

**EAST RENFREWSHIRE LNCT AGREEMENT****AGREED PROCEDURES FOR CAREER BREAKS FOR EMPLOYEES COVERED BY  
SNCT CONDITIONS OF SERVICE****1. GENERAL PRINCIPLES**

- 1.1 A career break provides a formal opportunity for employees to obtain an extended break from work without pay. The minimum duration for which a career break may be requested is 6 months, with the maximum period being 5 years.
- 1.2 While there are no prescribed activities that a career break must involve, examples might include the care of children or other family members, voluntary work, travel or study. It would not be expected that the purpose of requesting a career break would be to take up alternative paid employment. Should this be the intended purpose of the request, approval from the pastoral Head of Service or Education Senior Manager (Developing People) for their school or service would be required. Any decision is final with no right of appeal.
- 1.3 Employees who are offered a career break of 2 years or less will be entitled to return to their substantive post in the school in which they were employed prior to their career break. Employees who are granted a career break of more than 2 years will, upon their return, be deployed to a post designated by the Local Authority commensurate with the post vacated.
- 1.4 To be eligible for a career break, employees are required to have at least 2 years of continuous employment, on a permanent or temporary basis, with any Scottish council. For teachers this will be in addition to their probationary year.
- 1.5 The Scheme of Salaries and Conditions for teaching staff in school education, as amended by SNCT agreements, sets out the contractual position for those granted a career break specifically in Part 2, Section 9, paragraph 9.21 and Appendix 2.15 of the SNCT Handbook. For the avoidance of doubt, a career break is unpaid.
- 1.6 It is for the Department to decide whether the exigencies of service provision allow for a career break to be granted. In line with SNCT Conditions of Service Part 2, Appendix 2.15 Section 2.2 "The needs of pupils should take precedence over other matters when applications are considered." Employees are not therefore entitled to be granted a career break, and in addition to matters regarding continuity of learning and teaching, serious consideration will be taken regarding the appropriate cover for colleagues granted a career break.

## 2. APPLICATION PROCESS AND AUTHORISATION

- 2.1 Employees who wish to request a career break should submit their applications (Appendix 1) in writing to their Head of Establishment or Line Manager, stating the anticipated length of the career break. The date of commencement of the career break should normally correspond with the beginning of a school term for teaching and Instrumental Music employees, and 1<sup>st</sup> January for all other employees covered by SNCT conditions of service. Applications should be submitted at the earliest possible opportunity and at least 12 weeks prior to the proposed date of commencement.
- 2.2 For each request, Heads of Establishment/Line Managers need to carefully consider how the employee's post will be covered for the duration of the time the employee is on their career break.
- 2.3 On receipt of an application for a career break, the Head of Establishment/Line Manager will ensure the applicant is eligible and, if confirmed, will arrange a meeting with the applicant. The meeting should be arranged sufficiently far in advance to allow the applicant the opportunity to be accompanied by a trade union representative, but in any event will be held no more than 10 working days from receipt of the application. The applicant should be informed of their right to union representation at this meeting, if they so wish, however it is their responsibility to ensure availability of their chosen representative.
- 2.4 The purpose of this meeting is to discuss the employee's reasons for the application for a career break, and to explore the resultant ability of the school to meet pupil needs. The meeting will be used to explore the benefits to the employee and also the strategies to address possible service requirements and any appropriate compromises to the requested career break.
- 2.5 Where the staff member requesting consideration for a career break holds a management post, the Head of Establishment must be satisfied that the necessary arrangements can be put in place to ensure continuation of the management remit at no additional cost to the Education Department.
- 2.6 Once the career break application has been considered, including consideration of any amended proposals, the outcome will be communicated to the member of staff with permission granted or rejected within 5 working days. If rejected the business reasons will be given as to why it is being rejected.
- 2.7 If the application for a career break has been refused, an applicant will be afforded the right to appeal the decision made in respect of their application for a career break within 10 working days of receipt of the written decision by the Head Teacher/Line Manager. Any appeal must be submitted in writing, using the appropriate form (Appendix 2) and emailed in the first instance to the HR Education Business Support mailbox at [hreducationbusinesssupport@eastrenfrewshire.gov.uk](mailto:hreducationbusinesssupport@eastrenfrewshire.gov.uk), who in turn will submit it to the pastoral Head of Service for their school or service, or Education Senior Manager (Developing People) for consideration. The pastoral Head of Service for their school or service, or Education Senior Manager (Developing People), will Chair the appeal (or delegate to an appropriate colleague). The appeal must be dated and should clearly address the business reasons for refusal.

### **3. Career break Arrangements**

- 3.1 Where the career break is agreed, the Head of Establishment/Line Manager should liaise with the HR Education Staffing Officer to ensure all necessary administrative arrangements are in place prior to commencement of the career break.
- 3.2 Employees who are granted a career break have the right to return to the substantive post which they held prior to their career break commencing, providing their career break was for two years or less and subject to the outcome of any intervening school closures, amalgamations or other organisational restructuring.
- 3.3 An employee on a career break may apply for an extension to the duration of such, subject to the cumulative total of the time elapsed and the extension period not exceeding the 5 year time limit and within the 20 year service period. The employee should make this request for extension in writing to their Head Teacher/Line Manager at least 10 working weeks prior to their planned return to the workplace. The request should outline their reasons for wishing to extend the previously agreed arrangement. Any extensions to a career break can only be authorised by the Head of Establishment/Line Manger in a similar process to granting the original request.
- 3.4 An employee may request to return early from a career break, however, the Local Authority are not obligated to accede to this request. The employee should make this request for early return in writing to their Head Teacher/Line Manager at least 10 working weeks prior to their planned return to the workplace. The request should outline their reasons for wishing to end the previously agreed arrangement. Any request for early return can only be authorised by the Head of Establishment/Line Manger in a similar process to granting the original request.
- 3.5 Any application for extension or early termination of a career break must be made at least 10 working weeks prior to the original date of termination.
- 3.6 Prior to the commencement of a career break, agreement should be reached regarding arrangements for contact during the period of absence from the workplace. There should be a clear understanding of the nature and frequency of any contact. The employee is obliged to provide the council with appropriate contact details during this period.

### **4. TERMS AND CONDITIONS**

- 4.1 The period of a career break is defined as a period of Special Leave without pay. Upon an employee's return from a career break, their separate periods of employment will be treated as continuous for statutory and contractual purposes. The period of the career break is not a period of employment and will not count towards reckonable service. Furthermore, it should be noted that the period of a career break is not recognised for the accrual of annual leave entitlement, incremental progression of pay or the qualification for, or entitlement to, sickness or maternity allowance.
- 4.2 Entitlement to annual leave during the leave years in which the career break commences and ends will be calculated pro-rata to the part year period of service.
- 4.3 Should there be any employment implications during the career break the Head of Establishment/Line Manager is responsible for advising the employee of these. This

could include changes to staffing within their school/section resulting in a surplus or vacancy situation or any restructuring proposals.

- 44 Time spent on career break will affect entitlements to statutory maternity pay and leave, which is calculated based on periods of paid work in the period ending 15 weeks before the expected date of childbirth. Employees should take account of this when planning a career break.
- 4.5 Whilst on career break, it is the employee's responsibility to ensure that they maintain their professional registration with the GTCS.
- 4.6 It is the employee's responsibility to obtain information on the effect a career break will have on their superannuation/pension entitlement. This information can be obtained directly from the Scottish Public Pensions Agency.

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