

Career Break Procedure	
Enabling Policy Statement; Executive Owner; Approval Route:	Our Colleagues - Chief People Officer - Operations Committee
Is the Procedure for internal use only (Non- disclosable) ?	Disclosable
Associated Policy Statements:	N/A
Authorised Owner:	Human Resources Director
Authorised Co-ordinator:	Head of HR Performance Delivery
Effective date:	20 February 2024
Due date for full review:	20 February 2027
Sub documentation:	There is no sub documentation

Approval History

Version	Reason for review	Approval Route	Date
1.0	3 Yearly review and migration to the POPP governance structure	Operations Committee	20 February 2024

1. Purpose

The purpose of this document is to outline the main provisions relating to the introduction of a career break to include all eligible Professional Services, Operational Services and Technical and Experimental staff. This procedure does not form part of any employee's contract of employment. It may be amended from time to time with appropriate consultation with recognised trade union representatives.

The development of this procedure reinforces the University's commitment to promote family friendly initiatives, support work-life balance and to support flexible working practices.

The career break procedure will also form part of a group of policies that provide benefits to staff to manage their work life balance more effectively, promote self-development, and support personal wellbeing. The procedure offers employees' choices on the way the employment contract between the University and the employee is delivered. This gives employees greater choice and control over their working lives, promotes employee engagement, boosts productivity and creativity and works towards making the University an employer of choice.

This procedure sets out the University's framework on career breaks, the considerations to take into account when applying or reviewing an application for a career break, and how the break will affect service related benefits during the period the employee is on their career break.

2. Scope and Exceptions to the Procedure

The procedure is designed to enable career breaks for all eligible Professional Services, Operational Services and Technical and Experimental Staff. Academic staff are not covered by the procedure and should refer to the Sabbatical Leave Procedure.

This procedure does not form part of the employment contract and may be subject to change.

3. Definitions and Terminology

Career break: a period of time, typically between three months and one year, in which an employee remains employed on an unpaid basis while undertaking a specific activity unrelated to the University.

4. Procedural Principles

4.1. Duration of Career Breaks

A career break will normally last between three months and one year.

In exceptional circumstances, and where practicable, a career break of less than three months or more than one year may be taken by mutual agreement providing there is no risk to normal business continuity.

4.2. Career Break

A career break can be used for a variety of reasons and purposes and includes but not mutually exclusive:

- Time off for the employee to pursue a period of study unrelated to their role and responsibilities at the University.
- Time off to attend to a major family issue, fulfil a carer responsibility or other personal issue that is not covered by other time off procedures.
- Time off to allow an employee to pursue a personal interest or carry out and complete a personal project.
- Time off to travel that requires more time off than currently allowed under annual leave and

- special leave arrangements.
- Time off for other purposes agreed between the employee and the University.

All career breaks agreed under this procedure will be unpaid. The terms regarding continuity of service and other employment conditions are set out in Section 4.7 of this document.

4.3. Eligibility

Eligible employees include Professional Services, Operational Services and Technical and Experimental staff. Employees must have a minimum of five years continuous service on the date the request is made. This will include periods of leave under Maternity, Adoption, Parental, Paternity, Shared Parental and any other approved leave arrangements.

The scheme will be open to contracted full and part time employees, permanent and fixed term contracts. Fixed term contracted employees will only be eligible for a break if the period of the fixed term contract exceeds the end of the career break. In taking the career break it will not extend the term of the fixed term contract by adding the career break period to the contract. The contract will end on the original end date as if no career break had been taken.

Employees who are subject to immigration regulations and who do not have a permanent right to work in the UK may not be eligible to apply. Employees on a Skilled Worker Visa sponsorship/Tier 2 sponsorship will not be eligible. All other time limited visa employees will be assessed on a case by case basis.

Employees who are subject to formal disciplinary procedures or performance capability sanctions will not be eligible until they are no longer subject to disciplinary sanctions or capability reviews and their disciplinary/capability records are removed.

Employees on long term sickness absence or other extended periods of absence from work will not be eligible. They may become eligible if their absence circumstances improve to a sustainable and satisfactory level.

4.4. Considerations

In addition to the above eligibility criteria the following will be taken into consideration when reviewing a career break request:

- whether the employee has taken a career break on previous occasions.
- whether the needs of the business of the University can be accommodated during the period of absence and that the absence can be covered to a satisfactory level of quality and consistency on a temporary basis.
- the length of the career break and the potential for the employee to return to the same post or a similar (pay or skill level) if their previous post is no longer available.
- the need to retain key skills, knowledge and experience to achieve longer term strategic objectives and whether a career break would put these objectives at risk.
- the potential mutual benefits to the parties concerned.

4.5. Obligations

While on a career break the employee agrees to:

- keep in contact with the University at times specified in the written career break arrangements.
- suspend their contract of employment during the period of the career break and accepts that any service related benefits will not apply during the period of the break or be applied retrospectively.
- accept that on return from their career break their contract will re-commence and service related benefits will also commence from the date of return.

- agrees to maintain professional knowledge and contacts and keep updated of any significant developments in their area of work during their break.
- not use the career break to seek gainful paid employment with another employer (see Section 4.8).
- Not to commit themselves to any career break arrangements until a decision on their application is formally confirmed in writing.

Agreement to and the length of the break will be entirely at the University's discretion.

A career break may not be the most appropriate arrangement. Before applying for a career break the employee may wish to discuss their options with their manager/local HR representative.

4.6. Procedure for Requesting a Career Break

To make a career break request employees should:

- set out their request for a career break in writing confirming the date they wish the career break to start, the length of the career break and the date they would like to end their break. Reasons for the break should be summarised in brief. Employees can provide more detail for the rationale but are not obliged to go into detailed planning.
- give as much notice as possible prior to the start of any request to enable the University to consider how it will cover the period of absence whilst maintaining continuity of business and ensuring that any disruption to levels of service is kept to a minimum. As a guidance employees should whenever possible give 4 months' notice from the date they anticipate starting their career break.
- request an initial meeting between the employees' line manager and the employee. The meeting will discuss the career break request and consider any other options.

If the line manager supports the request they will discuss the request with their Human Resource Business Partner at a convened meeting with the intention of finalising the terms of the career break agreement or the reasons why the request has been refused. The relevant EB member will be required to approve any proposed leave period.

Once the decision has been approved the employees line manager (supported by HR where required) will convene a meeting with the employee, confirm acceptance or refusal of the request giving reasons and provide a copy of the decision and reasons in writing to the employee

If the career break is accepted HR will draft the letter setting out the terms of the career break and any variations from the original request such as varying the start and finishing times of the break to better accommodate business needs while allowing the career break request. The terms of the career break will be in accordance with the terms set out in this procedure.

Whilst there is no barrier to making more than one career break request a decision on whether to accept or reject a request will consider previous requests, the length of time requested, the result of the request, requests from colleagues and the nature of the request.

As a general rule a request for a career break made within two years of a previous one being granted will not normally be granted.

4.7. Impact of the Career Break on the Employment Contract during the period of absence

During the career break the employment contract will be suspended and re-instated at the end of the break. During the break the employee agrees that the following will apply:

- All career breaks will be unpaid.
- If organisational restructuring and/or redundancy situations arise whilst an employee is on a career break, their post and their employment will be considered as if they were at work.

Redundancy pay would be calculated by reference to the salary received prior to the period of leave.

- A career break will not be regarded as a break in service for the purposes of statutory employment provisions and continuity of employment.
- The career break will not count towards any service related benefits e.g. occupational sickness payments, occupational maternity provisions, long service awards and occupational redundancy payments. For these purposes service before the career break will be aggregated with service after the career break.
- Increments (if they apply) will be suspended for the duration of the career break and if an increment is due during the career break it will not be implemented. The delay to the increment date is imposed because annual increments are awarded to reflect the development of skills, knowledge and experience within the role for which an individual is employed.
- Taking a career break may affect an employee's pension. The impact of a career break on pension will be dependent on which pension scheme the employee is in and their personal circumstances. The University recommends that employees considering a career break should contact their Pensions Team to get advice.
- There will be no entitlement to holiday pay whilst on a career break and the employee will not accrue annual leave. Any pro-rata annual leave owing should normally be taken before commencement of the career break. There will be no payment in lieu for any leave outstanding.
- There will be no entitlement to sick pay whilst on a career break.
- Employees on a career break will not be eligible for Occupational Maternity Pay (OMP) and should be advised that entitlement to Statutory Maternity Pay (SMP) may also be affected since SMP is calculated on the basis of the employee's salary 15 weeks before the Expected Week of Childbirth (EWC). An employee wishing to know how the rules apply to a particular situation is strongly advised to seek advice from the HR Department. Similar issues might apply to employees entitled to Statutory Paternity Pay and Adoption Pay. If in doubt consult your local HR representative.
- It is the responsibility of the employee on a career break to establish with the Social Security Agency whether they are entitled to any social security benefits and to check the position regarding National Insurance contributions.

4.8. Taking on Paid Work

Consent must be obtained from the University for any paid work undertaken during the career break, to avoid any conflict of interest. Providing that paid-work is not the primary reason for the career break, consent will not usually be withheld.

4.9. Contact Details

During the career break:

- employees should provide contact details if these will be different from those on their HR records and notify the University if these details change.
- employees and their line manager should maintain reasonable contact during the career break period to make the return to work easier for both parties.
- the employee's line manager will be responsible for keeping a career break employee informed of any significant workplace developments relevant to their employment.
- there will be no obligation on the employee to agree to return to work early during the period of the career break, although the University reserves the right to make such a request "in extremis". Emergency work undertaken will be paid at the employees' normal rate of pay applicable before the career break.

4.10. Advertised Positions

Career break employees may apply for any advertised post that arises at the University during the

career break but will be required to accept the post at the time of offer and take up duties when required. This may mean that the career break will come to an end automatically if the post must be taken up immediately on offer.

Employees have no rights to keep the post open until they complete their career break as they will have varied the terms of their career break agreement by applying for and being appointed to a new post and must terminate their career break agreement early or forgo the post offered.

4.11. Resignation

If an employee decides to resign from their post during a career break, they must submit a written statement of resignation to the Head of Department in advance of the agreed return to work date in accordance with their contractual notice period.

4.12. Returning to work

At the end of the career break the following conditions will apply:

- Providing that the terms and conditions of the career break procedure and any subsequent agreement between the employee and the University are met, the University will guarantee the employee the opportunity to return to work at the end of the career break.
- Career breaks of six months or less will enable the employee to return to their substantive post prior to their break providing that their post has not been affected by any re-structure, re-organisation or other unforeseen business changes.
- For career breaks of more than six months the University will seek as far as possible to place an employee returning from a career break into their former post. Where this is not possible, the employee will be offered suitable employment on terms and conditions not less favourable, and induction and training will be provided as necessary.
- Before returning from a career break, an employee must give their line manager a minimum of 4 weeks written confirmation of their intention to return to work.
- The manager will agree with the member of staff any health and safety requirements for their return to work, which may include the need for refresher training and advising them of changes to health and safety arrangements.

4.13. Refusing a Career Break Request

If the employee meets the eligibility criteria set down in this procedure the Line Manager is under no obligation to accept the request, particularly if the Line Manager feels that accepting the request may impact the Department's performance or may have an adverse impact on colleagues. The reasons for the refusal will be set out in writing and communicated to the employee. However, in keeping with the spirit of a career break the University will explore all avenues for overcoming any barriers to such requests before concluding that a request has to be denied. There is no right of appeal.

5. Governance Requirements

5.1. Implementation: Communication Plan

N/A

5.2. Implementation: Training Plan

The procedure was embedded when first published. Further support will be provided to colleagues implementing the procedure when required.

5.3. Review

This procedure will be reviewed every 3 years or sooner if required by a change in legislation or practice.

5.4. Legislative Context and Higher Education Sector Guidance or Requirements

N/A

5.5. Sustainability

This procedure is deemed to have little to no impact on sustainability.

6. Stakeholder Engagement and Equality Impact Assessment

An Equality Impact Assessment was completed on 31 January 2024 and is held by the Authorised Co-ordinator.

Stakeholder Consultation was completed, as follows:

Stakeholder	Nature of Engagement	Request EB Approval (Y/N)	Date	Name of Contact
Governance	Governance Review	N	11 January 2024	Andrea Langley
H&S	H&S Review	N	24 January 2024	Matt Purcell
Sustainability	Sustainability Review	N	15 December 2023	Martin Wiles