



If you require this guidance in another format please go to the end of this document for details.

### **Introduction**

As part of our commitment to flexible working, we recognise that employees may want a break away from work at some point during their career. 'Timeout' gives employees the opportunity to do this with the security of a job to return to and enables us to retain valued people in whom we have invested time, training and development.

### **What is it?**

'Timeout' allows employees to request up to 1 year unpaid leave from work. Breaks may be taken to:

- pursue a personal interest or project;
- fulfil training and development opportunities, e.g. university or college courses;
- pursue travel requirements including visiting family in other countries for longer periods of time;
- undertake voluntary work;
- spend more time with family and friends generally;
- extended paternity leave;
- religious observance or extended mourning;
- consider career options before committing to a decision e.g. retirement;
- caring needs of dependants, young, disabled or elderly,
- recovery after elective surgery;
- any other reason agreed with us.

### **To qualify**

To apply employees need to:

- have 2 years continuous service with KCC;
- make a firm intention in writing to return to work by an agreed date;
- have a satisfactory performance record;
- possess skills that we wish to retain.

Disagreements about the application of 'Timeout' breaks should be managed through the a Resolution request.

### **The manager's responsibilities**

- to ensure that all requests for breaks are given proper consideration;
- to ensure that granting a break does not have an adverse effect on KCC business;
- to provide a written reason for any declined request.

### **The employee's responsibilities**

- to discuss their request with their manager a minimum of three months before they wish the break to start;
- to return to work on the agreed date;

### **Considerations**

- employees can apply to take a break of between 2 months up to a maximum of 12 months;
- breaks of less than 2 months should be managed as unpaid leave;
- the employee returns to their substantive post and grade, notwithstanding any organisational changes during the period of the break;
- employees can apply for more than one break during their career; (a limit will apply)
- the granting and length of a break is entirely at your discretion and will depend on the needs of your service at the time the request is made;

### **Redundancy while on a break**

If an employee's job becomes redundant whilst they are on a break, they must be treated as any other employee in a redundancy situation. All reasonable steps should be taken to ensure that they are consulted with at the same time as other employees affected. Employees are expected to take an active role in this process.

### **Returning to work early**

If an employee's circumstances change and they wish to return to work early, they should contact their manager in the first instance. The manager should discuss the possibility but there is no guarantee of an early return.

Where possible, employees should give 3 months written notice if they want to return before the agreed date or as much notice as is reasonably practical.

### **Taking a break Following Maternity, Adoption or Paternity Leave**

There are a number of different options available to employees in these circumstances which are discussed more fully in our Work Smart Policy. If the manager agrees that a 'Timeout' break is the best option, this is managed in the normal way. The break will begin on the day after the employee's entitlement to maternity or adoption leave has ended. If they have received the additional 12 weeks at half pay, they will need to complete three months service after their agreed return date. If they do not return to work on this date, they will have to repay this amount. Employee Services will manage this process.

### **Becoming pregnant whilst on a break**

If an employee becomes pregnant whilst on a break, they will be entitled to maternity leave. They should contact their manager in the first instance and then inform Employee Services of the date that they want their leave to start.

### **Pension**

If you are granted unpaid leave of absence the period will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of absence.

If you wish to purchase the amount of lost pension and you make the election to do so within 30 days of returning to work then the cost of the APC is split between you and KCC (you pay one third of the cost and KCC will pay the rest). You can pay these additional

contributions in a one-off lump sum or through regular payments from your wages. The maximum period of absence you can elect to buy back is 3 years.

You may wish to discuss the implications of the unpaid leave with the Pension Section before starting your break.

### **Covering the work**

The manager needs to decide how the job and work will be covered while the employee is away.

There are various pools of 'workers' that may provide options for covering the work such as the Kent Graduate Scheme, Year in Industry (Gap Year), Apprenticeship Scheme, Established Leaders and other Talent Management initiatives. Please use KNet to find out more about these and how they might be able to provide temporary cover or contact the Human Resources Team if you want to discuss further.

### **Keeping in touch**

The manager should maintain regular contact with the employee to ensure that their return to work runs as smoothly as possible. Managers may find it useful to nominate a member of their team as a point of contact and to consider the following for the employee to help this process:

- invite the employee to attend training courses and meetings where possible;
- make sure the employee is included on circulation lists for newsletters and circulars and retain use of company information facilities i.e. KNet;
- keep in regular contact, agreeing the most convenient method;
- make sure up to date contact details are obtained.

### **Terms of the break**

The following will be included in the letter sent to the employee by Employee Services. It is useful for managers and employees to know these to aid discussions:

- the start and end date of the break;
- that the job will be covered on a temporary basis during the break, the exact details of which the employee and manager have discussed and agreed;
- that the employee has expressed their firm intention to return to work on the above agreed date and will return to their substantive post;
- that if the employee's job becomes redundant during the break, the employee will be treated as any other employee in a redundancy situation and that the employee will be consulted at the same time as other employees affected and that the manager will discuss with the employee how this will be done. The employee will be expected to take an active role in achieving effective consultation and participation in this process;
- that the employee should maintain regular contact with the manager and team to ensure that their return to work runs smoothly and that the employee is responsible for ensuring that KCC have up to date contact details;

- that the period of the break will count towards the calculation of continuous service for statutory purposes (e.g. redundancy rights, unfair dismissal rights, statutory maternity and adoption leave (but not pay));
- that the period of the break will not count towards the calculation of continuous service for contractual purposes (e.g. annual leave, contractual maternity, adoption and paternity schemes and contractual sick pay). When the employee returns to work, their pre-break and post-break service will be added together to make total service for contractual purposes. The employee's contractual annual leave does not accrue during their break;
- that the employee will not be paid during their break and there will be no pay progression within their grade;
- that where financial assistance is given, for example towards any training undertaken while on a break, and the employee does not return to work, the employee may be asked to repay this;
- that if the break immediately follows maternity or adoption leave and the employee has already received the additional 12 weeks contractual maternity pay, the employee must return to work for three months at the end of their break. If they do not return to work on the agreed date, then the employee must repay this amount;
- that if the employee is an essential car user or has a lease car, the employee will not receive an essential user lump sum or retain the car;
- the period of unpaid leave will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of absence;
- you will need to contact the HR Business Centre if you wish to pay for the amount of lost pension during the period of absence. If you elect to pay within 30 days of returning to work then the cost will be split between you and KCC (you pay one third of the cost and KCC will pay the rest). You can pay these additional contributions in a one-off lump sum or through regular payments from your wages;
- that if the employee does not return to work on the agreed date, the employee will be in breach of contract and the employee's contract of employment will be terminated with immediate effect;
- that if the employee's circumstances change and they wish to return to work early, that the employee should contact their line manager in the first instance and that there is no guarantee that an early return can be accommodated;
- that the employee must give 3 months written notice if the employee wants to return before the previously agreed date. If this is not possible, the employee must give as much notice as is reasonably practical;

- that while on a break, the employee should not undertake paid work for any other organisation without the permission of the Head of Service/Support Unit. (The employee may be given permission to do so where there is felt to be no conflict of interest between the paid work and the reason for agreeing the break in the first instance);
- that during the course of the break, the employee's terms and conditions under the Kent Scheme may be subject to change, these may include changes to the Local Government Pension Scheme and that these changes will be notified to the employee in the normal way as other employees;
- if you do not return to work after the period of unpaid leave you lose the right to pay for the lost pension.

### **Step Up to Social Work Programme**

The Step Up programme is a DfE fast track social work training programme for high calibre graduates, professionals and career changers with the skills and experience necessary to enter front line social work with children and families.

To apply for a timeout break to pursue the Step Up to Social Work programme employees need to:

- have 2 years continuous service with KCC (employees with less than 2 years continuous service will be required to formally resign from their current post);
- have been formally offered a place on the programme run by the Kent and Medway Regional Partnership (KCC and Medway Council);
- express a firm intention to qualify as a Social Worker and work for KCC's Specialist Children's Services. The expectation is that employees who complete the programme and the HCPC registration requirements will be appointed to a Newly Qualified Social Worker post within KCC's Specialist Children's Services.
- have a satisfactory performance record.

The duration of break that can be agreed is up to 15 months and this will run from January to March the following year.

The same terms of the break apply, with the exception of:

- The employee's job will not be covered on a temporary basis; therefore the employee will be unable to return to their former job at the end of the break. In the exceptional circumstances that an employee cannot complete the programme and requests to end the timeout break early, KCC will seek to identify and offer a similar post which includes duties and responsibilities at a similar level to the previous post held. Should it not be possible to find a suitable alternative position then employment will be deemed to have terminated by mutual agreement.
- If the employee's former job becomes redundant during the break, the employee will not be considered to be in a redundancy situation.

### **Alternative Formats**

This document is available in other formats. Call 03000 421553 or email [alternativeformats@kent.gov.uk](mailto:alternativeformats@kent.gov.uk)