

Career Break Policy and Process

1 Introduction and purpose

- 1.1 Barnet Council is committed to supporting the work/life balance and personal development of its staff. Long-term employees can benefit from career breaks that allow them to pursue personal goals and commitments related to studies, travel, caring responsibilities etc. The Council also stands to benefit from career breaks through retaining valuable skills and experience and fostering a working culture that supports the personal and professional ambitions of its staff.

2 Scope

- 2.1 This Policy and Process applies only to Barnet Council employees. Consultants as well as casual and sessional workers are excluded from it. This policy does not apply to school employees working under the direction of a Governing Body.
- 2.2 All Council staff who have at least 2 years of service with the organization are entitled to request a career break.
- 2.3 While this Policy applies across seniority levels and irrespective of full-/part-time status or working patterns and the Council will be sympathetically considering all career break requests, arranging career breaks may be challenging for officers within statutorily-defined posts, job-sharing arrangements, and possibly other roles where business continuity is critically important.

3 Principles of the Career Break Scheme

- 3.1 A career break essentially is a relatively long period of unpaid absence from work. Career breaks can only be requested by employees and are always subject to management approval.
- 3.2 The length of career breaks for Barnet Council employees will normally range from three months to three years. Employees should use other types of leave (e.g. unpaid special leave) for periods of absence shorter than three consecutive calendar months. Requests for career breaks of between three and five years may be considered in exceptional circumstances (e.g. if an employee wishes to pursue doctorate-level studies in a field that is relevant to their work).
- 3.3 The Council aims to be an employer of choice and to support the long-term career plans and life goals of its staff. Employees may apply for more than one career break during their employment with the Council, however there must be a gap of at least 2 years between career breaks.

- 3.4 Despite its name, a career break will not formally constitute a 'break' in an employee's continuous local government service. However, accrual will be paused for the duration of the break and resumed on the employee's return from it.
- 3.5 The Council will endeavour to support staff returning from a career break resume their previous work by returning to the post which they had left. While the Council is unable to guarantee the ongoing availability of any individual post, every effort will be made to redeploy the returning employee into a role that is appropriate to their skills and experience.
- 3.6 Any expectations set out in the Council's Officer Code of Conduct and other related documents, such as those around corporate values and behaviours, which may place restrictions on certain activities beyond the workplace (e.g. in relation to confidentiality or to speaking to the media in relation to the work of the Council) will continue to apply throughout the period of a career break.
- 3.7 Staff who are employed on fixed-term contracts, or through secondment arrangements, will be entitled to request career breaks. Although the Council will not base any management decisions on an employee's contractual status, staff should be aware that the temporary nature of such arrangements may undermine the viability of a career break request due to associated complications in terms of managing cover etc.
- 3.8 The Council will not present 'artificial' obstacles to employees wishing to use a career break as a way of trying out a different line of work (e.g. farming) and/or a permanent change in lifestyle (e.g. volunteering or 'digital nomading' in remote locations) before deciding to commit to that on a longer-term basis. However, employees wishing to undertake any kind of paid work (including self-employment) during a career break are required to advise the Council of their intentions in order to ensure that any conflicts of interest are appropriately documented and managed. The Council may ask an employee to take steps to mitigate such risks and, where that is not feasible, may object to the employee undertaking such work.
- 3.9 Where it is not feasible for an employee to return to their original role after a career break, the Council will include them in its redeployment pool, giving them priority consideration for any vacancies that may arise and making every effort to mitigate any negative impact in terms of remuneration, location, working hours etc. If no suitable role is identified for an employee, the Council will have to terminate their employment.
- 3.10 An employee who is unable to secure a suitable role after their return from a career break will be dismissed with notice and receive full pay during their notice period. The Council will normally avoid making payments in lieu of notice in those circumstances, as employees should remain available and engaged in the redeployment process in order to take advantage of any vacancies arising.

4 Accounting for time and benefits during career breaks

- 4.1 Annual leave will not accrue during career breaks. Employees are expected to use any previously accrued annual leave, as well as any time off in lieu, prior to the commencement of a career break. Requests to carry leave forward during a career break will only be considered in exceptional circumstances.
- 4.2 Pension accruals, incremental progression within grades, and other employment benefits will be paused for the duration of a career break. However, members of the Local Government Pension Scheme will continue to be covered by the relevant death in service benefit as the Scheme includes career breaks in its definition of 'authorised absence'.
- 4.3 It is important for employees to consider the possible impact of a career break on any arrangements they may have in place relating to voluntary contributions (AVC) to pensions, salary sacrifice schemes etc.
- 4.4 Career breaks will not normally be available to employees with 'live' timed warnings relating to misconduct or unsatisfactory performance. Exceptions may be made if the need and timing for a career break are dictated by urgent personal/family circumstances, in which case the warnings will be 'paused' for the duration of the career break and resume on the employee's return to work.
- 4.5 Sick pay will not be available to employees on career breaks.

5 Contact and training arrangements

- 5.1 Employees and line managers are expected to maintain regular contact during a career break. Arrangements should be made on an individual basis and should include, at a minimum, a brief quarterly one-to-one meeting or telephone conversation.
- 5.2 Wherever possible, employees on career breaks should be given the opportunity to attend major team events. Similarly, employees on career breaks will remain entitled to access the full range of training and professional development opportunities that are available to Council staff [subject to any technical limitations around software licensing etc]. However, any participation in such activities during a career break will be entirely discretionary for the employee and will not ordinarily attract any remuneration in respect of their time.

6 Career Break Process – requests, approvals, cover

- 6.1 An employee considering the possibility of a career break should raise the matter with their line manager in the first instance, giving them as much notice as possible and, where appropriate, exploring possible alternatives (e.g. making temporary changes to their work duties or contractual hours, doing more remote/agile work, taking shorter spells of annual and/or special unpaid leave).

- 6.2 Line managers are expected to treat career break requests sympathetically and should do their best to accommodate the wishes of employees while also meeting service delivery priorities.
- 6.3 Where an employee intends to request a relatively short career break (e.g. for less than a year), managers should make every effort to cover for their absence internally. This can be achieved through reorganising duties within a team/service, acting-up arrangements, secondments, back-filling roles that are less senior and/or specialist etc. There are multiple benefits to such an approach- the employee will normally be able to resume working in their substantive post upon their return from the career break, colleagues will get the opportunity to develop their skills and experience in a broader range of contexts, and the Council may also be able to make some financial savings.
- 6.4 Where an employee wishes to request a longer career break, they should work with their line manager to make more formal cover arrangements. As set out in 3.5 of this Policy, the Council believes that the effectiveness of the Career Break Scheme can be maximised when employees are able to return to their original post at the end of their career break. While this is not a guaranteed benefit of the Scheme, there are ways in which employees and managers can work together to increase the chances of it happening. That work would typically involve hiring someone (whether from within the Council or the external labour market) to replace the employee for the duration of their career break. Prior to proceeding with the decision to publish an advert for a fixed-term vacancy/secondment opportunity, it may be worth updating job descriptions, considering the distribution of tasks within a team, and attempting to determine which specialist skills/experience can be sourced from within the team (which should make the temporary role suitable for a larger number of potential candidates).
- 6.5 Where a decision is made to involve an employee in reviewing job descriptions and/or participating in the selection process for their replacement, managers will remain responsible for making appointment decisions, overseeing the practicalities around any handovers, and ensuring that arrangements comply with the Council's requirements around budgets and procurement (e.g. they should not replace an employee on a career break with a consultant charging a 'day rate' which is higher than the equivalent salary for the grade of the post).
- 6.6 Career break requests should be made in writing (normally by email) and will need to be supported by the employee's line manager and approved by senior management. Assistant Directors may approve career break requests from employees in posts which do not have responsibility for managing staff or budgets, while Executive Director approval will be required for employees in posts with management responsibilities. It is important to reiterate that staff have no automatic statutory or contractual rights to career breaks. The senior manager may contact the employee who has submitted a request and/or their line manager to obtain clarification on the proposed arrangements. HR will also be able to provide detailed advice to managers.

- 6.7 While there is no formal minimum notice period for submitting a career break request, planning and submitting one well before the commencement of a career break will increase the chances of management being able to both accept the request and make cover arrangements.
- 6.8 Employees on career breaks will not need to provide specific notice of their return to work; the Council will be assuming that they will be returning to work on the day that had been specified in their original request. Managers are encouraged to make contact with employees a few weeks before their return in order to take care of the relevant practicalities.
- 6.9 Employees on a career break may request to prolong it or cut it short. Requests must be made in writing (normally by e-mail) to the employee's line manager who will consider them in line with the needs of the service.
- 6.10 Employees must surrender their identity badges, laptops, and any other Council property for the duration of a career break. Line managers will be responsible for collecting such items and keeping them safe.

7 Redeployment and associated matters

- 7.1 As described above, the Council is unable to formally provide employees on a career break with a guarantee that their post will be available upon their return to work. It may not always be possible to make cover arrangements- and, even when they have been made, they may break down for various reasons. If that happens, the line manager will notify the employee who is on a career break and may explore alternative options with them (e.g. terminating the career break earlier than originally planned) in order to ensure that they can keep their post.
- 7.2 Any arrangements around redeploying an employee upon their return from a career break will have to be considered on an individual basis and in line with the Council's Redeployment Guidance. HR will be able to provide detailed advice around redeployment arrangements.
- 7.3 Similarly, if redeployment does not turn out to be feasible, the precise timing and process of terminating the employee's contract with the Council will need to be managed in relation to the specific circumstances of a case- and other solutions may be negotiated, such as prolonging the career break [with the agreement of the employee] in anticipation of certain vacancies arising.
- 7.4 Where the Council terminates a contract of employment following a failure to redeploy an employee returning from a career break, it will clearly communicate that its reasons for terminating the contract are in no way related to the conduct or capability of the employee¹.
- 7.5 Employees should be aware that a dismissal arising from an employee's inability to secure a suitable role upon returning from a career break will not

¹ In employment law terms, such dismissals are typically referred to as being attributable to 'Some Other Substantial Reason' (SOSR) as they are neither automatically unfair nor linked to the statutorily-defined 'potentially fair reasons for dismissal'.

attract any redundancy compensation or pension enhancements.

8 Restructuring during a career break

- 8.1 Where the Council proposes to make changes to the post of an employee, or to the structure of their department, while they are on a career break, it will advise the employee of its intentions and consult with them in line with its Restructuring and Change Management Policy and Procedure.
- 8.2 Where a restructuring proposal includes selection exercises as part of changing and/or reducing roles within a service, employees on career breaks will be given every opportunity to participate in those exercises. Management will be responsible for making any adjustments to the process in order to facilitate the participation of employees on career breaks. HR will be able to provide detailed advice on potential arrangements.

9 Appeals/grievances

- 9.1 As there is no contractual obligation on the Council to accept any career break requests, there is no formal appeal process in relation to requests that have been turned down or any other issues arising in relation to a career break. Employees should informally raise any issues with the relevant managers and collaborate with them in search of mutually acceptable ways forward (e.g. by delaying the career break until the completion of a major project).
- 9.2 Employees are entitled to formally raise career break-related matters through the Council's Grievance Resolution Policy and Procedure.

10 Equality Statement

- 10.1 In applying this policy, the Council will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, sex, gender reassignment, marriage and civil partnership (in employment only), pregnancy and maternity, race, religion or belief, and sexual orientation. In addition, the Council will ensure that employees and job applicants are not unreasonably discriminated against on the basis of other characteristics including socio-economic status, offending background, political affiliation and trade union membership. An Equality Impact Assessment is used for all policies and procedures at the Council.