HCAT

Work Break Scheme

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Version Number	Version Description	Date of Revision
1	HCAT Work break Scheme – new format	September 2025

HCAT Work Break Scheme

1. Introduction

1.1 The purpose of the Work Break Scheme is to complement the range of work life balance policies and procedures which support flexible working, enabling employees to balance their home and work commitments wherever possible.

1.2 This scheme also enables the Trust to retain the skills and experience of employees and continue to benefit from the investment of training and development in those individuals.

2. Who is Eligible?

2.1 The Work Break Scheme is available to all HCAT employees who have completed one year's satisfactory service with HCAT.

2.2 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. How Long Can a Work Break Be?

3.1 An employee can request for approval:

- **One break of at least one year 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 If an employee would like to request a work break for less than one year, in certain circumstances this can be considered, providing their position can be suitably covered.

3.3 For employees on maternity leave, the absence from work up to 52 weeks is in addition to the work break itself.

4. 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 Chief Executive Officer/Deputy Chief Executive Officer/Executive Leader/Principal/Headteacher/Head of School at the earliest opportunity and at least 12 weeks in advance of the commencement of the career break.

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

- To decide as appropriate, prior to the commencement of the work break, to continue to pay any outstanding obligations to the Trust e.g. repayment of car loans.
- 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 their intention to return to work no later than 12 weeks prior to the planned date of return.

4.3 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.

4.4 Before a return to work of a break of over 12 months, the employee will be subject to a satisfactory medical assessment, which will be undertaken prior to the intended return date.

4.5 Undertaking any paid employment during the work break other than that arranged with HCAT would potentially be gross misconduct and will be dealt with under the Trust's Disciplinary Procedure.

5. Obligations of HCAT

5.1 On return from a work break, HCAT will, wherever possible, place the employee in suitable employment in the same 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. Effects on Conditions of Service

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

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 or Contact Us | Teachers' Pensions for further advice.

7. How to Apply

7.1 Applications for a work break should be made on the work break scheme application form and returned the Chief Executive Officer/Deputy Chief Executive Officer/Executive Leader/Principal/Headteacher/Head of School.

7.2 If you are eligible for the scheme, a work break scheme contract agreement will be issued. You will be required to sign and retain a copy.

8. Right of Appeal

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

9. Income Tax and National Insurance Contributions

9.1 If the post, which was originally a fixed term contract, has the possibility of becoming a permanent post in the future, this should be stated in the original advert.

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

9.3 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 for Work and Pensions (DWP) for advice.

10. Review

12.1 The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the need to:

- to eliminate discrimination and other conduct that is prohibited by the Act
- to advance equality of opportunity between people who share a protected characteristic and people who do not share it
- to foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

12.2 In the development of this policy due regard has been given to achieving these objectives.

12.3 This procedure will be reviewed to respond to any changes in legislation, and at least every three years, in conjunction with the Trust's recognised trade unions.