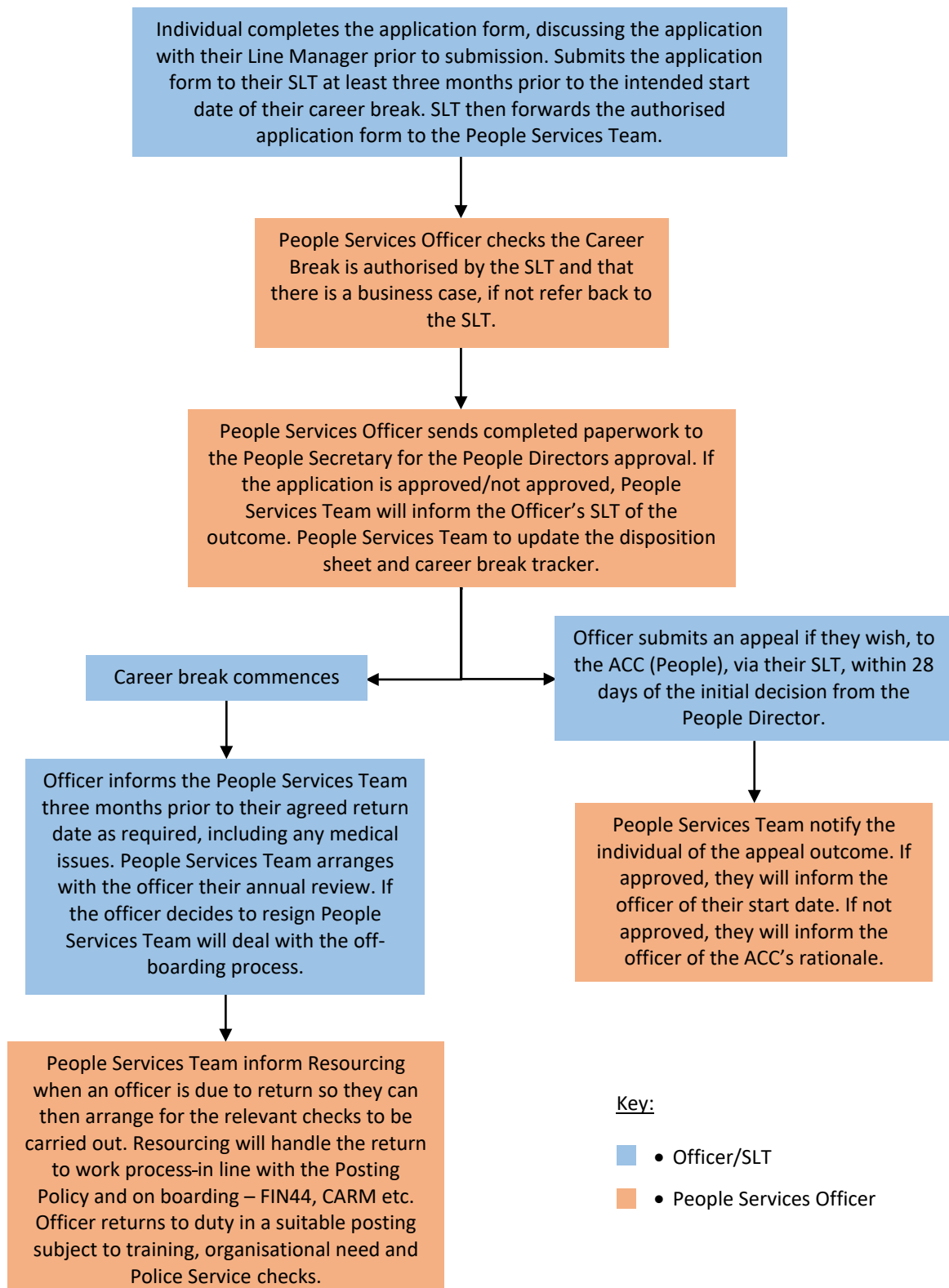


Career Break Scheme – Police Officers

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Flowchart – Career Break Scheme



Policy Statement

Summary

The Police Service recognises officers may wish to have a period away from work in order to balance their career with other commitments and responsibilities.

West Yorkshire Police believe that allowing officers to take a career break can benefit both the officer and the Police Service by promoting work-life balance, building a committed, motivated workforce, retaining valued officers and protecting Police Service investment in training and development.

This policy explains the conditions of service for career breaks as well as the application process for all officers.

Scope

This policy applies to all police officers.

Principles

General

- Constables must have successfully completed their probationary period in order to apply for a career break.
 - Reasons for taking a career break can include:
 - Caring for dependants; or
 - Undertaking further education.
 - Officers will not be allowed undertake paid employment whilst on a career break.
 - If an officer has a pre-authorised and approved business interest, any changes of the time committed to this must be applied for in the usual way, by following the Business Interest and Voluntary Working policy.
 - The maximum duration that can be applied for as a career break is three years, with annual reviews.
 - Career breaks of more than five years will only be considered in exceptional circumstances. These applications must be approved by the Chief Officer Team.
 - Officers must establish the career break objectives and timescales before the career break starts, these will be stated on the Per 25 application form.
 - Officers must agree the career break start and end date.
 - All uniform and equipment must be returned to the Police Service by the Officer, before starting the career break.
 - Police Officer status will be retained during career break and the Officer will remain subject to Police Regulations, Police Conduct Regulations, and the Standards of Professional Behaviour.
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Pensions, Pay and Allowances

- During a career break officers will not be paid, and service will not count for the purposes of reckoning entitlement to pay and annual leave.
 - Both rank and pay point will be protected for the duration of the career break.
 - Pension rights will be affected by a career break. Before starting a career break officers should seek advice from the Police Service Pensions Administrator.
 - Anyone on a career break remains a member of their scheme, but they do not accrue pensionable service. Officers remain eligible as they have not left the scheme. Any benefits calculated during the career break (e.g. annual allowance) are calculated using the pay the officer was on at the start of the break. When the officer returns their benefits are calculated on the returning pay which will have often increased significantly. This means that the officer may incur annual allowance tax charges on return to employment.
 - While on career break officers must make their own arrangements to pay any deductions from payroll directly through their bank or building society.
 - Any associated expenses from being required to attend court in a work capacity will be paid in accordance with the Meal and Accommodation Expenses policy.
 - If officers are attending court as a witness during their career break, they must claim any expenses incurred through the court.
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Obligations During the Career Break

Principles

- Officers are not required to resign to take a career break and, therefore, remain subject to the Police (Conduct) Regulations 2004 throughout the career break period.
- Officers will also continue to be subject to Police Regulations 2003. In particular:
 - Regulation 6 - Restrictions on private life of Officers
 - Regulation 7 - Business interests of members of police forces: general
 - Regulation 8 - Business interests: notification and determination
- If officers become the subject of misconduct action or criminal charges during a career break, the Police Service will deal with this in accordance with the Regulations and appropriate legal procedures.
- Officers are under a general duty to inform the People Services Team in writing, of any matters which may affect them continuing to be a police officer, such as:
 - A criminal conviction; and
 - The amount of time spent on a business interest.
- Officers on career breaks must retain their warrant card and also meet the obligations of their role as a police officer subject to training and safety provisions. This includes responding to incidents that may arise that require police action.
- Officers involved in an incident during a career break must provide duty

reports as a witness.

- Officers may be required to attend court in a work capacity whilst on a career break.
 - An officer may be required to return to Police Service for short term matters, the practical arrangements and appropriateness of this will be discussed on an individual basis as and when the need arises.
 - Officers must provide evidence and/or references in relation to their behaviour and conduct if they have spent a prolonged period of time overseas during their career break. Evidence for each case will be considered individually.
 - Officers must notify the Police Service of any change of address or contact details.
 - Officers must contact the People Services Officer three months prior to their scheduled return date, formally stating their intentions.
 - Officers on career break must return to the Police Service on an agreed return date.
 - Failure to return to duty without good cause on the agreed date will subject the officer to disciplinary proceedings.
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Business Interests

Principles

- Officers will not be allowed to take a career break to take up different employment or pursue an alternative career.
 - Officers wishing to start a business interest, as defined in the Business Interest and Voluntary Working policy, whilst on a career break must notify the Police Service following the policy guidance and must request approval. Failure to do so may result in disciplinary action being taken and that will affect the terms and agreement of the career break.
 - During a career break, officers are still subject to Police Regulations and any approved business interest undertaken during the career break must not conflict with the role of a police officer.
 - Officers may continue to operate an existing business interest, but only if this was notified to the Police Service and approved prior to the start of career break.
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Application Process

Procedure

- Officers must discuss with intentions with their Line Manager and submit their application form to their SLT for consideration at least 3 months in advance of their proposed career break start date, unless there is exceptional circumstances.
- The application form must contain information to confirm why they wish to apply for the career break.

- The District Commander/Departmental Head will forward the application and a business case as to why the application is supported or not to the People Director who will make the decision on whether the application is/is not approved.
 - Considerations that are taken into account when making the decision are:
 - Organisational exigencies;
 - The reasons for the request;
 - Outstanding work commitments, including pending court proceedings;
 - Any pending complaints and discipline issues;
 - Any performance and attendance issues; and
 - The effect on the Police Service.
 - The decision to accept or reject the application will be made by the People Director within 28 days of receiving the request.
 - If the application is approved, it is subject to the officer agreeing to the principles and obligations of the scheme stated in this policy.
 - If the officer's application is approved but the officer has since decided they do not want the career break, they must write to their People Services Offices to state this prior to the start of the career break giving as much notice as possible.
 - If the application is rejected then a rationale for the decision will be given to the officer, and it is then the officer's decision if they wish to appeal.
 - The decision, both accepted and rejected, will be recorded on the HR system, as well as on the officer's personal file by People Services Officer. Accepted applications will be stored by the People Services Officer for the duration of the career break.
 - Any extensions to existing career breaks must be applied for and the decision will be made by the People Director.
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Appeals

Procedure

- All officers have the right to appeal if their application for a career break is rejected.
 - If the application is rejected, the officer can submit a written notice to the Assistant Chief Constable (People) within 28 days of receiving the initial decision stating the grounds of appeal. This must be submitted through the officer's SLT.
 - The ACC (People) will consider the appeal and make their decision. Their decision is final.
 - If the application is then approved through the appeal, the People Services Officer will write to the individual confirming their start date.
 - If the application is rejected through the appeal, the People Services Officer will write to the individual stating the ACC's rationale.
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Leave

Leave

- Officers must be allowed to take all the leave they are entitled to before starting their career break on a pro-rata basis.
 - Officers must use any outstanding annual leave before they commence their career break
 - Any overtaken leave will be taken from the officer's final salary payment before commencing the career break.
 - Outstanding moneys owed in respect of time off in lieu (TOIL) that cannot be taken before starting a career break will be paid into the officer's final salary.
 - Officers must take all outstanding Varied Rotary Leave (VRL) days before starting a career break as there is no facility for these to be paid under the Police Regulations 2003.
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Maternity Leave whilst on a Career Break

- Officers that become pregnant whilst on a career break will be entitled to suspend their career break and take maternity leave and pay on the same basis as before taking the career break.
 - The officer must write to the People Services Officer giving notice of the expected date of confinement as soon as reasonably practicable. The career break will be suspended, and the normal provisions of the maternity scheme will apply, including accruing annual leave.
 - Whilst on 'paid maternity leave' the Police Service will continue to deduct the officer's pension contributions. When the officer's pay reduces the Police Service will still deduct their full contribution.
 - The Officer's career break will be suspended if they take maternity leave. If the officer wishes to resume their career break at a later date, they need to apply again, and will be subject to a further agreement with the People Services Officer.
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Contact During the Career Break

Principles

- If the career break lasts over a year, officers will be required to return to Police Service for an annual review, where timescales, changes to the reasons for the career break and changes to circumstances can be discussed.
- The People Services Team will contact the officer to arrange the 12 month review in advance of reaching this duration of career break, or since previous annual review.
- Officers on career break must report any change of circumstances or contact details to the People Services Team. Failure to report will be treated as a breach of the agreement made and end the career break. This may also be dealt with through the disciplinary procedure.

- If a change in circumstances affecting the officer's intention to return to the Force arises, this must be discussed with Resourcing and then in accordance with Police Regulations and the Retirements and Resignations – Police Officers policy, and 28 days' notice must be given.
 - Where there are reasonable grounds for believing that the agreed objectives or timescales of the career break may not be achievable, the officer will be required to attend a review. This may result in the officer being required to return to duty after a minimum notice period of one month provided that, in such cases, they have been allowed to make an appeal before a final decision is reached.
 - Officers must attend any meetings, or complete the paperwork needed, to make arrangements for their return. This might include attending suitability interviews or appointments with Occupational Health and Force Vetting.
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Return to Duty

Principles

- It will be the Police Service's decision as to where an officer is posted on their return to duty.
- Officers are obligated to contact the People Services Officer three months before the date of their scheduled return formally stating their intentions. The officer must also notify the People Services Officer if they have any medical conditions that may affect their ability to return to normal full time duties.
- Resourcing will handle the return to work process.
- If the officer declares that they have a medical condition that may restrict the duties that they can perform, then Resourcing will arrange for a medical examination to take place with Occupational Health prior to their return.
- Following the medical examination, officers will be seen by Resourcing to identify any training needs and a suitable posting.
- All vetting checks, fitness testing and officer safety training should be completed prior to the officer returning.
- If the returning post requires a high level of vetting requirements, the officer must pass these. If the checks cannot be completed prior to the officer returning to duty, they must be assigned a suitable post to return to in the interim.
- Officers in a specialist post prior to the career break will usually return to core policing.
- If the officer wishes to end the career break before the agreed date, subject to there being a suitable vacancy, they may return within one month or, if there is no suitable vacancy, then return will be within three months.
- Only in exceptional circumstances will the Police Service consider a request from the officer to extend their career break. Reasons for the request must be sent by the officer in writing, or email, to the People Services Officer at

least three months prior to their agreed return date. The People Director will decide whether the extension can be granted.

- If an officer fails to return to duty on the agreed return date, they may become subject of misconduct proceedings which may lead to dismissal.
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Additional Information

Compliance

This policy complies with the following legislation and policy:

- Police Regulations 2003
 - Police (Conduct) Regulations 2020
 - Equality Act 2010
 - Data Protection Act 2018
 - Business Interests and Voluntary Working policy
 - Discipline – Police Officers policy
 - Meal and Accommodation Expenses policy
 - Maternity Leave and Pay – Police Officer policy
 - Retirement and Resignations – Police Officers policy
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