

## **CAREER BREAK SCHEME TEACHING STAFF**

### **1. INTRODUCTION**

This Scheme has been agreed between the Management and Teachers' Sides of the Northern Ireland Teachers' Negotiating Committee to provide teachers with the facility of taking a break in their teaching careers. The Scheme is promoted as providing not only opportunities for staff, but also benefits to the school and the service as teachers widen their experience and enhance the skills and knowledge they bring to the profession on their return to school.

### **2. DEFINITIONS**

**a. Career Break**

A Career Break is a period of special leave of absence without salary for a period of not less than one year and not more than five years. This is distinct from unpaid maternity, parental or other authorised unpaid leave of less than one year's duration.

**b. Teacher**

For the purpose of this scheme, "teacher" means a teacher employed in a grant-aided school and includes teachers appointed to the posts of principal and vice-principal.

**c. Relevant Body**

Means the Board of Governors.

**d. Employing Authority**

Means for controlled schools, the Board responsible for the management of the school and for Catholic Maintained Schools, the Council for Catholic Maintained Schools. In the case of voluntary grammar schools and grant maintained integrated schools, the Board of Governors is the employing authority.

### **3. OBJECTIVES**

The primary objectives of the Scheme are:

- a.** to provide teachers with flexibility within the course of their teaching careers;
- b.** to widen the experience of teachers and enhance the skills they bring to the profession;
- c.** to provide teachers with an opportunity for personal development;
- d.** to enable teachers to return and continue their career following the Career Break.

**4. ELIGIBILITY**

- a. The scheme shall be available only to a permanent teacher.
- b. Normally a teacher must have completed an aggregate of not less than three years' teaching service in their current school prior to the proposed commencement of the Career Break.
- c. A teacher shall not normally be granted more than two Career Breaks, of any duration, during his/her service in schools.
- d. A teacher shall not normally be granted a second Career Break until at least five years after the completion of a previous Career Break.

**5. DURATION**

A Career Break shall be granted for a period of not less than one year and for not more than five years. A Career Break of less than five years may be extended for a period of not less than one year on each occasion provided that the total period of special leave does not exceed five years in all.

**6. PURPOSE**

A career break may be allowed for most purposes including further study, domestic responsibilities, conducting one's own business, maintaining a family business or a stay abroad.

A career break will not be allowed for the purpose of taking up alternative salaried or wage earning employment in Northern Ireland unless the prior written approval of the Employing Authority has been obtained. Such approval will only be given in exceptional circumstances.

A teacher who is granted a Career Break for the purpose of undertaking full time further education may take salaried or wage earning employment on a causal basis during holidays, etc., or during a student placement.

**7. PROCEDURE**

- a. A teacher wishing to apply for a Career Break shall make application by submitting the agreed form (CB1/T attached) to the Principal of his/her school.
- b. An application for a Career Break, or an extension to a Career Break, shall normally be made at least four months prior to the proposed date of commencement or extension.
- c. It shall be for the relevant body of the school to consider all applications along with details of the arrangements which the principal proposes to put in place to ensure the continuation and quality of teaching for the duration of the Career Break and to approve or reject the application. Where a Board of Governors is considering rejecting an application it shall seek the advice of the Employing Authority before making the final decision.

- d. The relevant body shall complete form CB2/T and copy the form to the teacher. Where it has decided to reject the application the reasons for that rejection shall be stated. A copy of the form shall be forwarded to the Employing Authority and, where the application is approved, to the Department of Education.

## 8. APPEAL

A teacher who believes the request has not been properly considered, or that the procedure has not been properly followed, may lodge an appeal, stating the grounds, in writing, within 14 days of receipt of the notification of the decision.

An appeal shall be heard by the appeals sub-committee of the Board of Governors which must arrange a meeting to hear the appeal within 14 days of receipt of the appeal.

The teacher has the right to be accompanied at the meeting by a teaching colleague or a recognised trade union representative. Legal representation is not permitted.

The appeals sub-committee must inform the teacher of the outcome of the appeal, in writing, within 14 days of the date of the meeting.

If the appeal is upheld the teacher should be advised of the date of start and duration of the Career Break.

If the appeal is dismissed the notification must:

- state the grounds for the decision;
- provide an explanation as to why the grounds for refusal apply in the circumstances; and
- be dated.

There is no further right of appeal under this Scheme.

## 9. SUPERANNUATION AND INCREMENTAL CREDIT

- a. A Career Break shall not count for Superannuation or incremental credit purposes and it is **strongly recommended** that a teacher considering a Career Break should investigate fully the impact of the Career Break on service, salary placement and pension.
- b. There is a facility to purchase pension credit for the period of the Career Break. Teachers should contact the Department of Education, Pensions Branch, for advice.

## 10. CONTINUITY OF SERVICE

A teacher retains continuity of service while on a Career Break. However, this period of unpaid absence will not count as service in the calculation of sickness or redundancy payments. Service before and after a Career Break will be accrued for these purposes.

**11. CONDUCT DURING CAREER BREAK**

During a Career Break a teacher will be subject to the relevant body's and the Employing Authority's requirements in matters of conduct. Disciplinary action may be taken, where appropriate.

**12. A CAREER BREAK IMMEDIATELY FOLLOWING MATERNITY LEAVE**

A teacher may apply for a Career Break immediately following a period of maternity leave, applying the procedure at paragraph 7. Where a teacher resigns during the course of the Career Break or fails to return to work for at least 13 weeks at the end of a Career Break, she shall be required to refund the occupational maternity pay received prior to the Career Break (refer to Teachers' Occupational Maternity Leave Scheme for further details).

**13. RETURNING FROM A CAREER BREAK**

- a. A teacher on a Career Break must contact the Principal of his/her school (in writing) not less than four months before the end of the Career Break:
  - i. to confirm the intended date of return to school duties; or
  - ii. to apply for an extension to the Career Break; or
  - iii. to indicate his/her intention to resign.

Where a teacher fails to contact the Principal as above, the Principal will write to the teacher at his/her last known address, to invite him/her to indicate his/her intention. Where a teacher fails to contact the Principal he/she will be deemed to have resigned 4 weeks after the end date of the Career Break.

- b. A teacher shall normally retain an entitlement to resume duty in a teaching post similar to that which he/she vacated at the commencement of the approved Career Break. Where, in exceptional circumstances, this is not possible, the teacher shall be assigned to another post. Where the teacher had previously undertaken additional responsibility and had been in receipt of remuneration, the duties attaching to that remuneration may be changed on return to work.
- c. Sympathetic consideration will be given to a teacher wishing to return early from a Career Break when specific reasons warrant such early resumption.

**14. GENERAL**

- a. It is the responsibility of the teacher to determine from the Department of Health, Social Services and Public Safety and Inland Revenue his/her entitlements, if any, for the duration of the Career Break and to check his/her position as regards National Insurance contributions or tax liability.
- b. A teacher, while on a Career Break:
  - i. must ensure that the school has a current contact address;

- ii. shall not be exempt from consideration from the consequences of redundancy/reorganisation in the school;

A week's pay for the purpose of calculating for example redundancy payments shall be based on what the teacher's pay would be at the date of termination if the teacher had remained in post.

- iii. shall be eligible for consideration for any vacancies or promotions within the school which become available during the absence. It shall be the responsibility of the teacher to ascertain whether or not assistance with travelling expenses will be provided.
- c. Any post of responsibility which becomes vacant as a result of a Career Break should be filled, if necessary, through the normal procedures.
  - d. Nothing in this Scheme shall prejudice existing arrangements for the granting of other categories of special leave.
  - e. The operation of this Scheme shall be subject to review.