notification if the individual wishes to resign. Notification must be sent to the line manager and copied to the People Service Centre.

2.17 Maternity Leave while on Career Break

Individuals who become pregnant while on a career break may not be entitled to the same maternity benefits as those who are not on a career break. For advice and guidance in relation to maternity provisions individuals should refer to the Maternity Policy or contact the People Services Centre.

2.18 Return to Work

The expectation is that individuals will return to work on the agreed date. Individuals must contact Resourcing three months prior to their return. A delay in completion of pre-entry checks, listed below, could delay re-entry to the Force.

The Resourcing Unit will be responsible for posting police officers on their return. OPCC and police staff will return to their substantive post.

Should OPCC or police staff wish to return before the end of the career break, this will be permitted providing the individual gives 3 months' notice and all checks are satisfactorily completed.

Police officers who wish to return to duty before the end of the career break can :



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- a) In the case of a suitable vacancy, within one month of the officer giving notice of their intention to return to duty, or
- b) In any other case, within three months of the officer giving notice of their intention to return to duty. There is no guarantee that a Police officer will return to their original post. Police officers returning from a career break will be posted by the Resourcing Unit to meet the needs of the organisation.

A member of the OPCC or police staff will return to their substantive post.

Prior to return Police Officers:

- ◆ absent for more than six months will be subject to a vetting review
- ◆ absent for 12 months or more will be subject to full security vetting
- ◆ must make a declaration indicating whether or not they have come to the attention of the Police or relevant Law Enforcement Agencies
- ◆ provide details of any time spent out of the country
- ◆ will attend the Occupational Health Unit for medical assessment and must be medically fit for duty
- ◆ have a job chat documented on their PDR to determine their competencies, skills, any training requirements for the post, ideally the job chat will be conducted by the line manager of the post into which they will be redeployed.

Prior to return OPCC & Police Staff:

- ◆ absent for more than six months will be subject to a vetting review
- ◆ absent for 12 months or more will be subject to full security vetting
- ◆ must make a declaration indicating whether or not they have come to the attention of the Police or relevant Law Enforcement Agencies
- ◆ provide details of any time spent out of the country
- ◆ will complete a medical questionnaire and must be medically fit for re-entry
- ◆ have a job chat documented on their PDR to determine their competencies, skills and any training requirements for the post.

If vetting is not completed prior to the return date, the line manager and the Information Security Manager and Vetting Manager will consider if modifications can be made to the role and if it is appropriate for the individual to return **conditionally**. If granted the line manager will be responsible for ensuring that the modifications are not breached.

If members of the OPCC or police staff fail the pre-return checks, the employer, depending on the circumstances, may take capability or disciplinary action or seek to redeploy. However, if this is not possible the individual may be dismissed.

If police officers fail the pre-return checks, the Constabulary, depending on the circumstances, may commence Unsatisfactory Performance Procedures or disciplinary action or seek to repost.

2.19 Failure to Return

Police Officers who fail to return on the agreed date will be in breach of a lawful order and will be subject to disciplinary action.



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OPCC & police staff who fail to return on the agreed date will be in breach of their employment contract and will be subject to the disciplinary action.

2.20 How to Apply

Individuals should apply at least three months, but not more than six months, prior to the proposed start date of a career break. A decision should be made within 28 days of making the application.

Step 1 **The individual** will complete a [Career Break Request Form \(Appendix B\)](#) and send it to their line manager.

Step 2 **The line manager** will arrange to meet with the employee to discuss the request.

Based on the information provided by the individual and the line manager will make a recommendation and send it to the Head of Department/Chief Inspector for approval. The line manager must justify the reasons for their recommendation but will not give the individual any expectation on the outcome.

Step 3 **The Head of Department or Superintendent** will consider the request and Liaise with their HRC who will confirm the decision and rationale in writing. A copy will be sent to RDM for noting.

Step 4 This will be placed on the individual's personal file.

2.21 Right of Appeal

Individuals have the right to appeal against a decision to decline the request of, or an extension to, a career break.

Police officers and police staff employed by the Constabulary must state the grounds for appeal to the Chief Constable, in writing, within 28 days from the receipt of the decision.

Police staff employed by the Office of the Police and Crime Commissioner must state the grounds for appeal to the Police and Crime Commissioner, in writing, within 28 days from the receipt of the decision.

Section 3 – Policy monitoring

The People Service Centre is responsible for monitoring the following:

- ◆ Career break granted or not granted
- ◆ Gender
- ◆ Ethnicity
- ◆ Disability
- ◆ Age
- ◆ Rank /grade
- ◆ Department

The information will be held on Workforce against each individual's record and a report can be generated for monitoring purposes.



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Appendix A

1. Restrictions of the private life of members of the Police Force

For paragraph 1 of Schedule 1 to the Police Regulations 2003() S.I. 2003/527; there are amendments to that instrument which are not relevant to these Regulations.) (restrictions on the private lives of members of police forces) there is substituted the following paragraph–

- (1) A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere.
- (2) A member of a police force shall in particular–
 - (a) not take any active part in politics;
 - (b) not belong to any organisation specified or described in a determination of the Secretary of State

Annex AA Regulation 6 Schedule 1

Restrictions on the private life of members of the police forces

No member of a police force may be a member of any of the following organisations–

- the British National Party
- Combat 18
- the National Front

*Home Office
2004 Minister of State*

2. Business Interests Incompatible with Membership of A Police Force

See the Business Interests Policy

Police Regulations 7. - (1) If a member of a police force or a relative included in his family proposes to have, or has, a business interest within the meaning of this regulation, the member shall forthwith give written notice of that interest to the chief officer unless that business interest was disclosed at the time of his appointment as a member of the force.



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Appendix B

CAREER BREAK APPLICATION FORM

Section 1

To be completed by the individual

Name	Staff Number
Position	Rank/Grade
Department	Line Manager's name
First day of service	

Section 2

To be completed by the individual

Reasons for a career break generally fall within the following categories, although each request will be considered on its own merits, including the individual's circumstances and the operational needs of the Constabulary. The Force must be satisfied of the individual's intention to return to work.	Tick the relevant box
To care for dependents	
Travel	
Study (not necessarily relevant to the Police Service at a recognised educational institution)	
Voluntary Service	
Recuperation	

Section 3

To be completed by the individual

I have given consideration to how the duties I currently undertake can be managed in my absence should my request be approved, as follows:
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Section 4

To be completed by the individual

What period of time are you requesting for the career break?

On what date do you want this career break to start? (Date, month and year)?

Now send to your line manager

Signature

Date

Individual making the request

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Section 5

To be completed by the line manager

In order to apply the individual must have:	Yes/No
Police staff – Two years continuous service and have completed their probationary period.	
Police officer - Two years continuous service and have completed their probationary period.	
A satisfactory conduct record (a career break would not normally be permitted if applicants are the subject of an outstanding grievance against them, capability or disciplinary procedures)	
A satisfactory attendance record where their Bradford Factor does not exceed 192, unless there are exceptional circumstances	
Is this individual eligible for a career break?	

Section 5

To be completed by the line manager

Do you support the career break application? You must provide a rationale for your decision. Yes/No	
If you support the request, please detail how the individual's duties will be managed in their absence.	
Signature Line Manager	Date

Now send to the Head of Departmental/Chief Inspector for approval



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Section 6

To be completed by Head of Department/Superintendent

Do you support the career break application? You must provide a rationale for your decision.

Yes/No

Signature

Head of Departmental/Chief Inspector

Date

[Email to HR Consultants Inbox](#)

Section 7

To be completed by HR Consultant

Is the career break application approved? A rationale for the decision must be provided.

Yes/No

Signature:

HR Consultant

Date:



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Section 3 - Relevant Legislation: (Human rights/diversity/Health & Safety/any other specifics)

Section 4 - Related References:

Section 5 - Identification, Monitoring and Review

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SIA		SIA Sign Off		SIA Review
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Previous policies can be found with the continuous improvement team.