

WORK BREAK SCHEME

Contents

Section 1.0	<u>Introduction</u>	Page 2
Section 2.0	<u>Who is Eligible</u>	Page 2
Section 3.0	<u>How long can a Work Break be</u>	Page 2
Section 4.0	<u>Obligations of the Employee</u>	Page 2
Section 5.0	<u>Obligations of Barnsley Metropolitan Borough Council</u>	Page 3
Section 6.0	<u>Effects on Conditions of Service</u>	Page 3
Section 7.0	<u>How to Apply</u>	Page 3
Section 8.0	<u>Right of Appeal</u>	Page 4
Section 10.0	<u>Income Tax and National Insurance</u>	Page 4

WORK BREAK SCHEME

1.0 INTRODUCTION

- 1.1 The purpose of the Work Break Scheme is to complement the range of Work Life Balance policies and procedures which promote a flexible workforce and enable employees to balance their home and work commitments, as well as meeting recommended standards for Equal Opportunities working practices.
- 1.2 The scheme will also enable Barnsley Metropolitan Borough Council to retain the skills and experience of employees and continue to benefit from the investment of training and development in those individuals.
- 1.3 All scanned documentation should then be placed on the employee's electronic record. Further guidance is available in the **Employee Record Policy** which also includes advice on the retention of documents.
-

2.0 WHO IS ELIGIBLE?

- 2.1 The Work Break Scheme is available to all employees, who have completed one year's satisfactory service with Barnsley Metropolitan Borough Council.
- 2.2 The decision as to eligibility for the scheme will be made at the discretion of Barnsley Metropolitan Borough Council and will be made by the Service Director of the respective Service in consultation with Human Resources.
- Schools based employees will be required to make their request to the Headteacher for consideration by the School's Governing Body.*
- 2.3 Employees may request a work break for any purpose other than to undertake alternative paid employment. (N.B Fostering is not considered as paid employment for the purposes of this policy)
-

3.0 HOW LONG CAN A WORK BREAK BE?

- 3.1 An employee can agree with their respective Service Director/Headteacher:-
- one break of at least three months up to a maximum of three years in length; or
 - two breaks of at least one year each, providing that the combined length of the career breaks does not exceed the maximum three years.
- 3.2 For employees on maternity leave, the absence from work up to 52 weeks is in addition to the work break itself.
-

4.0 **OBLIGATIONS OF THE EMPLOYEE**

4.1 The length and start date of the work break must be agreed in writing by the employee with their Service Director/Headteacher 12 weeks in advance of the commencement of the career break.

4.2 In addition, the employee must fulfil the following: -

- Arrangements can be made with Financial Services Payroll and Pensions prior to the commencement of the work break to continue to pay any outstanding obligations to Barnsley Metropolitan Borough Council e.g. repayment of car loans, post entry training or relocation expenses, technology schemes, childcare voucher scheme etc.
- To undertake on-the-job training or other appropriate training courses if required during the work break for a maximum of 5 days per year for which they will receive full pay.
- To confirm in writing to their Service Director/Headteacher their intention to return to work no later than 12 weeks prior to the planned date of return.
- Consideration will be given to any request to return to work prior to the agreed expiry date of the work break, subject to the employee giving at least 12 weeks' notice, in writing.
- Before a return to work, the employee will be subject to a satisfactory medical assessment, which will be undertaken prior to the intended return date.

5.0 **OBLIGATIONS OF BARNSLEY METROPOLITAN BOROUGH COUNCIL**

5.1 On return from a work break, Barnsley Metropolitan Borough Council will, wherever possible, place the employee in suitable employment in the same Directorate/Department/School and with the same level (salary, grade or its equivalent) and type of work they were doing immediately before the work break.

5.2 On return to work, suitable induction training will be given together with any relevant re-training that may be necessary

6.0 **EFFECTS ON CONDITIONS OF SERVICE**

6.1 The employee remains an employee of Barnsley Metropolitan Borough Council throughout the work break. Continuity of service is maintained and service accrued will count towards statutory employment rights e.g. redundancy payments, right to claim unfair dismissal etc.

6.2 Service accrued during the break will not count towards contractual rights e.g. annual leave entitlement etc. There is no entitlement to sickness payments during the break.

6.3 Pension contributions will not be payable during the work break. On returning to work, the employee will have the option of increasing their pension contributions to cover the break. Employees should contact the **South Yorkshire Pensions Authority** for further advice.

7.0 **HOW TO APPLY**

7.1 Applications for a work break should be made on the **Work Break Scheme Application WBS1** form and returned your Service Director/Headteacher.

- 7.2 If you are eligible for the scheme, a Work Break Scheme Contract Agreement will be completed by your Service Director/Headteacher which you will be required to sign and a copy of which will be given to you.

8.0 **RIGHT OF APPEAL**

- 8.1 If employee is not satisfied with a decision taken within the Work Break Scheme, then they will have the right of appeal through the Council's **Grievance and Appeals Procedure**

9.0 **INCOME TAX AND NATIONAL INSURANCE CONTRIBUTIONS**

- 9.1 There are no income tax or national insurance implications arising as a result of this procedure as the employee will cease to receive a salary/wage from the Council during the work break.

However, the payment of National Insurance contributions count towards a variety of welfare benefits including the basic state retirement pension. Therefore, employees should consider making National Insurance Contributions throughout the break and are advised to contact the Department of Social Security (DSS) for advice.

© Barnsley Metropolitan Borough Council.

The right of Barnsley Metropolitan Borough Council to be identified as Author of this Work has been asserted by it in accordance with the Copyright, Designs and Patents Act 1988. No part of this publication may be reproduced in any material form, including photocopying or storing it in any electronic medium without the written permission of the copyright owner except in accordance with the provisions of the Copyright, Designs and Patents Act 1988. Applications for the copyright owner's permission to reproduce any part of this publication must be addressed to the Service Director of Business Improvement, Human Resources and Communications, Barnsley Metropolitan Borough Council, Human Resources, PO Box 634, Barnsley, S70 9GG.

Document Control

Implementation Date	November 2016
Author	Business Advisory Service
Revised/Updated	Updated – April 2022
Brief Reason for Change	Amended minimum length of work break to 3 months
Version Control	V4.0