



HUMBERSIDE FIRE AND RESCUE SERVICE

# People and Development

## Career Break Policy

<b>Owner</b>	<b>Executive Director of People and Development</b>
<b>Responsible Person</b>	<b>Head of Human Resources</b>
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What we must do well



How we support our communities



We value and support the people we employ



We efficiently manage the Service

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## **1. INTRODUCTION**

This Policy sets out details of, and arrangements regarding, Humberside Fire and Rescue Service's (HFRS) Career Break Scheme ("the Scheme").

The approval of career breaks will be subject to operational requirements and to the employee entering into the Career Break Agreement at Appendix B, and will, at all times, be at the absolute discretion of HFRS.

### **Core Code of Ethics**

HFRS has adopted the Core Code of Ethics for Fire and Rescue Services. The Service is committed to the ethical principles of the Code and strives to apply them in all we do, therefore, those principles are reflected in this Policy.

### **National Guidance**

Any National Guidance which has been adopted by HFRS, will be reflected in this Policy.

## **2. EQUALITY AND INCLUSION**

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

## **3. AIM AND OBJECTIVES**

HFRS will consider, and wherever practicable assist, employees in balancing their work and home life responsibilities or interests where this is appropriate, and subject to the exigencies of the Service as determined by the Executive Director of People and Development. The Scheme is an arrangement in which any employee who meets the necessary criteria can apply to take an extended period of unpaid time away from work.

In offering the opportunity to take a career break, HFRS recognises the importance of employees' work-life balance and personal development, whether that be via learning, charity work, leisure activities, travel or other interests. In turn, we recognise that staffing levels must at all times remain in line with the demands of the business.

## **4. ASSOCIATED DOCUMENTS**

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- [Equality Impact Analysis](#)
- Legal References  
There are no legal references relevant to this policy.
- National Guidance  
There is no National Guidance relevant to this policy.

### 5. DEFINITION OF A CAREER BREAK

A career break is an unpaid period of absence from work. The period can range from three months to a maximum of one year unless otherwise agreed by the Executive Director of People and Development. When entering into a Career Break Agreement with an employee, there is a reasonable assumption that the employee intends to return to work with HFRS.

This Policy should not, therefore be used by the employee to facilitate the 'testing of alternative employment' before the ultimate termination of an employee's contract.

### 6. ELIGIBILITY

The scheme is open to applications from all employees who have:

- Successfully completed their probationary period.
- Have at least two years' continuous service with HFRS (at the date on which the application for a career break is made).
- Have had a period of five complete years' continuous service since the end of any previous career break with HFRS.

### 7. APPLICATIONS

All applications for career breaks must be made in writing by completing the Career Break Application Form at Appendix A of this Policy. The completed Application Form should be submitted via the employee's line management, to the Executive Director of People & Development at least **two months** in advance of the requested date of commencement of the career break. The application should contain the anticipated dates of the career break, details about the purpose of the break and the applicant's intentions regarding pension contributions during the break. The application should also include an acknowledgement that the individual has read the terms and conditions of the career break and accepts their obligations under the scheme.

The decision of the Executive Director of People and Development will be notified to the employee in writing, together with the appropriate line manager. The Service will consider any request for a career break, but the decision as to whether or not to grant the career break will be entirely at its discretion. There is no right of appeal against the decision.

**Commented [JK1]:** In terms of the cost to us (annual leave costs, retraining, recert etc.) this feels too regular - could we extend to 5 years or more

**Commented [AS2R1]:** Thanks Jason. Amended accordingly.

**Commented [AS3R1]:** Should we change the continuous service period to 5 years too?

**Commented [JK4]:** Do we need to have an appeals process? We are not required to offer Career Breaks so this is a staff benefit and we should trust the decision of the Executive Director of People and Development.

**Commented [MS5R4]:** Fully support the removal of an appeals process for this

**Commented [AS6R4]:** Happy to agree. Policy has been updated accordingly.

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The CFO's decision in relation to any appeal is final. There will be no recourse to the Grievance Procedure beyond the decision of the CFO.

### 8. CONSIDERATION FOR APPROVAL

The purpose of the career break must be explained on the Career Break Application Form at Appendix 1.

A career break can be used for a variety of purposes, for example:

- Time off in order for the employee to undergo a university or college course
- Time off on account of childcare or other family responsibilities.
- Time off to allow an employee to pursue a personal interest or undertake a personal project or professional development.
- Overseas travel, for example for the purpose of visiting family or any other purpose agreed with the organisation.
- Temporary changes to On Call primary employment or personal circumstances

Commented [JK7]: New bullet point - Temporary changes to On-Call staff's primary employment or circumstances

Commented [AS8R7]: Thanks, now amended.

HFRS recognises there may be a number of reasons for an employee wanting a career break and it is committed to considering each reason and request on its own merits. All such decisions will however be based on the exigencies of the Service and business need.

Approval of each application for a career break is at the absolute discretion of the Executive Director of People and Development and is in accordance with the eligibility criteria set out above and subject to the exigencies of the Service. These will include organisational requirements and the impact of other applications and career breaks taking place at the same time. In addition, employees should be aware that applications might be rejected if, for example, there is a cost for a replacement or training, or the member of staff is in a specialist role and the resultant vacancy would be difficult to fill.

A career break will be up to one year in duration and may only be extended, in exceptional circumstances and subject to operational requirements, at the discretion of the Executive Director of People and Development.

Commented [JK9]: Insert Executive

Commented [HB10R9]: Done

### 9. PENSION

It is the responsibility of the employee to consider the implications of unpaid absence on their individual pension situation before applying for a career break and seek advice from the pensions department relevant to their pension scheme. HFRS can approve a period of unpaid absence to count as pensionable service providing that the employee makes additional pension contributions for the period.

Death in Service Benefits may still be applicable subject to the provisions of the relevant pension scheme. National Insurance contributions will not be made in

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respect of the period of unpaid leave and the employee is advised to contact the National Insurance Contributions Office if they wish to clarify the impact of this.

### 10. BEFORE TAKING A CAREER BREAK

If an application for a career break is granted, the employee must sign a Career Break Agreement as per [Appendix B](#), before it commences. The career break cannot begin until the Career Break Agreement is completed and returned to the Employee's line management and a copy is sent to the HR team.

The employee must ensure that they take all of the annual leave they have accrued (including any annual leave carried over from previous annual leave years) up to the date of the proposed career break start date before the career break commences. If there is insufficient time for the employee to take this accrued leave before their career break starts, the career break commencement date must be delayed until the annual leave has been taken.

As set out in clause 11 below, only statutory annual leave in accordance with the Working Time Regulations 1998 accrues during a career break. If, at the start of the career break, the employee has taken, and been paid for, more annual leave than they have, or will by the end of the current holiday year, accrue during that leave year, the overpayment will be deducted from the employee's salary in the month preceding the career break. If it is not possible to deduct part or the entire sum from this salary payment, it will be deducted as soon as possible thereafter, including from any payment made to the employee during the career break, at the end of the career break, or upon the employee's return to work.

For the avoidance of doubt, any annual leave over and above statutory annual leave as provided for under the Working Time Regulations 1998 which has been accrued but untaken at the end of the current annual leave year, cannot be carried over into the next leave year during an employee's career break. Any such leave that has not been taken by the end of the leave year in which it is accrued, will be lost.

For the purposes of this Policy, during the annual leave year immediately preceding the date of the commencement of an employee's career break, the employee will be deemed to have taken their Working Time Regulations 1998 statutory annual leave first, before any enhanced annual leave entitlement is taken.

### 11. DURING A CAREER BREAK

An employee on an approved career break will remain an employee of HFRS throughout the duration of the break and will continue to be subject to relevant employment legislation, Service policies and procedures. Prohibition of outside employment without the express permission of the Executive [Director] of People and Development will continue to apply during a career break.

Commented [JK11]: Insert Executive

Commented [HB12R11]: Done

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Continuity of service is maintained during a career break and service accrued will count in respect of statutory employment rights, for example, employment protection, redundancy, maternity pay, paternity pay and leave. Service accrued during the break will not count (as reckonable service) towards the calculation of annual leave, sick pay or redundancy payment entitlements.

The entitlement to, and rate of, sick pay following a return to work after a career break will be based on the 12 month period immediately preceding the career break start date.

Throughout the duration of a career break, all employee pay and benefits (including sick pay and the accrual of annual leave over and above the 5.6 weeks provided for under the Working Time Regulations 1998), will be suspended.

All accrued but untaken statutory annual leave in accordance with the Working Time Regulations 1998, must be taken before the employee returns to work following the end of their career break. If this leave is not taken during the duration of the career break, it will automatically be deemed to be taken immediately following the career break end date.

If an employee suffers an illness or injury during the career break which could potentially prevent them returning to full operational duties at the end of the break, they must notify the Service as soon as possible and in any event, at least two months' prior to the agreed career break end date.

If an employee decides to resign during a career break, they must submit written notice of resignation to the Human Resources department. The contract of employment will normally cease from the date when the resignation is received, and it is not expected that a notice period will be worked. Where a notice period is not worked by the employee, the employee agrees to waive their right to a paid notice period or a payment in lieu of notice.

During the career break, the Service will not be obliged to offer the employee any work and the employee will not be expected to carry out any work for the Service.

### **12. CONTACT**

The employee's line manager will be nominated as 'liaison officer' for the duration of a career break and, so far as is reasonably possible in the circumstance particular to the break, will maintain contact between HFRS and the employee during the period.

This may include, for example, keeping the employee up to date on Service and workplace developments generally, keeping the Service aware of the employee's wellbeing and welfare and providing a link regarding return to work training and placement.

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The employee has a shared obligation to participate in liaison arrangements as a joint exercise of benefit to both parties and should therefore also make efforts to periodically contact their liaison officer to seek updates and share relevant information with the Service.

Should any of an employee's contact details change during their career break, they must ensure that they inform both their line manager and HFRS' HR Department as soon as possible.

### 13. RETURNING TO WORK

An employee on a career break must confirm in writing two months in advance of the specified date for return to work that they will return to work on that date. If that notification is not received, the employee will be deemed to have resigned.

Should the employee wish to return to work earlier than the originally agreed end date of the career break period, they must notify HFRS of this at least one month before the proposed date of return. HFRS will endeavour to accommodate an early return to work, but this will be at the discretion of the Service and may not always be possible.

Following a career break, the employee will return to the same grade, although not necessarily in the same job, posting or location, in which they were employed immediately preceding the career break, provided a vacancy exists at the appropriate time. If no vacancy exists, the employee will return to a supernumerary position on a temporary basis pending redeployment into any vacant role as is deemed suitable by HFRS, at the same grade the employee was employed at immediately preceding the career break.

On returning to work, operational employees must undergo a medical assessment with the Service's Occupational Health & Wellbeing Section, together with a fitness test and/or health screening prior to commencing their full operational role.

Any necessary return to work training for all employees on a career break will be arranged by the Service on their return.

### 14. TERMINATION OF A CAREER BREAK

If the employee fails to return to work on the first working day after the agreed career break end date without prior notification and without prior agreement with the Executive Director of People and Development that a later return date is agreed, the career break will end and the employee will be deemed to have resigned, without notice. To confirm, this provision relating to deemed resignation does not apply if the employee's failure to return to work is because they are undertaking a period of maternity, adoption or shared parental leave, agreed paternity leave, agreed annual leave and/or are absent due to sickness and have reported this in accordance with HFRS' Absence Management Policy.



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The Executive Director of People and Development has the right to terminate a career break with immediate effect and require the employee to return to work in accordance with clause 11 of this Policy. If the employee fails to comply with the terms of the scheme, for example, if the criterion on which the application was based ceases to be met or if there is an unreasonable failure by the employee to co-operate with liaison arrangements during the break as per clause 12.

**If you require any further guidance / information in relation to this policy,  
please contact Human Resources**

**APPENDIX A: CAREER BREAK APPLICATION FORM**

Please note, unless there are exceptional circumstances, this form must be completed by all employees applying for a Career Break.

<b>EMPLOYEE DETAILS</b>	
<b>Employee Name:</b>	
<b>Role:</b>	
<b>Job title:</b>	
<b>Grade:</b>	
<b>Area:</b>	
<b>Watch:</b>	
<b>Current home address (inc. contact number):</b>	
<b>Email Address:</b>	
<b>Home address (inc. contact number) during Career Break:</b>	
<b>PROPOSED CAREER BREAK DETAILS</b>	
<b>Please explain the reason for your career break:</b>	
<b>Proposed start date:</b>	
<b>Proposed end date:</b>	
<b>Is the proposed start date for one year or less?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>If less than 1 year, please specify proposed duration</b>	
<b>Do you intend to make additional pension contributions during your career break?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>ELIGIBILITY FOR A CAREER BREAK</b>	
<b>Are you currently on probation in your role?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Do you have at least two years' continuous service?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Start date with HFRS:</b>	
<b>Have you previously had a career break with HFRS?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>

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<b>If yes, was it more than two continuous years ago?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Dates of previous career break with HFRS:</b>	From:	To:
<b>Are you subject to any live disciplinary warnings and/or investigations?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Are you currently a trainee or on development in your role?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

<b>Employee Declaration:</b>	<b>I have read the terms of the Career Break Policy. In making this application, I accept the terms of the Scheme and agree to be bound by my obligations under it.</b>
<b>Employee Signature:</b>	
<b>Date:</b>	

<b><u>LINE MANAGER APPROVAL</u></b>	
<b>Name of Line Manager:</b>	
<b>Line Manager role:</b>	
<b>Do you support the employee's application for a career break?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>If no, please confirm the reason why:</b>	
<b>If yes, please confirm how the employee's role will be covered in their absence and whether there will any increased costs as a result:</b>	

<b>Line Manager Signature:</b>	
<b>Date:</b>	

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<b>EXECUTIVE DIRECTOR OF PEOPLE AND DEVELOPMENT DECISION</b>		
<b>Application approved/declined?</b>	Approved <input type="checkbox"/>	Declined <input type="checkbox"/>
<b>If declined, please give reason:</b>		

<b>Executive Director of People and Development Signature:</b>	
<b>Date:</b>	

Please forward all completed Career Break Application Forms, via your line management to the HR Department.

## **APPENDIX B: CAREER BREAK AGREEMENT**

Please note, a completed and signed Career Break Agreement must be signed and returned to the employee's line management and a copy sent to the HR Department, before the career break can commence.

Dear **[Employee Name]**

I am writing to you to set out the terms of your career break following your application dated **[date of Career Break Application form]**. Your career break has been approved subject to the conditions set out in this letter and in the Career Break Policy.

Your career break will commence on **["Start Date"]** and end on **["End Date"]** unless Humberside Fire and Rescue Service (HFRS) agree a different End Date in writing.

During your career break, your employment with HFRS will continue in accordance with your contract of employment, but all salary, benefits and allowances are suspended during the period between the Start Date and End Date.

The terms of your career break, and in particular the terms which apply between the Start Date and End Date, are set out below.

### **Prior to your career break**

- You must ensure that you take all of the annual leave you have accrued (including any annual leave carried over from previous annual leave years) up to the date of the proposed career break start date before the career break commences. If there is insufficient time for you to take this accrued leave before your career break starts, you acknowledge and agree that the Start Date must be delayed until the annual leave has been taken.
- If you have taken, and been paid for, more annual leave than you have, or will by the end of the current holiday year, accrue during that leave year, the overpayment will be deducted from your salary in the month preceding the career break. If it is not possible to deduct part or the entire sum from this salary payment, it will be deducted as soon as possible thereafter, including from any payment made to you during the career break, at the end of the career break, or upon your return to work. By signing this Agreement, you expressly agree to allow HFRS to make such a deduction.

### **During your career break**

#### **Salary**

- You will not receive any salary or other payments from HFRS between the Start Date and End Date. For the avoidance of doubt, your career break will be unpaid.

### **Continuity of Service**

- Continuity of service is maintained during your career break and service accrued will count in respect of statutory employment rights, for example, employment protection, redundancy, maternity pay, paternity pay and leave. However, service accrued during the break will not count as reckonable service towards the calculation of annual leave, sick pay or redundancy payment entitlements.

### **Annual Leave**

- Only statutory annual leave in accordance with the Working Time Regulations 1998 will accrue between the Start Date and End Date. Accrual of annual leave over and above the 5.6 weeks provided for under the Working Time Regulations 1998, will be suspended.
- Any annual leave over and above statutory annual leave as provided for under the Working Time Regulations 1998 which has been accrued but untaken at the end of the current annual leave year, cannot be carried over into the next leave year during an employee's career break. Any such leave that has not been taken by the end of the leave year in which it is accrued, will be lost.
- During the annual leave year immediately preceding the Start Date, the employee will be deemed to have taken their Working Time Regulations 1998 statutory annual leave first, before any enhanced annual leave entitlement is taken.
- All accrued but untaken statutory annual leave in accordance with the Working Time Regulations 1998 must be taken before you return to work following the End Date. If this leave is not taken during the duration of the career break, it will automatically be deemed to be taken immediately following the End Date.

### **Sick Pay**

- You will not accrue or be entitled to sick pay between the Start Date and End Date.
- The calculation of and entitlement to, sick pay following a return to work after the End Date will be based on the 12 month period immediately preceding the Start Date.

### **Contact during your career break**

- You agree that should your contact details change during your career break, you will ensure that you inform both your Line Manager and HFRS' HR Department as soon as possible.
- If you suffer an illness or injury during the career break which could potentially prevent you from returning to full operational duties following the

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End Date, you agree you will notify HFRS as soon as possible and in any event, at least two months' before the End Date.

### Other Employment

- You are not permitted to carry out any work, in any capacity, between the Start Date and End Date without the express prior written approval from HFRS.

### Early termination of the career break

- You may apply to return to work before the End Date by notifying HFRS of this at least one month before the proposed date of return. HFRS will endeavour to accommodate an early return to work but this will be at HFRS' discretion and cannot be guaranteed.
- The Executive Director of People and Development has the right to terminate your career break with immediate effect and require you to return to work in accordance with clause 11 of the Career Break Policy, if you fail to comply with the terms of the career break scheme, for example, if the criterion on which the application was based ceases to be met or if there is an unreasonable failure by you to co-operate with liaison or contact arrangements during the career break.

### Overpayments

- If any overpayment is made to you either before or during the period between the Start Date and the End Date, you agree that this can and will be deducted from any payment due to be made to you by HFRS at any point before, during or after your career break.

### Notice of return to work

- You agree to notify HFRS, at least two months' prior to the End Date, whether you intend to return to work on the first working day after the End Date.

### Notice of resignation

- You agree that if you fail to provide notice of return to work in accordance with the above provisions and continue to fail to do so following reasonable attempts by HFRS to contact you, that HFRS is entitled to consider that you have resigned from your employment without notice.
- You agree that if you fail to return to work on the first working day after the End Date without prior notification and without prior agreement with the Executive Director of People and Development that a later End Date or return to work date is agreed, the career break will end and you will be deemed to have resigned, without notice, on the day after the End Date.

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- You agree that if you resign from your employment between the Start Date and the End Date, you are not required to return to work and you waive your entitlement to a notice period and notice pay and/or a payment in lieu of notice.

### Returning to work following your career break

- You agree that after the End Date, you will return to work with HFRS in a position that is the same grade, although not necessarily in the same job, posting or location, that you they were employed in immediately preceding the Start Date, provided a vacancy exists at the appropriate time. If no vacancy exists, you agree you will return to a supernumerary position on a temporary basis pending redeployment into any vacant role at the same grade you were employed at immediately preceding the Start Date, as is deemed suitable by HFRS.
- You agree that you will participate in any training, medical or fitness test that HFRS asks of you in preparation for your return to work following the End Date.

All other contractual terms remain unchanged during your career break.

Once you have read the above terms, please sign to confirm that you agree to them and return a full, signed version of this letter to me by **[date]**. To confirm, your career break cannot commence until a signed copy of this Agreement is received.

Should you have any queries, please do not hesitate to contact me.

Your sincerely

By signing this Career Break Agreement, I agree that I have read the contents of this document and the Career Break Policy, and that I understand and agree to be bound by them.

SIGNED:

PRINT NAME:

DATE: