

**POLICE NEGOTIATING BOARD**

Independent Secretary  
Mrs E J Santry  
Office of Manpower Economics  
Oxford House  
76 Oxford Street  
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**AGREEMENT REACHED IN THE POLICE NEGOTIATING BOARD**

1. At the meeting of the PNB on 19 October 2000 agreement was reached on *the introduction of a career break scheme for the police service*. The scheme is effective from 19 October 2000. Details are set out in the attached memorandum.
2. This agreement requires amendment to police regulations or specific authorisation by home department circular and any approved changes will be promulgated in due course in Home Office, Scottish Executive Justice Department and Northern Ireland Office circulars. This PNB circular is purely advisory and does not confer authority\* to implement the agreement.
3. Any inquiries should be addressed to the Independent Secretariat at the Office of Manpower Economics ☎ 020 7467 7218 or to the Official Side Secretary ☎ 020 7296 6722 or to the Staff Side Secretary ☎ 020 8399 2224. Enquiries to the Independent Secretariat relating to the interpretation of this circular should, where possible, be sent in writing.

13 November 2000

\* PNB Circulars form a single numerical series. Those which in themselves provide authority to implement an agreement carry the serial number alone, while those which are purely advisory are designated as such after the serial number.

## MEMORANDUM

The following agreement reached in the Police Negotiating Board is submitted for the approval of the Secretaries of State.

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### CAREER BREAK SCHEME

#### Qualification

1. Any officer is eligible to apply for a career break provided s/he has successfully completed their probationary period. The decision is for the Chief Constable and considerations of health, attendance and conduct are matters for his/her discretion.

2. The decision of the Chief Constable as to whether to accept or reject the officer's application should be notified to the officer within 28 days of the officer's application. Where the application is rejected, the decision should be transparent and written reasons for the rejection should, at the same time, be provided. Should the officer wish to appeal against the rejection then he/she should submit a notice of appeal to the Police Authority within 28 days of receipt of the Chief Constable's reasons for rejection.

#### Status during career breaks

3. Officers on a career break are not required to resign.

4. The Chief Constable and the officer concerned must agree, before the start of the career break, the obligations and expectations on the officer and the force during the career break. This should include the officer's response to incidents that may arise and that require police action, the application of the restrictions under regulation 9 on private life and regulation 10 on business interests, the appropriateness and practical arrangements for any short-term returns to the force, any need to keep up to date with new legislative requirements and how this will be achieved and refresher training on return to the force. These matters should be discussed between the Chief Constable and the officer and agreement reached in the light of individual circumstances.

#### Duration

5. A period, or periods, agreed between the officer and the Chief Constable, up to a maximum of five years. The Chief Constable has the discretion to agree a longer total period in exceptional circumstances.

6. The commencement and return dates, and the objectives of the career break, must be agreed by the Chief Constable and the officer before it commences. An officer's career break should not extend beyond compulsory retirement age.

#### Return to duty

7. Subject to the provisions below the officer will return to duty on the return date agreed between the officer and the chief officer.

8. If an officer decides to return to duty from a career break before the end of the agreed period of leave, s/he shall be permitted, subject to there being a suitable vacancy, to return to service with the same determined hours and work pattern within one month of giving notice of the wish to return. In any event the officer should return within three months of having given notice. An officer should not be required to return to duty from a career break before the agreed date without her/his consent.

### **Reviews**

9. Officers should establish the career break objectives and timescales with the Chief Constable. These may be reviewed at any time during the career break by agreement between the Chief Constable and the officer.

10. Officers will be under a general duty to inform Chief Constables of any circumstances which may affect the agreed objectives or timescales of a career break. In particular officers must not undertake full-time education or activities for which they are paid, reimbursed expenses or which involve them in the sale of goods or services without the agreement of the Chief Constable.

11. The Chief Constable's need to know should be balanced with protection of the officer's right to privacy.

12. Where a Chief Constable has reasonable grounds for believing that the agreed objectives and timescales of a career break may not be achievable, s/he may require that the officer attends a review. As the result of such a review, the Chief Constable may require that an officer returns to duty, after a minimum notice period of one month, provided that if the Chief Constable is minded to require an officer to return to duty the Chief Constable will allow the officer to make appropriate representations before a final decision is reached by the Chief Constable.

### **Conditions of service**

13. Officers will not be paid during career breaks and service will not count for the purposes of reckoning entitlement to pay and annual leave. An officer's rank and pay point will be protected for the duration of the career break. Entitlement on return will be identical to that on commencement of a career break, subject to relevant changes in Regulations, PNB agreements or Home Office Circulars. Provision should be made for granting any remaining annual leave entitlement due to the officer before the commencement of the career break.

### **Replacement allowance**

14. Replacement allowance will not be paid during absence on a career break but entitlement on return will be identical to that on commencement of the career break, subject to relevant changes in Regulations.

15. An officer living in accommodation provided by the force should discuss with the Chief Constable, before applying for a career break, his/her future in the property. Officers who are allowed to remain in police force accommodation for the entirety of the career break may be charged by the police authority. In circumstances where an officer is living /married to a police officer, this would be subject to the spouse/partner's eligibility for provided accommodation.

### **Pensions**

16. Service during career breaks is not pensionable \* but on return from the career break an officer may buy back service at the normal officer contribution rate. The buy back provision will apply to officers currently on career breaks who will be able to buy back any period that accrues from 19 October 2000.

17. Officers on a career break will have protected entitlement to all pension benefits at the point of commencement of the career break, including death benefits, enhanced ill-health pensions and injury benefits.

### **Maternity provisions**

18. Police officers who become pregnant while on a career break are entitled to the same maternity benefits as officers not taking a career break. An officer on a career break who becomes pregnant should give notice as soon as reasonably practicable after she becomes pregnant of the probable date of birth of her child. The provisions of the maternity scheme will **then** take effect and the career break will be suspended (unless the officer, in giving notice of her pregnancy confirms that she does not wish to enjoy the provisions of the maternity leave scheme). Resumption of the career break in due course should be subject to further agreement between the Chief Constable and the officer.

*\* Note: The Home Departments reserved their positions on the provision to buyback service and a further circular will be issued when this has been resolved*