



## Career Break Policy and Procedure

### Introduction

This document sets out West Oxfordshire District Council's ('the Council') policy for employees who wish to be considered for a career break or "sabbatical." Employees who wish to take a break from their career and who intend to resume their career at a later date, may apply to participate in this scheme. The most common reasons to take a career break tend to be:

- Caring responsibilities, such as looking after children, partners or other dependants.
- To travel on a long-term basis.
- To study full time or to pursue another development opportunity.
- To take part in community projects and voluntary work.

A career break is a period of unpaid leave from work. All requests will be given serious consideration. However, there is not an automatic right to take a career break and the needs of the Service will be paramount. Any recent performance/absence difficulties would have to be resolved before a career break was agreed.

A career break will be a minimum of three months and a maximum of 12 months. A career break is an arrangement for the purposes of Section 213(3) (c) of the Employment Rights Act 1996 and will not be regarded as having broken the employee's continuity of service. The Council will use its best endeavours to reinstate the employee into the same or a similar post on the same terms and conditions. However, it is possible that with changes in legislation, Council requirements and technological developments that employee needs may be affected from time to time which may result in restructuring exercises, redeployments and redundancies.

A career break scheme has the following benefits for the Council:

- It can help retain valuable and skilled employees
- It can revitalise employees by allowing a prolonged period of intensive training or personal development which can be beneficial to performance when the person returns
- It reinforces the Council's commitment to work/life balance
- It can provide development opportunities for other employees who may be able to cover for the absent post holder

All decisions regarding career break applications will be made in accordance with the Council's Equality, Diversity and Inclusion Policy, ensuring fair and consistent treatment for all employees regardless of background or personal circumstances.

### Scope

The Career Break Policy and Procedure ('The Policy') applies to employees employed by the Council. It does not apply to workers, contractors, consultants or any self-employed individuals working for the Council.

## Eligibility

The Policy is available to all permanent employees both full-time and part-time, who have been employed by the Council for two years or more. Acceptance will be entirely at the discretion of the Senior Leadership Team in consultation with HR.

Employees who are the subject of a disciplinary investigation, have a current warning on their file or have issues being dealt with under the capability procedure will not usually be granted a career break.

Special Leave in the Time Off Guidance Policy which may be more appropriate where the break required is of a short duration.

## Affect On Pay and Benefits

All pay and benefits will be suspended from the start of the career break and will be reactivated on return to work i.e. salary and incremental benefits, holiday entitlement and sick pay. The employee will not receive any salary progression during the career break but will receive any annual cost of living increases. Any changes to terms and conditions agreed as part of the National Conditions of Service framework which may occur during the absence, will be incorporated into the employees Contract of Employment.

## Holiday Entitlement

Employees are encouraged to take all outstanding leave prior to commencing a career break. However, if for operational issues this is not possible, any remaining leave will be paid in the employee's final salary. Employees will not accrue annual leave whilst on a career break.

## Pension

If the employee is a member of the Local Government Pension scheme when they commence a career break, they must pay the first 30 days pension contributions. They then have a number of options:

1. Employees can pay the missing pension contributions as a lump sum from their first month's salary on their return to work, or in several monthly instalments until the missing months pension contributions are paid in full. This will ensure that continual service is maintained for pension purposes.
2. Employees can choose not to pay pension contributions throughout the duration of the career break. If this is the case, the last day of pensionable service will be the day before the career break commences.
3. Employees can choose not to pay pension contributions for the period of unpaid leave but begin paying them on their return to work. However, this will be a break in the employee's pensionable service. Deferring pension contributions may have an effect on employees death in service benefits.

If the employee does not return to work for the Council after the career break, they will have two options available:

1. Employees are able to pay their pension payments for the months they had unpaid leave. This will enable them to buy back their pensionable service.
2. Employees can choose not to pay pension contributions for the months they have been on a career break. In these circumstances the last day of pensionable service will be the day before the career break commences.

## Sickness

Employees will not be entitled to sick pay whilst on a career break. In some circumstances employees may also be expected to complete a health questionnaire in order that medical clearance can be obtained from our Occupational Health provider, prior to returning. Under exceptional circumstances, if an employee is unable to return to work due to sickness, the Council may in its discretion, withhold the payment of sick pay.

## Outstanding Monies Owed to The Council

Any monies owed to the Council must be repaid prior to commencing a career break. This includes any of the following, however the list is not exhaustive:

- Car loan
- Bike loan
- Training Fees

## Applying For a Career Break

Employees must initially complete the Application for a Career Break form at **Appendix 1** and discuss their plans with their Line Manager and Service Head.



They will then consider the request in consultation with the Director and HR. The Head of Service and Director will consider the request and determine how the employees work may be covered during the proposed career break. Temporary staff may be recruited to cover the employee's absence.



Acceptance onto the scheme will be entirely at the discretion of the Senior Leadership Team in consultation with the Strategic People Lead.  
The decision will normally be given to the employee within 21 days of receipt of the written request.

## Potential outcomes

There are a few potential outcomes that may follow a decision which the employee will be informed of in writing, either;

1. The application may be accepted and approved as requested.
2. The application may be accepted with adjustments i.e. length of time or postponement to be able to fulfil business requirements.
3. The application may be denied.

## Can an employee apply for a career break more than once?

Employees may apply for a career break more than once during their employment. However, only one application every 3 years will be considered. Each application will be assessed independently and must meet the eligibility criteria at the time of submission.

## **What if an employee would like to request an extension?**

An employee may request an extension to a career break, provided the total duration does not exceed the maximum limit of 12 months. Any extension request must be submitted in writing to the employee's line manager and the Strategic People Lead at least 8 weeks before the original return date for consideration. Approval will depend on service needs and employee arrangements. Extensions are not guaranteed and will be considered on a case-by-case basis at the Council's discretion.

## **Keeping In Touch**

Employees have a duty to maintain contact and to notify the Council of any changes in their circumstances relevant to the career break arrangements. Employees will be expected to maintain contact with their Service in order to update their knowledge and skills and to attend any appropriate training and refresher courses if possible. The line manager will be expected to keep in touch with the employee, ideally on a quarterly basis (or a monthly basis if the career break is only for three months.) This will enable the employee to stay in touch with developments and changes within the Service and the Council.

If direct communication is not possible due to the nature of the career break, other avenues should be explored such as updates via e-mail. The Council reserves the right at its absolute discretion to terminate a career break in the event of an emergency.

## **What happens if an employee becomes pregnant during the career break?**

If an employee becomes pregnant during a career break, the employee should notify Human Resources as soon as possible. The employee may be entitled to maternity leave and pay depending on their continuity of service and eligibility under the Local Government terms. The employee's career break may be paused or adjusted to accommodate maternity leave, and Human Resources will work with the employee to ensure their rights are protected and return to work is managed appropriately.

## **Terminating The Agreement**

The Council reserves the right to terminate the career break agreement if the employee fails to meet the conditions of the Policy. This will apply especially where an employee moves away and cannot fulfil the agreed training / refresher requirements.

The employee may terminate the agreement at any time if their circumstances change and they are no longer able to comply with the conditions of the scheme. Any such decision should be submitted in writing to the Strategic People Lead. All career breaks will have a specified start and end date. If the employee wishes to return to work at an earlier date, they must write to the Strategic People Lead and give 4 weeks' notice of their intention to return. The return date may be delayed if managers have to give temporary staff notice to leave.

## **Paid Work During a Career Break**

It will be a general condition of the Policy that employees on it will not undertake paid work elsewhere, unless they have received written consent from the Council. Failure to receive written approval may result in the termination of the agreement.

## **Volunteering During a Career Break**

An employee may undertake voluntary work without prior approval, provided it does not conflict with Council interests. A declaration can be made to HR, to ensure transparency and protects both the employee and the Council from potential conflicts of interest.

## Phased Return To Work

To assist the employee to settle into a working routine, especially after a 12-month career break, a phased return may be necessary. This will involve the employee returning on reduced hours and slowly increasing until they are working the number of hours contracted. This will need to be agreed by the Head of Service and HR. The employee's pay will be reduced according to the hours worked during this arrangement.

In some cases, the Council may feel it would be mutually beneficial to refer the employee to occupational health to ensure the right support is in place ready for their return to work. This will be discussed with you by your line manager.

## Return To Work Induction

On the employee's return to work, the line manager will hold an induction session with the employee. This will enable them to catch up on current issues, changes and workload. The induction will also cover issues such as fire procedures. Line managers should use the induction checklist for new starters and cover all points.

## Appeals

Employees have the right of appeal if a request for a career break is refused. This should be sent within 5 working days of the refusal, in writing to the Director and Strategic People Lead. The Senior Leadership Team in consultation with Human Resources will consider both the employee's case and the management's case and make a decision.

The employee will be notified in writing of the decision within 14 days of the Director receiving the written appeal and the decision will be final. There is no further right of appeal against this decision. However, the employee is eligible to re-apply for a career break in the future, on the basis of one application per year.

## Appendix I: Application For a Career Break

Name	
Service	
Job Title	
Proposed start date for career break	
Proposed end date for career break	
Total months taken for career break	
Reason for career break	

<p><b>Pension Contributions During Career Break</b></p> <p>In preparation, if your application is accepted, please select the pension contribution option you prefer below.</p>		
Option 1a	I choose to pay the missing pension contributions as a lump sum from my first month's salary on my return to work. I understand that this will ensure that continual service is maintained for pension purposes.	<input type="checkbox"/>
Option 1b	I choose to pay the missing pension contributions from my salary on my return to work in several monthly instalments until the missing months pension contributions are paid in full. I understand that this will ensure that continual service is maintained for pension purposes.	<input type="checkbox"/>

Option 2	I choose not to pay pension contributions throughout the duration of the career break. I understand, the last day of pensionable service will be the day before the career break commences.	<input type="checkbox"/>
Option 3	I choose not to pay pension contributions for the period of unpaid leave but begin paying them on my return to work. However, I understand this will be a break in my pensionable service and deferring my pension contributions may have an effect on my death in service benefits.	<input type="checkbox"/>

**Declaration**

**I have read and understand and accept the terms and conditions of the Career Break Policy and Procedure. I understand that all my terms and conditions of employment will cease until I return to work after my career break.**

Signature	
Date	

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