

Note on Career Breaks for NCHDs

1. Career breaks

A Career Break is a period of time during which an employee has chosen not to work but remains an employee. On resuming work, the employee holds the same terms and conditions as applied when they ceased work.

In all circumstances the employee must apply for a career break when still in employment. By definition, persons who have left employment (and are no longer employees) cannot apply for a career break. Career breaks are not granted retrospectively. The general terms applying to career breaks in the public health service are set out in the HSE Terms and Conditions of Employment (available [here](#)).

The specific terms applying to NCHDs are slightly different – particularly the expanded terms applying to training rotations in private hospitals or agencies and are set out below.

2. Extension of career breaks to SpRs in 2008

Prior to 2008 NCHDs did not – as employees on fixed term contracts – have access to Career Breaks and could not apply for one.

However, in May 2008 the HSE, Department of Health, Department of Finance (now the Department of Public Expenditure and Reform) and the Irish Medical Organisation agreed that Specialist and Senior Registrars would be able to apply for career breaks to facilitate further training prior to return to employment as a Specialist (e.g. a Consultant, a General Practitioner, a Specialist in Public Health Medicine) in the Irish public healthcare system.

The agreed arrangements were set out in a letter issued to the IMO and health service employers dated 14th May 2008. The purpose of this agreement was to allow SpRs to retain continuity of employment and their existing status for superannuation (pension) purposes. These arrangements are now replaced by those described at Sections 5 and 6 below.

3. Public service employment

Public service employment in relation to the health service includes HSE and HSE funded agencies (a list of such agencies is attached) the Health Research Board, the Irish Blood Transfusion Service, Mental Health Commission and HiQA. Wider public service employment includes universities (excluding the RCSI). If an employee is unclear about their status as a public servant this can be rapidly clarified by their employer.

4. Public servants and pension arrangements

Historically, if an employee leaves public service employment for more than 6 months they are regarded as having 'broken service' and lose certain entitlements. On return, they are treated as a new entrant.

The 2008 agreement described above arose following changes to superannuation (pension) arrangements in 2006 which meant that if an employee left the employment of the public health system for more than 6 months they would be regarded as a new entrant and subject to different superannuation arrangements on return.

Superannuation arrangements changed again in 2012 arising from the introduction of a Single Public Service Pension Scheme to apply from 1st January 2013. Details are [here](#)

5. Extension of career breaks to all NCHDs

In July 2014, following discussions between the HSE, IMO and Department of Health, it was agreed that all NCHDs with more than 2 years service would be able to apply for career

breaks to facilitate further training abroad prior to return to employment as a Specialist in the Irish public healthcare system. This agreement to extend access to apply for a career break from SpRs to all NCHDs followed the changes to superannuation arrangements for public servants in 2012 referenced at Section 4 above. The following conditions apply to NCHD career breaks:

- commenced employment in the Public Service prior to 1 January 2013;
- have been continuously employed in the Public Service since that date and have a minimum of two years service; and
- wish to go abroad to take up training posts or to take up positions to provide them with the necessary skill sets to enable them to compete for Consultant posts;

NCHDs wishing to avail of a career break under this arrangement must apply to their Employer in sufficient time before the expiry of their current contract. Further details and the Circular setting out the arrangements to apply are [here](#)

6. Application to NCHDs who started in public service before 1st January 2013

The reason this facility was confined to NCHDs who commenced public service employment before 1st January 2013 was that:

- If an NCHD who commenced before 1st January 2013 leaves public service for more than 6 months they are regarded as breaking service and are subject to the revised 2012 superannuation arrangements on return to employment instead of those they held prior to breaking employment.
- All NCHDs who commenced public service employment after 1st January 2013 are automatically subject to the revised 2012 superannuation arrangements from the start of their employment. If they break service, they return to the 2012 superannuation arrangements in any case.

7. NCHDs who work in the private sector as part of rotational training arrangements

Separately, it was recognised that NCHDs rotating into agencies which were not part of the public health service as part of training schemes were at risk of breaking service if such rotations went beyond 6 months.

In order to ensure that these NCHDs are not subject to revised superannuation arrangements arising from their participation in such training schemes, the HSE obtained sanction from the Department of Health and Department of Public Expenditure and Reform to allow these employees apply for a career break in accordance with career break rules where a placement of 26 weeks or more arises.

Standard career break conditions applying in the public service in Ireland include a prohibition on employees working in the private sector in Ireland when on career break. However, the HSE has obtained a special derogation to this rule to apply in respect of NCHDs required to take up employment within Ireland in private hospitals/healthcare facilities as part of their postgraduate training.

The following conditions apply to NCHD career breaks for work in the private sector as part of training schemes:

- The NCHD must have commenced employment in the Public Service prior to 1 January 2013 and have been continuously employed in the Public Service since that date.
- should only be facilitated where the career break is for training purposes;
- is not to be allowed to take a career break to take up other private sector employment; and
- must return to a post in the HSE or HSE-funded agency when the training period has expired.

Further details and the Circular setting out the arrangements to apply are [here](#)