

CRAFT OPERATIVES



East Ayrshire Council

Summary of Main Terms and Conditions of Employment

Scottish Joint Council for Local Government Employees

face of
EAC
flexible approachable caring empowered

 East Ayrshire Council
Comhairle Siorrachd Àir an Ear

This summary, together with the specific details intimated in your offer of appointment letter, constitutes the main terms and conditions of your employment for the purposes of Section 1 of the Employment Rights Act 1996.

CONTENTS

CONTRACTUAL CONDITIONS

<u>Paragraph</u>	<u>Title</u>	<u>Page</u>
1	FACE	4
2	Conditions of Service	4
3	Continuous Service	5
4	Salary Placement	5
5	Work Location	5
6	Duties of Post	6
7	Standard Working Week	6
8	Calculation of a Day's Salary	6
9	Overtime Payments	6
10	Part Time Working	7
11	Shift Allowances	7
12	Night Working Allowance	7
13	Working on a Rest Day or Free Day	8
14	Temporarily Undertaking Higher Duties	8
15	Standby Duty Allowance	8
16	Payments for Employees Not On Standby	8
17	Recall to Work	9
18	Subsistence Allowances	9
19	Out of Pocket Expenses	9
20	Meal Charges	9
21	Pay Adjustments/Recovery of Overpayments	10
22	Pension Scheme	10
23	Annual Leave	11
24	Public Holidays	12
25	Working on a Public Holiday	13
26	Sickness Allowances	13
27	Grievance Procedure	14
28	Disciplinary Procedures	14
29	Maternity, Adoption, Paternity and Shared Parental Leave	14
30	Notice Requirements	14

31	Collective Bargaining	15
32	Prevention and Detection of Fraud	15
33	Notification of Criminal Charges/Convictions	15
34	Changes to Terms and Conditions	15
35	Medical Checks/Examinations	16
36	Data Protection	16
37	Change in Personal Circumstances	16

NON CONTRACTUAL CONDITIONS

<u>Paragraph</u>	<u>Title</u>	<u>Page</u>
38	Flexible Working	17
39	Smarter Workstyles (office-based roles)	17
40	Special Leave/Carers Leave	18
41	Health and Safety	18
42	Employee Welfare	19
43	Smoking in the Workplace	19
44	Car Mileage	19
45	Working Beyond 65 Years of Age	20
46	Code of Conduct	20
47	Equal Opportunities	20
48	Employee Benefits	20
49	Further Information	21

1. FACE (Flexible, Adaptable, Caring and Empowered)

Within East Ayrshire Council 'people are at the heart of everything we do' and we look to our employees to be the FACE of the Council and deliver this message.

The FACE qualities and behaviours were adopted by the Council in consultation with our workforce. You will find the FACE qualities and behaviours detailed within the Job Outline and Person Specification for your job. You are expected to adhere to these as an employee of the Council.

Quality	Behaviour
Flexible	<ul style="list-style-type: none">• Have an open mind and look for better ways of doing things.• Embrace new technologies to improve services for the people we serve.• Welcome opportunities to learn and grow.
Approachable	<ul style="list-style-type: none">• Develop positive and productive relationships with everyone.• Listen, notice, respond and engage.• Manage our reactions and think about how our behaviour affects others.
Caring	<ul style="list-style-type: none">• Embrace working in a team and working with others.• Take pride in your role, serving our community and strive to be the best we can be.• Be kind to others and to ourselves.
Empowered	<ul style="list-style-type: none">• Have the courage to try new things.• Work with others to find the best solutions.• Help everyone to realise their full potential.

2. CONDITIONS OF SERVICE

Your terms and conditions of employment are in accordance with:-

(a) national terms and conditions of service as covered by collective agreements embodied in the Scheme of Conditions of Service for Scottish Local Government Employees i.e. the Red Book and the Scheme of Conditions of Service for Local Government Employees as adopted and applied by East Ayrshire Council;

(b) certain additional terms and conditions determined by East Ayrshire Council as contained in Circulars issued by the Head of People and Culture; and

(c) any special conditions relating to your post as referred to in the attached covering letter.

Full details of the terms and conditions at (a) and (b) above are available for inspection from your HR Business Partner.

Any changes in the general terms and conditions of employment as a result of Collective Bargaining arrangements at a local level as adopted and adapted by East Ayrshire Council will be

notified to you by means of a Circular issued by the Head of People and Culture.

3. CONTINUOUS SERVICE

For the purpose of Section 211 of the Employment Rights Act 1996, East Ayrshire Council does not recognise service with any previous employer(s) as being continuous service with East Ayrshire Council, except continuous service with an antecedent Authority, where that service was recognised by the Council in terms of the Local Authorities Staff Transfer Schemes of 1975 and 1995. However it does recognise continuous service with local government employers and certain related bodies as defined in the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 and subsequent Amendment Orders, for the purpose of calculating entitlement to redundancy payments, period of notice, annual leave, sickness allowance, maternity and adoption leave, and special leave (where appropriate).

Employees who were employed with an appropriate Local Government Employer at 30 June 1999 whose employer at that time recognised their previous reckonable service for purposes of Annual Leave, Sick Pay and Maternity Leave etc. will retain this service as long as they have been continuously employed with an employer(s) recognised by East Ayrshire Council.

Where an employee returns to local government service following a break for maternity reasons, they will be entitled to have previous service taken into account in respect of the sickness and maternity schemes provided that the break in service does not exceed eight years and that no paid employment has intervened. For the purposes of the calculation of entitlement to annual leave the eight years time limit does not apply provided that no paid employment has intervened.

Employees appointed to the Council from another employer listed in the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 and subsequent Amendment Orders, who wish their previous service to be recognised by the Council, will require to provide appropriate confirmation of this service from their previous employer.

Any queries on the recognition of previous service, including breaks for maternity reasons, should be raised with your HR Business Partner.

4. SALARY PLACEMENT

Appointment to all posts will normally be to the minimum of the appropriate salary scale for the post. Should a request be made for appointment to a higher point in the salary scale, the employee will require to evidence justification for this via previous payslips and/or continuous service checks with the releasing local authority or other organisation covered by the Continuity of Employment in Local Government, etc. (Modification) Order 1999 . Any higher placement will be authorised by the chair of the panel. Only in exceptional circumstances, can a request for placing to the top point of the scale be considered and these requests must be referred to the Head of People and Culture.

5. WORK LOCATION

Your work location/administrative base is as detailed in the appropriate paragraph of your Offer of Appointment and Written Statement of Particulars.

Administrative base is the term used for roles where the post holder has flexibility to work between home and the office. In this case your administrative base is your base work location and should be used for administrative purposes such as mileage or other travel costs.

Where you are required to transfer your work location/administrative base to another location within East Ayrshire Council as may be considered reasonable after consultation with you and if necessary, your Trade Union, excess travel expenses may be payable where additional travel costs are incurred (refer to Per Circular 10/96 on the Council's intranet for full details).

There is no requirement for you to work outside the United Kingdom.

6. DUTIES OF THE POST

The duties applicable to your post will be prescribed by your Chief Executive/Depute Chief Executive or other nominated person who will also exercise supervision over your services.

If the circumstances so require, you may be employed on other duties appropriate to your grade, in your own or another service, after consultation with you and, if necessary, your Trade Union.

A Job Outline detailing the duties/responsibilities of your post, which may be amended from time to time, is available from your HR Business Partner.

7. STANDARD WORKING WEEK

The core working week for East Ayrshire Council is Monday to Sunday 6 am to 10 pm.

The normal working week applicable to the service in which you work is detailed in your Offer of Appointment and Written Statement of Particulars.

No enhanced payments will be made for hours worked as part of the normal working week within the above period.

For roles which involve home working, your hours of work will be the same as if working within the office unless otherwise agreed with your line manager.

8. CALCULATION OF A DAY'S SALARY

Calculation of a day's salary will be on the basis of $1/260^{\text{th}}$ of annual salary for full time employees with an appropriate pro rata calculation for part-time employees based on their working pattern. The normal hourly rate calculator will be on the basis of $1/35^{\text{th}}$ of your weekly pay for employees whose full time working week is 35 hours, and $1/37^{\text{th}}$ for those employees whose full time working week is 37 hours. Weekly pay is calculated as $1/52^{\text{nd}}$ of your annual salary.

Calculation of a day's salary for term time employees is $1/222^{\text{nd}}$ of annual salary (rising to $1/233^{\text{rd}}$ depending on continuous service) for full time employees with a pro rata calculation for part-time. Full details can be provided by People and Culture.

9. OVERTIME PAYMENTS

The overtime payments calculator is 1/37th for all employees. Employees will be paid plain time for all hours worked up to 37 hours.

All Overtime payments will be at the rate of time and a half for all hours worked in excess of 37 hours per week except for overtime worked on a Public Holiday when the overtime payment will be at the rate of double time.

Overtime payments for employees will be based on an employee's hourly rate up to G10. The overtime ceiling will be SCP 40 (top SCP of Grade 10). Where in exceptional circumstances it is agreed that an employee on a grade higher than Grade 10 may be paid for overtime working, then the hourly rate applicable will be SCP 40.

10. PART TIME WORKING

Employees working less than full time hours will be paid the same grade as full time employees doing the same job.

Holidays and all other entitlements such as first aid allowance will be paid on a pro-rata basis.

Part time employees who work additional hours beyond their contracted hours will be paid at plain time for all hours worked up to 37 per week.

11. SHIFT ALLOWANCE

If you are required to work in accordance with a shift pattern, the allowance will be paid in accordance with the rates below. You will not qualify for shift allowance working one single shift, you must be working days on a variable pattern.

Basic Shift Pattern 10% of Hourly Rate

Basic Shift Pattern is paid where the shift rota does not exceed 2 weeks and there is no requirement to work between the hours of 10pm to 6am.

Medium Shift Pattern 12.5% of Hourly Rate

Medium Shift Pattern is paid where the shift rota does not exceed 3 weeks and there is no requirement to work between the hours of 10pm and 6am.

Complex Shift Pattern 17% of Hourly Rate

Complex Shift Pattern is paid where the shift rota does not exceed 3 weeks and there is a requirement to work between the hours of 10pm and 6am.

12. NIGHT WORKING ALLOWANCE

Employees will be paid at the rate of time and a third for all hours worked between 10pm and 6am as part of the working week.

13. WORKING ON A REST DAY OR FREE DAY

A rest day and free day will be determined dependent upon the working pattern of each job. Payment for hours worked on these days will be at the rate of time and a half.

14. TEMPORARILY UNDERTAKING HIGHER DUTIES

Employees undertaking higher duties will receive payment from day one based on the percentage of higher duties they actually undertake. The duties must be at a higher level and outwith the demands of their current job. The percentage payment will be kept under review to determine that it accurately reflects the higher duties being undertaken throughout the period involved. An uplift of 8.3% will be included in respect of holiday pay. Responsibility payments are for short term cover and it is expected that they would last no more than 6 months.

This payment will not be paid where the higher graded post holder is absent on annual leave except in situations to avoid service failure e.g. where a squad needs a driver and someone requires to take on the driver's duties to enable work to continue to be undertaken. Employees will not be paid the higher duties payment where they are absent due to sickness for a period exceeding 4 weeks.

15. STANDBY DUTY ALLOWANCE

A standby duty allowance will be paid where employees participate in a formal standby duty rota and remain at home after normal working hours and at weekends and public holidays to deal with emergencies which may arise. The standby allowances effective from 1 April 2022 are:

For each complete week of standby duty actually performed	£99.70
Plus	
For each public holiday or extra statutory holiday in that week	£18.72
<u>For broken periods of standby duty:</u>	
Monday to Friday (per night)	£9.93
Saturday (for 24 hours)	£21.16
Sunday, Public and extra statutory holidays (for 24 hours)	£28.80

16. PAYMENTS FOR EMPLOYEES NOT ON STANDBY

Employees not undertaking standby duty who are contacted or called out will be paid on the following basis:-

For each occasion on which an employee is contacted and which results in the exercise of their skills, either at the employee's home or elsewhere, a payment of £22.04, effective from 1 April 2022, is made. An employee will, however, only be entitled to receive one such payment within each period of two hours, commencing with the first contact.

Where the call out or subsequent disturbance or call out is in excess of one hour, the employee will be entitled to further payment for the whole period of disturbance or call out at the appropriate overtime rate.

17. RECALL TO WORK

An employee who has returned home at the end of the working day and who is recalled to work will be paid overtime as follows:

- Return to work is less than two hours – a payment of two hours at time and a half
- Return to work is more than two hours – time and a half paid for all hours actually worked

18. SUBSISTENCE ALLOWANCES

Employees who are prevented by their official duties from taking a meal at their home or place of work where they normally take their meals, or who are required to be absent overnight while working, are entitled to be reimbursed for additional expenditure incurred as follows:

Meal	Allowance
Breakfast	£4.48
Lunch	£6.17
Tea	£2.43
Evening Meal	£7.64

19. OUT OF POCKET EXPENSES

The current out of pocket expenses allowances for employees on residential training courses are as follows:

Daily	£3.63
Weekly	£14.55

20. MEAL CHARGES

The current meal charges applicable to employees within Residential establishments are as follows:

Meal	Cost
Breakfast	61p

Dinner/Main Meal	£1.09
Tea	32p
Snack Supper	48p
	£2.50 per day
On a weekly basis	£17.50
On a monthly basis	£76.04
On an annual basis	£912.50

21. PAY ADJUSTMENTS / RECOVERY OF OVERPAYMENTS

Future salary changes will be reflected within your payslip. You have a responsibility to check that you are being paid correctly and you must notify your supervisor if you suspect any error in payment whether this is an underpayment or an overpayment.

The Council will be entitled to recover any sums as a result of an overpayment in salary, allowances or any other payments made in error.

Any overpayments or underpayments concerning your salary will be investigated. The appropriate adjustments will be made to your salary after providing you with the relevant details. In the case of overpayments, where the amount is less than 10% of your net pay this will be recovered in one instalment from your next pay. Where the amount is over 10% of your net pay, you will have the opportunity to pay by instalments of no less than 10% from each subsequent pay.

22. PENSION SCHEME

East Ayrshire Council is a member of the Strathclyde Pension Fund which operates a Pension Scheme in accordance with the Local Government Pension Scheme (Scotland) Regulations 2014 and the Local Government Pension Scheme (Transitional Provisions & Savings) (Scotland) Regulations 2014. On commencement of employment will automatically become a member of the Local Government Pension Scheme (LPGS). However it is not a condition of your employment that you become a member of the pension scheme and you may elect not to join.

If you change jobs but stay working in local government or for another employer who is part of the LGPS, you can ask to have your pension transferred to your new employer. Your pension will not be transferred automatically. If you are getting paid less in your new job, it might not be in your best interests to transfer your pension. Remember to consider taking financial advice.

Should you wish to transfer deferred benefits from another employer within the LGPS, you should do so within one year of re-joining the LGPS as after that there is no automatic right to do so.

Further information on the pension scheme is available from your HR Business Partner.

23. ANNUAL LEAVE

The annual leave year is 1 January to 31 December. All leave must be taken within the period 1 January of the year to which it relates and 31 January of the following year. Any leave not taken by 31 January will be forfeited. Annual leave entitlement is based on completed years of recognised continuous service at the commencement of the leave year as follows:-

Service	Entitlement
1 - 4 years	21 days
5 - 9 years	26 days
10 – 14 years	29 days
15 – 19 years	30 days
20 years and over	31 days

The annual leave entitlement of employees joining or leaving East Ayrshire Council will be proportionate to their completed months of service during the leave year as follows:

COMPLETED MONTHS	21 DAYS (1 - 4 yrs service)	26 DAYS (5 - 9 yrs service)	29 DAYS (10 - 14 yrs service)	30 DAYS (15 -19 yrs service)	31 DAYS (20 yrs and over service)
1	2	2	2.5	2.5	2.5
2	3.5	4.5	5	5	5
3	5.5	6.5	7.5	7.5	8
4	7	8.5	9.5	10	10.5
5	9	11	12	12.5	13
6	10.5	13	14.5	15	15.5
7	12.5	15	17	17.5	18
8	14	17.5	19	20	20.5
9	16	19.5	22	22.5	23.5
10	17.5	21.5	24	25	26
11	19.5	24	26.5	27.5	28.5

The entitlement for annual leave as outlined above applies to five day working patterns.

The term a “complete month” means the period between a date in one month and the immediately preceding date in the following month (e.g. 15 February to 14 March inclusive).

Annual leave for other working patterns is calculated depending on the number of days/shifts worked per week or per fortnight as shown in the undernoted table:

DAYS/SHIFTS WORKED PER WEEK/FORTNIGHT	21 DAYS (1 - 4 yrs service)	26 DAYS (5 - 9 yrs service)	29 DAYS (10 - 14 yrs service)	30 DAYS (15 -19 yrs service)	31 DAYS (20 yrs and over service)
5/5	21	26	29	30	31

4/5	17	21	23	24	25
3/5	12.5	15.5	17.5	18	18.5
2.5/5	10.5	13	14.5	15	15.5
2/5	8.5	10.5	11.5	12	12.5
1/5	4	5	6	6	6
7/10	14.5	18	20.5	21	21.5

Where annual leave calculations are not an even number the calculation will be rounded up or down as follows:

0.1 – 0.24 round down to the nearest full day, 0.25 – 0.4 round up to 0.5
0.6 – 0.74 round down to 0.5, 0.75 – 0.9 round up to 1

An employee who leaves the service of East Ayrshire Council for reasons other than dismissal or misconduct will be granted before leaving any proportion of annual leave due, as per the above table. In certain circumstances where leave cannot be granted, either at the request of the Council or through unavoidable circumstances, the employee will be paid an allowance in lieu.

24. PUBLIC HOLIDAYS

In addition to annual leave, employees will be granted a maximum of 12 public holidays per annum:

Easter: Good Friday and Easter Monday
May Day: First Monday in May
September Weekend: Friday and Monday of Ayr Gold Cup Weekend
Christmas and New Year: Seven days

These days may be amended by local agreement after consultation with the Trade Unions. Any such amendments will be formally notified to those employees affected by a local agreement.

The entitlement to public holidays for part-time employees is the same as that of full-time employees, applied on a pro-rata basis. As with annual leave, the Public Holiday Entitlement is proportionate to the number of days/shifts worked per week/fortnight as follows: -

Days/Shifts per week/fortnight	Public Holiday Entitlement
1/5	2
2/5	5
2.5/5	6
3/5	7
4/5	10
5/5	12
7/10	8

The Head of People and Culture will issue a Per Circular confirming the dates of public holidays each year.

25. WORKING ON A PUBLIC HOLIDAY

Where an employee's work pattern results in their public holiday entitlement being exceeded the employee will have the following options:

- Arrange with their line manager to work an additional day(s) to compensate, or
- Deduct the day(s) from their annual leave entitlement.

Similarly, where the work pattern results in an employee receiving less public holidays than their entitlement, their annual leave entitlement is increased accordingly.

Where employees are required to work on a public holiday as part of their normal working week, in addition to the normal pay for that day, the time actually worked on the public holiday, will be paid as follows:-

Plain time with time off in lieu with pay at a later date on the following basis: -

Time Worked	Time Off In Lieu
Half of a normal day/night/shift or less	Half of normal day/night/shift
Over half a normal day/night/shift	Full normal day/night/shift
or	
Double time for the time actually worked within the normal working hours, with no time off in lieu at a later date	

26. SICKNESS ALLOWANCES

East Ayrshire Council is committed to supporting the health and wellbeing of employees and endeavours to provide early support through a range of interventions to assist employees return to work from a period of absence. An Employee Wellbeing Framework is embedded as a key element of organisational culture. In order to identify trends and causes of absence across the Council, absence levels and reasons are monitored. Similarly individual employee absence levels are recorded and monitored through our Supporting Attendance at Work Policy.

On satisfying East Ayrshire Council's medical requirements, employees are entitled to sickness allowance in any period of twelve months on a graded basis dependent on length of recognised continuous service as follows:-

Continuous Service at Date Absence Begins	Full Allowance	Half Allowance
Less than 26 weeks	Nil	Nil
26 weeks but less than 1 year	5 weeks	5 weeks
1 year but less than 2 years	9 weeks	9 weeks

2 years but less than 3 years	18 weeks	18 weeks
3 years but less than 5 years	22 weeks	22 weeks
5 years or more	26 weeks	26 weeks

Full details of Sickness Allowance and the procedures relating to sickness absence are available within the Supporting Attendance at Work Policy on the Council's intranet, or from your HR Business Partner.

27. GRIEVANCE PROCEDURE

If you have a grievance regarding your employment at any time, you should bring your grievance to the attention of your supervisor or line manager. The Council will always look to resolve any concerns at the earliest stage. However where this is not possible, full details of the procedure are explained in the Grievance Procedure, a copy of which is available on the Council's intranet, or from your HR Business Partner.

28. DISCIPLINARY PROCEDURES

The Disciplinary Procedures applicable to your employment, including rights of appeal, are available on the Council's intranet, or from your HR Business Partner.

29. MATERNITY, ADOPTION, PATERNITY AND SHARED PARENTAL LEAVE

Entitlement to maternity, adoption, paternity and shared parental leave and pay are in accordance with the Scheme of Terms and Conditions of Service referred to in paragraph 1 above, and paid as follows:

All pregnant employees or adoptive parents of children up to the age of 18 years are entitled to take up to 52 weeks of maternity or adoption leave. However access to maternity or adoption pay is subject to having at least 26 weeks service by the 15th week before the Expected Week of Confinement or the week in which you were notified you were being matched with a child be an approved adoption agency.

Maternity/Adoption pay is paid as follows:

Weeks 1-6	Paid at 9/10ths of your weekly pay, offset against any payments of SMP/SAP or Maternity/Adoption Allowance (MA/AA) you may be entitled to;
Weeks 6-18	Paid at half your weekly pay, plus any payments of SMP/SAP or MA/AA you may be entitled to, subject to the total not exceeding your normal full pay;
Weeks 18-39	Paid at the current applicable rate of SMP/SAP or 90% of average weekly earnings, whichever is the lesser amount

Full details of the Maternity, Adoption, Paternity and Shared Parental Leave, are available on the Council's intranet, or from your HR Business Partner.

30. NOTICE REQUIREMENTS

The minimum notice period to terminate employment by both employees and the Council will be 4 weeks, in writing, for all local government employees. Employees may be able to negotiate a shorter notice period by agreement with their Head of Service. Heads of Service should give particular consideration to those on temporary contracts of employment where a shorter notice period can be objectively justified.

The periods of notice to be given by East Ayrshire Council are as follows:-

Period of Recognised Continuous Service	Minimum Period of Notice
Four weeks or more but less than four years	Four weeks
Four years or more	One week for each year of continuous service up to a maximum of 12 weeks

31. COLLECTIVE BARGAINING

East Ayrshire Council, as your employer supports the system of collective bargaining and believes in the principle of solving industrial relations problems by discussion and agreement. For practical purposes, this can only be conducted by representatives of the employers and of the employees. If collective bargaining of this kind is to continue and improve for the benefit for both, it is essential that the employees' organisations should be fully representative. East Ayrshire Council is, in association with other Scottish Local Authorities, represented on the Scottish Joint Council for Local Government Employees.

Accordingly, it is considered appropriate for you to be in membership of a trade union representing you on this negotiating body and you are encouraged so to do. Details of the Trade Unions on the above negotiating body are available from your HR Business Partner.

32. PREVENTION AND DETECTION OF FRAUD

The Council has a duty to protect the public funds it administers. The information you provide to the Council and other personal data held may be used for the prevention and detection of fraud. The Council may share this information with other bodies responsible for auditing or administering public funds for the prevention and detection of fraud, for example the Council participates in the National Fraud Initiative data matching exercise where payroll data is used for cross system and cross authority comparison purposes aimed at stopping fraud.

33. NOTIFICATION OF CRIMINAL CHARGES / CONVICTIONS

If you are charged with or convicted of a criminal offence, you must report that fact to your line manager at the earliest opportunity. You should also advise your line manager if you receive points on your driving licence for any Endorsable Offence. This will enable the Council to review any potential impact on your employment.

34. CHANGES TO TERMS AND CONDITIONS

Future changes in the terms and conditions of employment, as referred to in Paragraph 2 (a) and (b), will be recorded in the relevant documents within one month of the date they occur. Your terms and conditions will be deemed to have changed accordingly.

Notification of such changes will either be in writing directly to you, through your payslip, in Circulars issued by the Head of People and Culture, or by such other method as deemed appropriate.

There may be occasions where East Ayrshire Council require to change specific terms and conditions relating to your post (referred to in Paragraph 2 (c)). This will be discussed with you and where applicable your Trade Union Representative in advance of the change, and you will receive the appropriate notice, up to a maximum of 90 days.

35. MEDICAL CHECKS/EXAMINATIONS

A health questionnaire, completed by the successful applicant, is submitted to Occupational Health during pre-appointment checks to ensure the applicant is medically fit to undertake the role.

If driving is an essential part of your role, a satisfactory vehicle licence check and completion of an online driver training module and/or driving assessment, appropriate to the category of vehicle driven, will be required prior to you being issued with your drivers permit. Permits are reviewed on a 4 yearly basis.

East Ayrshire Council reserves the right to require any employee to undergo a full medical examination, where it is considered appropriate.

36. DATA PROTECTION

The General Data Protection Regulations (GDPR) and Data Protection Act 2018 ensures the protection of individuals whose personal data is held or processed by East Ayrshire Council. As an employee of the Council, you may have access to personal information in the course of your duties. In terms of the Act, you are bound to process all personal information fairly and lawfully and in accordance with the statutory rights of the individual.

You must ensure that no personal information is disclosed unless a legitimate right of access exists. If you are unsure as to the correct method of dealing with a request for personal information, you should seek the advice of your line manager. Under no circumstances should you disclose personal information unless either you are satisfied that a legitimate right of access exists or your line manager has authorised the disclosure of information.

The Council needs to gather and process personal data about its employees. The type of information includes: biographical details (name, address, date of birth); photograph for ID badge; financial information (bank account number, salary, pension contributions, Trade Union membership deductions); training information; health and sickness information. This information is used mainly for HR and Finance purposes, for example to enable the Council to pay your salary, monitor your attendance and record your training activities.

37. CHANGE IN PERSONAL CIRCUMSTANCES

Any change in your personal circumstances which affects your personnel record eg. home address, telephone number, emergency contact details etc, must be notified to your HR Business Partner.

NON CONTRACTUAL CONDITIONS

The following paragraphs are for information and are neither incorporated into nor form part of your terms and conditions.

38. FLEXIBLE WORKING

East Ayrshire Council is committed to empowering its employees to adopt a smarter and more flexible approach to work where possible. This goes beyond the range of employment policies relating to work-life balance to include greater flexibility over the hours worked; and for many of our employees on both how and where they carry out their work.

Whilst Flexible Working is a facility and not a condition of service, any request to formally change your working hours or pattern will be considered a contractual change to your contract of employment. Employees of the Council can apply to be considered to formally vary their hours of work in accordance with the following flexible working options:

- Variable Hours/Reduced Hours
- Compressed Hours
- Job Share

Applications will be considered in accordance with the Flexible Working Policy which can be found on the Council's intranet.

39. SMARTER WORKSTYLES (OFFICE-BASED ROLES)

The Council recognises that there are many roles which are primarily office-based and for which greater flexibility can be afforded as to how and where work is carried out.

This flexible approach to working reflects the Council's FACE values and behaviours and smarter working principles:

- Employees empowered to choose the work place and space that best suits the task at hand;
- Employees empowered to work flexibly with a less bureaucratic approach to flexible working;
- Having a workforce culture which embraces flexibility;
- Using ICT solutions to aid flexibility/collaboration.

Whilst every effort is made to support the work-life balance of all Council employees, these smarter working workstyles relate only to office-based roles whose remit can be supported by this model.

Upon appointment to an office-based role you will be notified of your 'workstyle' which will have been assigned in accordance with the nature of the work that you carry out. How and where you carry out your work within each of the workstyles should be discussed and agreed with your line manager.

Office-based Workstyles:	
Fixed	80-100% of time is primarily working at a single office base or work location;
Flexible	50-79% of time is office based. The Postholder is able to work at different/multiple work locations, including working from home and travelling directly from home to external appointments approximately 1-2 days per week.
Mobile	20-49% of time is office-based. The Postholder is able to work at home and different/multiple work locations, and this may include travelling directly from home to work at other locations or direct to visit clients out in the field;
Remote	Less than 20% of time is office-based. The Postholder is able to work at home or at other locations or travel directly from home to other work locations and to visit clients out in the field.

Should an employee feel the workstyle assigned to them is not the most effective for the work they carry out or for their work-life balance, they should discuss this with their line manager and can request a change. Where the duties of the post support the change, a FLEX 1 Form (contained within the Flexible Working Policy) should be completed to confirm the arrangement.

However, where changes to workstyles may be required to suit the needs of Council services, discussions will be had with affected employees to see if agreement to the change can be reached. Where this is not possible, affected employees will be provided with reasonable notice of the change.

40. SPECIAL LEAVE / CARERS LEAVE

East Ayrshire Council offers a range of paid and unpaid leave, including Carers Leave of up to 12 weeks per annum. Full details, including qualifying criteria, can be found on the Council's intranet (Human Resources/Policies and Procedures), or alternatively from your HR Business Partner.

Other paid and unpaid leave includes:

- Reasonable unpaid time off for care of dependants (1 day paid per year)
- Unpaid Parental Leave (maximum of 4 weeks per annum up to a total of 18 weeks or until the child reaches 18 years)
- Paid Bereavement Leave (up to 5 days)
- Paid Parental Bereavement Leave (2 weeks)
- Paid leave for sickness absence (up to 6 months full pay and 6 months half pay)
- Leave for Public Duties (paid and unpaid)
- Paid Leave for volunteering (1 day per year)
- Paid leave for study or examinations relevant to your role
- Unpaid Leave for Religious Festivals and Spiritual Observance
- Reservists Leave (paid and unpaid)

41. HEALTH AND SAFETY

East Ayrshire Council recognises its responsibilities under the Health and Safety at Work Act 1974 as an employer for providing a safe and healthy workplace and working environment for all

employees. It is Council policy to take all reasonable practicable steps to fulfil these responsibilities.

As an employee you also have a duty and responsibility under the Health and Safety Regulations to take care of your own safety and that of other employees, and you must familiarise yourself with both the Council's Corporate Health and Safety Policy and your employing department's Health and Safety Policy and Procedures.

42. EMPLOYEE WELFARE

East Ayrshire Council believes that the personal wellbeing of all its employees is essential for the effectiveness of the services we deliver. Our commitment to creating a healthier and safer workplace by providing resources, information and opportunities to improve health and wellbeing achieved us the Gold Award for Health Working Lives. Our Employee Wellbeing Framework is embedded as a key element of organisational culture, including all leadership and management practice and development activity. Each manager has the prime responsibility for the welfare of employees, but to assist with or supplement the efforts of management, the Council provides additional support within the People and Culture Service.

Some of our Council wide supports available are:

- Occupational Health, Counselling, Cognitive Behavioural Therapy (CBT), Physiotherapy
- Online health information at: <https://eac.optimahealth.online/>
- Health and safety wellbeing bulletins
- Health and wellbeing related training, such as Personal Resilience and Mindfulness
- Healthy Working Lives (which includes healthy eating ideas, physical activities and a managers guide to mental health and wellbeing 'Your path to better health and wellbeing')

- Mental health intranet pages
- CHIP Van (Community Health Improvement Partnership)
- Suicide Prevention/ASIST trained staff
- Employment policies
- Free flu vaccines

Full details of the support available can be located on the Council's intranet; within the Supporting Attendance at Work Policy; or alternatively from your HR Business Partner.

43. SMOKING IN THE WORKPLACE

East Ayrshire Council recognises the health issues associated with smoking not only for smokers but also for non-smokers. The Council's policy is that smoking is prohibited in all East Ayrshire Council establishments, workplaces and vehicles. Full details of the policy are available on the Council's intranet, or from your HR Business Partner.

44. CAR MILEAGE

Employees who are authorised car users will be entitled to the appropriate reimbursement in respect of business mileage incurred when carrying out the duties of their post. Employees will be reimbursed business mileage on the basis of the HM Revenue & Customs mileage rates i.e. currently first 10,000 miles at 45p per mile with 25p per mile thereafter.

The local public transport rate will be 25p per mile and other travelling expenses e.g. rail or bus fares actually and necessarily incurred by employees in respect of journeys authorised to be undertaken in the performance of their duties will be reimbursed by the Council. Full details are available on the Council's intranet, or from your HR Business Partner.

For roles where the post holder has the flexibility to work from home or another East Ayrshire Council premise, any mileage claims should be on the basis of additional miles incurred i.e. not including the distance from home to work location/administrative base.

In this connection, any employee using their car for business purposes must ensure this is covered by their car insurance. Annual checks will be carried out to ensure this is in place.

45. WORKING BEYOND 65 YEARS OF AGE

There is no age restriction on any employee working beyond 65 years of age.

46. CODE OF CONDUCT

The Council has developed a Code of Conduct for Local Government Employees as the public expects a high standard of conduct from all employees of the Council. The purpose of the Code is to provide employees with clear advice and guidance about their rights and duties at work. Full details are available on the Council's intranet, or from your HR Business Partner.

47. EQUAL OPPORTUNITIES

As an employer and provider of services, East Ayrshire Council actively promotes equality of opportunity. The Council is an Equal Opportunities Employer and our Equal Opportunities Policy aims to tackle all forms of discrimination and remove any barriers that affect the way disadvantaged groups and individuals get access to opportunities. The Council aims to ensure that all parts of Council Policy meet best practice standards and is committed to tackling all forms of unfair discrimination. Full details are available on the intranet, or from your HR Business Partner.

48. EMPLOYEE BENEFITS

East Ayrshire Council provide access to a range of other benefits and discounts (not limited to those detailed below). Full information, along with any qualifying criteria, can be found on the Council's intranet (see Human Resources Policies and Procedures, Employee Benefits and Employee Discounts):

- Salary sacrifice Car Benefit Scheme facilitated by Fleet Solutions (subject to satisfying qualifying criteria)
- Enhanced annual leave scheme
- Scotwest Credit Union (Saving schemes, including Christmas savings, and other benefits - payments are deducted direct from your salary)
- Cycle to Work Scheme
- Discounted gym membership with East Ayrshire Leisure
- Employee Recognition Scheme
- Free Financial Advice with the Council's dedicated financial advisors

- Access to HSF, a contributory health care plan provider (paid for by employee)
- A range of third party discounts (these are subject to change at the discretion of the third party)

Employee benefits **do not** form part of your terms and conditions of employment and can be changed by the employer at any time through consultation with our recognised Trade Unions. Likewise, employee discounts are provided by third parties and **not** the Council, and are therefore subject to change at the discretion of the third party.

49. FURTHER INFORMATION

Information relating to your terms and conditions of employment is available within your Offer of Appointment and Written Statement of Particulars and this Terms and Conditions of Employment summary document. Other relevant information, such as Human Resources Policies and Health and Safety information, can be found on the Council’s intranet.

It is important that you familiarise yourself with the policies that apply to you as an employee. If you don’t have access to the intranet within your role, please ask your manager to provide the required information to you; or alternatively it can be made available from your HR Business Partner. Details of the HR Business Partner for the section in which you work can be found on the Council’s intranet at Human Resources.

The above summary of your main terms and conditions of employment is prepared for guidance only and should not be interpreted to supersede East Ayrshire Council’s full terms and conditions as referred to in paragraph 1.

People @ the ❤️ of everything we do

