



Workforce

Career Break Policy

Aim

To enable employees to take an unpaid career break and return to work in the NHS.

Scope

This policy applies to all employees with at least 12 months of continuous service with one or more NHS employers.

This policy complies with current legislation and meets the aims of the [Public Sector Equality Duty](#) of the [Equality Act 2010](#).

NHSScotland staff should not use this policy to deal with short-term emergencies. Other forms of leave, such as special leave, would be more appropriate. [Find out more about special leave](#).

Definitions

A **career break** is an extended unpaid break for a specified time, usually for situations such as:

- caring for a dependant
- continuing childcare following a period of maternity or adoption leave
- education and training
- voluntary work

Keeping in touch (KIT) days help employees on a career break keep up to date with any changes at work or maintain their professional registration where appropriate. They also support employees in returning to the workplace after a career break.

Reckonable service is periods of previous employment with NHS employers. It is used to calculate the redundancy pay, maternity pay, sick pay, and annual leave an employee is entitled to in line with their terms and conditions of employment.

Scottish Public Pensions Agency (SPPA) is the government body that manages pensions for NHSScotland employees.

Roles and responsibilities

There is a range of standard expectations which underpin all policies. [Read more about standard roles and responsibilities](#). In addition, the following specific responsibilities apply to this policy.

Manager

The manager should:

- apply the policy in a fair and consistent way
- record the agreed leave on the appropriate systems
- agree on the method and regularity of contact during the career break with the employee
- offer opportunities for KIT activities
- support employees returning to the workplace in their previous post or to a similar vacant post at the same grade

Employee

The employee should:

- fully consider the implications and potential loss of any contractual rights before committing to a career break
- get information about the impact on their pension from the SPPA
- advise their manager of any changes in circumstances, including change of address or contact details
- retain professional registration, meet revalidation requirements, and maintain professional knowledge throughout their career break

Procedure

Employees should not use the Career Break Policy to take up alternative employment. However, there may be specific circumstances where alternative employment is approved, such as:

- moving abroad for a fixed period due to a partner's work commitments
- undertaking bank work shifts to maintain clinical skills
- work while undertaking further education to achieve professional qualifications

The minimum period for a career break is 3 months, and the maximum is 5 years across NHS employment. Career breaks can be taken as a single period or as more than one break. However, the total periods of absence cannot exceed 5 years. Employees can extend their career break to a maximum of 5 years with appropriate notice and mutual agreement.

How to apply

Employees who request a career break should discuss it with their manager in the first instance. Discussions should consider the needs of the service and the employee.

If they wish to proceed with an application, the employee should complete the [Career break application form](#). Employees should send their completed form to their manager at least 3 months before their requested career break start date. The organisation may decide to apply this policy even if the employee gives less than 3 months' notice, provided it can arrange cover.

The manager must acknowledge the employee's request within 7 calendar days. They should then arrange a meeting to discuss it with the employee within 28 calendar days from the date of the application. If necessary and agreed upon by all parties, the manager can extend the timing of the meeting.

The manager and employee should agree on the method and regularity of contact during the career break. The employee is not required to attend KIT days, but the manager should offer them to support employees:

- returning to the workplace
- maintaining professional registration requirements

Employees can return to work for up to 10 days per year without bringing their career break to an end. KIT days are paid as if the employee is at work. Working for part of any day counts as one KIT day. Payment will be for the number of hours worked. Annual leave will accrue for any KIT days worked during a career break.

Agreement

When the manager agrees to the employee's career break, both parties should sign a [Career break agreement](#).

The written agreement should confirm the employee's career break period.

Refusal of the request

An employee's request for a career break or an extension to their career break should be supported where possible. A manager should only refuse a request for valid service or organisational reasons such as the adverse impact on:

- service delivery and quality
- work colleagues

A manager may decide to refuse the employee's request. If so, their decision, including the reasons for refusal, should be confirmed in writing within 7 calendar days of the meeting. More detail is provided in the following documents:

- [Guide for managers](#)
- [Guide for employees](#)

Appeal process

The employee will have a right to appeal within 14 calendar days of receipt of the written outcome of the request. When exercising this right, the employee must identify the reason for their appeal.

The appeal panel will be chaired by the next level of management and supported by an HR adviser who has not previously been involved in the process.

The appeal panel Chair will inform all parties of the arrangements for the hearing in writing no later than 14 calendar days before the hearing.

The process for the appeal should be managed in line with the [Formal hearing guide](#).

Outcome

Following the appeal hearing, the Chair will write to all relevant parties within 7 calendar days to confirm the outcome. The letter should include the rationale behind any decision regarding the employee's grounds for appeal.

The outcome of the appeal will be final for this application.

Contractual issues

Employees should be made aware that there is no guarantee of a post being available for the employee at the end of their career break. However, every effort should be made to identify a suitable alternative post for the employee to return to.

A career break will continue to count as continuous NHS service for statutory purposes. However, the break period will not count as reckonable service towards service-based entitlements such as:

- incremental credit
- annual leave
- sick leave
- redundancy

Any periods of NHS employment during the break, such as KIT days, will count towards these service-based entitlements. If an employee on a career break returns to work afterwards, they will not lose their entitlements accrued before the break.

Employees may choose not to return to NHS employment after their career break. Service-based entitlements accrued before their career break will be subject to any break in service rules if they return to NHS employment at a later date.

There may be an entitlement to statutory sick pay, but there is no entitlement to occupational sick pay during the career break.

If the employee becomes pregnant during their career break, they will be entitled to access maternity leave and potentially statutory or occupational maternity pay. To do so, they should end their career break and commence maternity leave.

For a limited time, members can continue to pay into their NHS pension scheme. The employer will continue to make contributions during this time. Before requesting a career break, members of the scheme should check the potential impact on their pension with [SPPA](#).

Employees with a lease car should review their contract to check the implications of a career break. It may be possible to continue the lease, but the employee will be responsible for ongoing costs. A fee may apply if the employee terminates the lease.

Organisational change

The local organisational change policy applies to employees on a career break.

An employer could propose organisational change during an employee's career break that impacts the following:

- agreed role they will return to
- range of opportunities available on return

In that case, the individual must be:

- advised of the change
- consulted with regarding the change
- offered the opportunity to be considered within the affected cohort

If the employee is unsuccessful in obtaining a post within the change process and redeployment attempts are unsuccessful, redundancy procedures may apply. Employers will calculate redundancy payments using NHS Terms and Conditions guidance.

Return to work

Employees who wish to return early from a career break should normally provide 3 months' notice to allow for a post to be identified. Where there is less than 3 months' notice given, the manager should accommodate an early return to work if they can.

On return from a career break, the following apply:

- If the employee returns to work within one year, the same job will be available as far as is reasonably practicable.
- If the break is longer than one year, every effort will be made to place the employee in a post of a similar grade and responsibility

to that held before their career break. The local redeployment policy will apply.

For career breaks of more than a year, the employee and the manager should meet to start the redeployment process 3 months before the career break is due to end. The manager will support the employee in finding a suitable post.

When returning, the employee may need a period of induction, depending on the length of their career break.

It may be possible to offer the employee re-employment on a part-time basis for up to 3 months to ease their transition back to work. This will be paid in line with the hours worked. They would then return to the normal hours for the role. The option of temporary part-time employment should be discussed with the relevant manager when planning the employee's return to work.

The employee will be paid in line with the terms and conditions of the post that they return to.

If the employee decides they do not wish to return to work at any point during the career break, they should resign from their role. Employees should notify their manager in writing 3 months before their return date where possible.