



Policy Title: Career Break Policy - Police Officers

Date Revised: June 2014

1.0 Rationale

- 1.1 Thames Valley Police (TVP) is committed to a policy of equality of opportunity and recognises that flexible working practices offer benefits both for the organisation and for police officers.
- 1.2 As an organisation, a commitment to such working practices can assist in recruiting and retaining skilled officers, meeting service demands and controlling staff costs. This policy forms part of TVP's Flexible Working initiative.
- 1.3 The provisions for Career Breaks for Police Officers are contained within the Police Regulations 2003, Regulation 33, and Determinations (2007) Annex OO. Officers are advised to read the Determination in conjunction with this policy. The regulations provide that application is made to and the request considered by the Chief Constable. In this Force, that function is delegated to the Head of People Services.

2.0 Intention

- 2.1 Career breaks are an important means by which officers can effectively combine their working and personal lives. They permit an individual to take an unpaid break from work ensuring that they do not suffer any disadvantage in doing so and protecting TVP's investment in officers who would otherwise leave the force.
- 2.2 The policy is designed to explain the procedure to apply for a career break and provides guidance for both the individual applying and their line managers.

3.0 General Principles

Key Concepts

- 3.1 Benefits of the career break scheme

3.1.1 The career break scheme allows for an agreed extended period of time away from the force and provides benefits for the force and for participants in the scheme.

3.1.2 Benefits for TVP:

The career break scheme will: -

- Help to retain police officers who are an expensive and valuable resource, therefore enabling the force to see a return on its investment in them
- Encourage loyalty and commitment from officers
- Demonstrate that the force values its officers and is willing to give sympathetic consideration to individual needs

3.1.3 Benefits for the Individual:

The career break scheme will:

- Enable officers to balance their work/career with their domestic commitments.
- Help officers to manage longer-term family event/welfare issues.

3.2 Conditions of the career break

3.2.1 The career break scheme provides for an extended period away from TVP with a conditional guarantee from the force that the officer will be allowed to return to work after a specified period. The eligibility criteria and conditions of the scheme are detailed in appendix A of this policy.

3.2.2 The period of the career break is unpaid and officers are not required to resign on commencement of the career break.

3.3 Eligibility

3.3. 1 All police officers are eligible to apply for a career break on completion of their required period of probation. Each application will be considered on its own merits taking into account the operational requirements of the force.

3.4 Requesting a career break

3.4.1 Career breaks are approved on the condition that the terms of the career break agreement and the conditions of the scheme are fulfilled and that individuals maintain standards appropriate to their service with TVP. See Appendix B for the application process.

3.5 Agreeing a career break

3.5.1 The Head of People Services will determine whether an application for a career break meets the criteria and the needs of the

force. S/he will notify the applicant in writing of his/her decision of acceptance or rejection within 28 days of receipt of the application. In the case of a rejected application the reasons will be stated in the written notification.

3.6 Appeal procedure

3.6.1 In the event of an unsuccessful application the officer has the right of appeal and should submit their written and dated appeal within 28 days of the refusal. The appeal should be addressed to the Chief Constable. Officers will be informed of the appeal decision within 28 days of receipt of the appeal. Further details of the request procedure and the appeal procedure can be found in Appendix B.

3.7 Return to work

3.7.1 At the time of their return to work officers will not be subject to the normal recruitment process, other than medical checks, vetting and a general requirement that individuals must have maintained standards appropriate to their service with TVP.

3.8 The right to be accompanied

3.8.1 All applicants have the right to be accompanied to meetings at any stage of the request procedure by a workplace colleague, Federation or staff association representative. The companion will be allowed to fulfil this role within paid organisational time.

3.9 Record Keeping

3.9.1 Written records of meetings and discussions relating to the request will be forwarded to the People Services Resourcing Officer who will maintain contact with officers whilst they are absent on career breaks. Requests for career breaks and the outcomes of such requests will be recorded on PeopleSoft (the People Services database).

4.0 Guidance, Procedure & Tactics

4.1 Guidance, eligibility criteria and procedures are contained in Appendix A. The application procedure can be found in Appendix B

5.0 Challenges and Representations

5.1 To ensure transparency and accountability any decision made as a result of following this policy should be clearly documented.

5.2 All challenges and representations should be made in writing to:

Head of People Services
Thames Valley Police
Oxford Spires Business Park
Langford Lane
Kidlington

Oxon
OX5 1NZ

6.0 Communication

This policy shall be published on the Policies and Procedures section of the force intranet.

6.1 Links to Police National Legal Database Other

This policy should be linked to:

- Accommodation Change – Police Officers policy
- Police Officer Posting policy
- Business Interests policy

6.2 Implementation Strategy

6.2.1 This policy will be published on the Policy and Procedures intranet site, the Staff and Managers' Portals, the Thames Valley Police website, and Manager's Briefing.

7.0 Compliance and Certification

7.1 Human Rights Certification

(i) Legal Basis

The legal basis for this policy document is derived from:

- Police Regulations 2003, Regulation 33, and Determinations (2007) Annex OO

(ii) Human Rights Articles Engaged

This policy has been audited for compliance with the Human Rights Act and has the potential to engage Article 8 Right to Respect for Private and Family Life. A public authority may interfere with the exercise of this right in accordance with the law and as is necessary in a democratic society in the interests of:-

- national security
- public safety or the economic well-being of the country
- the prevention of disorder or crime
- the protection of health or morals
- the protection of rights and freedom of others In this case all information is volunteered by the police officer concerned in order to apply for the career break.

Audited by: Jill Simpson

Audited on: 11 September 2009

(iii) Prohibition of Discrimination

Application of this policy could discriminate against individuals either directly or indirectly.

Article 14 states the enjoyments of the Rights and Freedoms set forth in the European Convention of Human Rights shall be secured without discrimination on any grounds, such as sex, race, colour, language, religion, political or other opinion, nation or social origin, association with a national minority, property, birth or other status.

7.2 Equality Impact Assessment

7.2.1 This policy has been assessed for its impact on protected characteristics.

7.3 Management of Police Information (MoPI) Compliance

7.3.1 This policy does not affect any of the key business areas as identified by Management of Police Information (MoPI).

7.4 Data Protection

7.4.1 Personal information processed in compliance with this policy will be managed in accordance with the provisions of the Data Protection Act 2018.

7.5 Freedom of Information Act

7.5.1 This policy is suitable to be made available to the public and can be published under the Thames Valley Police Freedom of Information Publication Scheme.

7.5.2 It is likely that all information processed in compliance with this policy will be exempt from publication under the Freedom of Information Act by virtue of section 40 (personal data). Specific advice should be sought from the Force Freedom of Information Officer in the event of a request for information.

7.6 Protective Markings

7.6.1 This policy shall be marked as NOT PROTECTIVELY MARKED.

7.7 Health & Safety at Work

7.7.1 There are no implications for the health and safety of officers.

8.0 Monitoring and Review

8.1 This policy document will be reviewed every two years. The review will take into account the following criteria:-

- Examples of good practice from other Forces or other organisations
- Representations made by individuals and relevant organisations
- Relevant diversity data

8.2.2 This policy will next be reviewed in June 2016.

GUIDANCE

Appendix A

A.1. Eligibility

To be eligible for the career break scheme officers must satisfy the following criteria:

- Officers must have completed their full probationary period as a constable.
- The officer is committed to returning to work after the absence and has stated the intention of continuing a career in the police service
- Satisfactory levels of performance, health and attendance are demonstrated.
- Satisfactory conduct record - no outstanding complaints against the officer prior to the application being granted. In a case where a complaint is received after the career break is approved, but not commenced, the officer will be notified if the permission for their career break is to be withdrawn.
- No outstanding case work and serious pending court commitments.
- Satisfactory performance appraisals over the last two years.

Each application for a career break will be considered on an individual basis and on the merits of the application. The reasons for requesting the career break must fall into one of the following categories:

- Childcare / Dependant care
- Welfare considerations

A.2. Duration of career breaks

The duration of a career break should not exceed five years. More than one career break can be applied for in the course of service, providing that the combined length of the career breaks does not exceed the maximum limit of five years.

Each career break must be applied for separately. Career breaks cannot extend beyond normal retirement age.

A.3. Applying for a Career Break

The procedure for applying for a Career Break is contained in Appendix B.

A.4. Vetting

Officers who intend to be absent from the UK for an extended period during their career break should contact the Vetting Unit for advice prior to going on their career break.

A.5 Contact during a career break

Contact during a career break will be maintained by the People Services Resourcing Officer, including sending out copies of Job Shop and Weekly Orders.

The Leadership & Career Development team are available to give careers advice to officers on career breaks.

A.6 Return to work

Approximately three months prior to the agreed date of return the officer should contact the People Services Resourcing Officer to agree arrangements for his/her return to the force. This will involve:

- Appropriate security clearances/vetting
- Medical assessment
- Identification of a suitable post
- Review of appropriate induction and training needs analysis
- Issue of uniform and accoutrements
- Both the needs of the organisation and the individual will be considered

Upon return to work, the officer is guaranteed to return on the same salary point, length of service and annual leave entitlement as at the commencement of the career break. The officer is also guaranteed to return to the same pension scheme and same allowances (excluding temporary allowances such as acting allowances). Payment of Transitional Rent/Housing allowance (if applicable) will be at the same rate as those prior to undertaking the career break, provided personal circumstances remain unchanged. Should an officer's personal circumstances change, the allowance would be adjusted to reflect this upon return to duty.

If the officer is unable to return to the force on the agreed date, the reason must be reported immediately, in writing. In exceptional cases, consideration may be given to extending the period of a current career break, up to a maximum of 12 months.

Consideration will be given to those who wish to return earlier than the agreed date. Wherever possible, three months notice should be given to enable arrangements for a return to work.

If the officer wishes to terminate their employment with the force whilst on the career break, the officer is required to give notice, in writing, in the normal manner.

If the officer does not make contact with the force to agree arrangements for their return, they will be deemed to have resigned.

A.7 Posting on return to work

There can be no guarantee that an officer will be posted to the LPA/OCU/Department that they worked in prior to going on the career break. The officer will be posted to the area of greatest organisational need within twenty crow miles of their home address¹. The officer will be given the opportunity to provide their preferences and these will be taken into account.

A.8 Status of employment during the career break

During a career break the following conditions of service apply:

- Officers remain members of TVP and remain subject to Police Regulations and/or force policies. It is therefore important that any changes in personal circumstances, any proposed change of address, change in marital status, involvement in legal proceedings or criminal convictions are reported to the People Services Resourcing Officer, in writing, as soon as possible.
- The duration of the career break does not qualify as reckonable service for pensions, annual leave or sickness.
- Salary and allowances will not be paid during the career break. Salary points/increments will be protected during the career break.
- Pensionable service will be frozen during the career break. Pensionable years cannot be bought back upon return. Officers would therefore have to work the period of their break to make up their pensionable service. In the event of an officer dying whilst on a career break, the provisions of the Police Pension Regulations will apply as at the date of the commencement of the career break.
- If the career break starts and ends in the same PDR year, then the current PDR is used for that PDR year. If the career break is due to extend into the next PDR year, then the current PDR must be closed completely prior to commencing the career break and a new PDR opened on return from the career break.
- Officers are not permitted to take up other employment or full-time education without prior approval and must register and obtain authority to pursue a business interest within current Police Regulations.
- Annual leave and public holidays will not accrue during the career break. Any outstanding annual leave or time owed must be taken before the commencement of the career break.

¹ Officers who opted out of the crow mile rule prior to going on their career break, may be posted beyond 20 crow miles (up to the crow mile distance of their opt out).

- Housing/Transitional rent allowance - no allowance will be paid during the career break. Upon return to duty the allowance will resume (if applicable). Officers residing in accommodation provided by the force may be required to vacate those premises depending on the force's needs. The force may charge officers who are permitted to remain in police accommodation during their career break.
- Group Insurance Scheme - eligibility of the group insurance scheme is dependent upon membership of the Police Federation. Officers should contact the Federation directly for further details and conditions.
- A police officer needing to attend court commitments during the career break will receive an ex-gratia payment for the hours attended at court. However, travelling costs incurred to attend court will not be reimbursed by the force.
- Maternity - if a police officer becomes pregnant during a career break she must notify the People Services Resourcing Officer of her pregnancy, the expected date of birth and whether she wishes to exercise her entitlement to Occupational Maternity Pay (OMP). If she wishes to exercise her entitlement to OMP her career break will cease and the provisions for Maternity Pay and Maternity Leave under Police Regulations will apply. Resumption of the career break on completion of maternity leave will require a new application for a career break.
- Promotion prospects - a career break in itself will not be detrimental to promotion prospects. However, police officers should take into account that the time they take off for a career break will still be counted as part of the life span of their OSPRE part 1 examination pass unless the career break is for the purposes of care².
- Warrant cards, keys, travel passes, uniforms and items of police equipment must be handed in by the police officer prior to commencing the career break to their line manager.
- Any failure to abide by the career break agreement may lead to a termination of the career break and/or conduct proceedings

² If officers are in any doubt about whether their Ospre Part I pass will expire whilst on a career break they should contact the Head of People Services.

Appendix B

APPLICATION PROCEDURE

B.1 Step 1: Officer makes a request for a career break

Officers applying for a career break should complete the application form on the Staff Portal and submit their application through their line manager and Business Partner (People) to the Head of People Services.

Applications should normally be submitted at least three months before the proposed start of the break.

B.2 Step 2: Thames Valley Police to consider the request

In considering the request the Head of People Services will take account of the criteria identified in Appendix A attached to this policy.

B.3 Step 3: Meeting to discuss the application

The Head of People Services may interview the individual to gain further information concerning their application, if appropriate.

B.4 Step 4: The decision

The decision to approve or refuse the application will be taken by the Head of People Services who will notify the applicant in writing within 28 days of receipt of the application.

Where the application is refused the grounds for refusal will be made clear in the written response.

B.5 Step 5: Right of Appeal

In the event that the application is refused, the officer may submit an appeal to the Chief Constable within 28 days of receipt of the written notification of refusal.

B.6 **Checklist**

A checklist summarising the career break process (and responsibilities within it) can be found on the Staff Portal.