

Wiltshire Council Human Resources Career Break Scheme

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy gives guidance on the council's career break scheme which gives all Wiltshire council employees the opportunity to take up to a year of unpaid time away from work, in the form of a career break.

Parents of pre-school children, including adoptive children, and carers of dependent relatives, should refer to the [Parents and Carers Employment Break Scheme](#) if they wish to take a career break of more than one year.

Go directly to the section on:

- [What is a career break?](#)
- [Main points](#)
- [How to apply](#)
- [Declined requests](#)
- [Returning to work](#)
- [Line manager responsibilities](#)
- [Related policies](#)
- [Frequently asked questions](#)

Who is covered by this policy?

All employees, [apart from teachers, non teaching staff appointed in accordance with the Schools Standards and Framework Act 1998 and the Education Act 2002], with at least 12 months continuous service.

What is a career break?

1. There may be times when you may want or need to take a period away from work. A career break can provide you with an opportunity for personal development or to fulfil personal or domestic commitments.
2. A career break can be for a period of between 3 and 12 months.

Main points

3. You may want to take a career break for a number of reasons. These could include:
 - Caring responsibilities for children or dependants (Those not covered by Parents and Carers Employment Break Scheme)

- Personal development
 - Voluntary or community work
 - Education or training
 - Extended foreign travel
4. Under the career break scheme it is not possible to take up alternative paid employment, or activities that are deemed detrimental to the council or its reputation. Exceptions to this rule will be considered on a case by case basis, but may include:
- a career break for educational purposes and work on a casual basis or as part of a placement is required.
 - a career break to work for a charitable organisation where you may receive a small subsistence wage.
5. You will need to keep in touch with your line manager to ensure that you are kept up to date with your role and with any developments within the council. You will need to agree how this is done in advance with your manager.
6. You may carry out work for the council during your employment break as a means of keeping in touch with the organisation. Work may be done on a temporary basis and would attract payment at the rate appropriate to the job.
7. Following your career break you will normally be entitled to return to the same or similar role within the council. Should there be a reorganisation whilst you are on your career break, your manager will contact you as soon as possible, to discuss the implications to your role. Should a redundancy situation occur you may be required to participate in the consultation process and attend the work place.
8. Whilst on a career break you remain an employee of Wiltshire Council in line with your contract of employment and you will retain your continuous service.

How to apply

9. You should discuss your request for a career break with your line manager.
10. Formal applications for a career break should then be made using the [career break request form](#). This should be at least 3 months before the intended start date. However, there will be some flexibility in exceptional circumstances.

11. Your line manager will review your application and discuss it with their Head of Service or Service Director.
12. A decision will be made within 28 days of your request and your manager will confirm the outcome in writing.

Declined requests

13. The scheme operates at the discretion of the council and is not a right of the employee. It depends on the existing and longer term operational requirements and business needs. Your manager has the right to refuse a career break request.
14. Circumstances where a career break request may be declined or postponed are:
 - Where an employee has been appointed to cover another member of staff to carry out a specific task
 - Where an employee is on an approved training course funded by the council
 - Inability to recruit additional staff or reorganise work amongst existing staff
 - A substantial negative impact on service delivery
 - The activity could affect the council's reputation
15. As there is no guarantee that an application for a career break will be accepted, you should not commit yourself to any plans unless your career break has been approved.
16. If your request is refused you will be informed in writing. The letter will include the reasons for refusal.
17. There is no right of appeal.

Returning to work

18. You need to confirm your availability for work, in writing to your manager, 6 weeks before your intended return. For shorter career break periods this may be agreed prior to the start of your career break. Your return to work may be delayed where the notice period of the temporary employee covering your role is longer than 4 weeks. Your manager will inform HR.

Line manager responsibilities

19. Line managers must treat all requests fairly, within timescales, giving clear reasons for approval or non approval of a career break.
20. Forward paperwork to HR as soon as possible. Managers should complete an HR change form and return it directly to the SST-Payroll/Lifecycle team for action.
21. Prior to the start of the career break agree how communication will be maintained. Ensure that the employee is aware that it is also their responsibility to maintain contact.
22. Maintain a record of any occasional work and inform SST-Payroll/Lifecycle team.
23. Write to the employee prior to their return to work to remind them of the need to disclose any changes in personal circumstances that could impact on their role.
24. Advise SST-Payroll/Lifecycle team of the employees return date, and any changes regarding the employees return to work.
25. If the employee is returning to a role requiring CRB disclosure ensure that their record is up to date and assess whether it needs to be reviewed. You should seek advice from the HR advisory team should you be unsure whether a change of circumstance or incident needs to be reported.
26. Report any changes in health to the HR advisory team as they may require a referral to the Occupational Health department.
27. If the employee returns to the same department, or to a new role and department, the line manager will need to make suitable arrangements for the reintroduction into the workplace. Depending on the length of the break, this may include an induction period and assessment of any training and development needs, including ensuring access to IT systems if necessary. Any reasonable adjustments required previously will need to be retained.
28. Managers must keep a written record of all refused requests and the reason for refusal. Copies should be sent to the HR advisory team.

Related policies and documents

- Flexible working policy
- Maternity leave
- Parental leave

- Annual leave
- Parents and carers leave

For further information please speak to your supervisor, manager, head of service, service director or contact a member of your human resources advisory team.

FAQs

What happens to my pension?

Under the Local Government Pension Scheme Regulations 1997 (As Amended), a Career Break is treated as unpaid leave.

The regulations state that the employee must pay the pension contributions if the period of unpaid leave is under 30 days, the service then counts as qualifying and reckonable for pension purposes.

The Regulations then state that after the first 30 days:

- An employee can elect to pay the pension contributions due on the further period of unpaid leave. If the employee elects to pay the pension contributions, then this period of service counts as qualifying and reckonable service for pension purposes.

OR

- An employee can elect not to pay the pension contributions due on the further period of unpaid leave. If the employee elects not to pay the pension contributions, then this period of service does not count as qualifying and reckonable service for pension purposes.

For further queries please contact the Wiltshire Pension Fund.

Do I need to make National insurance contributions?

You only make contributions during paid periods of employment. If you want to maintain payments during a career break you will need to make arrangements with the Benefits Agency.

What happens if my post is made redundant or there is a restructure while I am on a career break?

There is no guarantee that reorganisation or redundancy will not take place whilst you are on a career break. However, you should discuss the likelihood of this occurring prior to making the decision of whether you want to take a career break at this time. If you decide to continue with your application for a career break and are successful, whilst you are away, your manager will keep you

updated of any changes and consult with you should a redundancy situation occur.

If you are on a career break you will be treated the same as other Wiltshire Council employees, in line with the Wiltshire Council Redundancy Policy and Procedure, and the Redundancy Pay Policy.

How will my manager cover my job?

This will depend on the length of your career break. Short term it may be possible to cover your workload within the team. However for longer breaks they will have to consider the best solution to meet the department and council's needs.

What if I want to return from my career break early?

If your circumstances change, you are able to return early. However, how quickly you can return will depend on the length of your career break and whether someone has been employed to cover your role. If this is the case you will need to give 6 weeks notice. For shorter breaks, where your role has been covered by your team, you will need to contact your manager.

What if I decide I do not want to return to work at the council?

You should inform your line manager as soon as you make the decision and confirm your resignation in writing. Your contract of employment will then be terminated.

What if I get pregnant whilst on a career break?

Employees on an unpaid career break or who have been on an unpaid career break may not be entitled to statutory maternity/paternity/adoption pay which is based upon previous earnings and national Insurance contributions. You may be entitled to a Maternity Allowance in which case you should seek advice from the Benefits Agency. If in doubt please contact the HR advisory team.

What if I am ill during my career break?

There will be no entitlement to sick pay whilst on a career break. No period of unpaid leave can be regarded as sick leave, even if you submit a doctor's Certificate.

On return from a career break, the period of continuous service before the break will be aggregated with continuous service after the break for the purpose of calculating sick pay.

What happens to my annual leave entitlement?

During the period of unpaid leave you will not accrue entitlement to paid annual leave or be paid for bank holidays.

However you will maintain your annual leave entitlement before the break and it will continue to accrue on your return.

What happens to my pay whilst on a career break?

You will not receive any salary, allowances or other payments that form part of your employment conditions.

What happens to the other deductions from my salary including my lease car?

You will need to ensure that you make alternative payment arrangements for these whilst you are on leave. Your manager will need to contact the SST-Payroll/Lifecycle team to implement this.

Equal Opportunities

This policy has been Equality Impact Assessed to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Further advice and information

There are a number of related policies and procedures that you should be aware of including:

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

There is also a toolkit including manager guidance and supporting documents to use when following this policy and procedure.

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