



BRAUNSTONE TOWN COUNCIL

www.braunstonetowncouncil.org.uk

Darren Tilley – Executive Officer & Town Clerk

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Terms and Conditions of Employment

1. Introduction

This statement sets out particulars of your Terms and Conditions of employment with Braunstone Town Council which are required to be given to you by law. It is required under the Employment Rights Act 1996.

The Scheme of Conditions of Service of the National Joint Council for Local Government Services (the Green Book') applies to your employment as amended by this Contract.

2. Name of Employee:

3. Date Employment Commenced:
Previous Service

Your employment with any other public Employer as set out in the NJC agreement will be considered as part of a period of employment with the Council for the purposes of your contract of employment.

Date of Commencement of Continuous Service:

.....

4. Job Title:

Due to the nature of the Council's work all staff are expected to be flexible and supportive of one another. It is a condition of employment for all Employees that everyone is expected to co-operate with Management to ensure work is completed within the necessary time scales and to the required standard.

5. Probationary Period

All new Employees are initially employed for a Probationary period of six months. At the end of this period and their Contract of Employment will either be confirmed as permanent, or the Probationary period will be extended for a period of time that is at the discretion of the Management.

If an Employee's performance and / or conduct have been particularly unsatisfactory during the Probationary Period, a decision may be made to terminate employment at this point.

Declaration of Other Employment

It is a condition of this Contract of Employment that you inform the Council of any alternative employment you undertake, in order to ensure that no Tax or Insurance liabilities will accrue to the Council. The Council also reserves the right to require that any other employment that you undertake does not conflict with the role or standards required to be undertaken or met in public office.

6. Location of Employment:

Braunstone Town Council
Braunstone Civic Centre, Kingsway, Braunstone Town, Leicester, LE3 2PP.

Please Note:

Under your Contract of Employment, you are required to work at or from any of the Council's establishments in the area of Braunstone Town.

7. Salary £.....per annum

Your salary is in accordance with the current **NJC Salary Point (STATE POINT No's)** and is calculated by pro-rata reference to the standard working week for local government staff of 37 hours.

You have been appointed to a single salary point, the Council will review your salary annually on the anniversary of your appointment.

8. Payment Arrangements:

Wages are paid by BACS Transfer on a monthly basis.

Subject to satisfactory performance, your salary will be reviewed annually in February with any change implemented from April 1st. The Council may withhold an increment if it is considered that performance fell below the level expected, following an annual review, or award an additional increment for exemplary performance if it chooses to do so.

The Council reserves the right to make deductions from wages and / or final salary for the following items:-

- Failure to return Council uniform or equipment which is the property of the Council, on termination of employment.
- Loss or damage to Council property and/or vehicles/equipment up to the value of the insurance excess, due to neglect or careless actions by the Employee.
- To recover payment made by mistake to Employees including overpayment of wages and expenses.
- To recover any money owed to the Council.
- To recover the cost of personal calls/texts made on any Council telephones.

Deduction for non-statutory purposes require the written permission of the Employee. However, the Council is legally entitled to deduct any over payment of wages and / or expenses from staff wages. If you are aware of

any discrepancy in your payslip, you must inform your line manager as soon as possible. Failure to do so may be considered to be an act of theft.

In addition one additional salary point will be added to your salary, up to a maximum of four points, for success in obtaining or already holding each of the following relevant qualifications:

The Certificate in Local Council Administration (CILCA)

And other relevant qualifications such as:

- Certificate in Local Policy Studies First Year
- The Certificate in Local Policy Studies
- The Diploma in Local Policy Studies
- BA (Hons) Degree Local Policy Studies

9. **Pension Entitlements**

Braunstone Town Council is a member of the Local Government Pension scheme which operates a contributory pension scheme which you are entitled to join. Details are in a separate booklet, which is available from the Executive Officer.

10. **Hours of Work:** hours per week

Due to the nature of the Council's work all staff are expected to be flexible and supportive of one another. It is a condition of employment for all Employees, that everyone is expected to co-operate with **Management** to ensure work is completed within the necessary time scales and to the required standard.

The Council fully recognises its obligations under the Working Time Directive.

Additional Hours

If staff are required to work more than their normal working hours servicing the Council they will be reimbursed at the normal NJC rate for these hours, or may take time off in lieu at a time agreed with their line manager.

Exceptional hours to be worked must be approved by the Council.

Alternative Annualised Hours

Your core hours are **INSERT CORE HOURS RELEVANT TO POST**. A minimum of **NUMBER** hours per week to be worked according to the needs of the Council. The shifts within these core hours to be determined by your Line Manager in consultation with staff.

This pattern is based on calculating your total working hours in a year and then letting you work them in a way that means you may work more hours at some times of the year and less hours at other times e.g. if you worked 37 hours per week for 40 weeks of the year, your total annual hours would be $40 \times 37 = 1480$. You could choose to work for 20 weeks of the year at 45 hours per week and 20 weeks at 29 hours per week.

This pattern is generally suitable where work has predictable peaks and troughs throughout the year e.g. park gardeners etc. the benefit to the Employee is that they aren't spending 'down time' at work, but can organise their working hours over the year to spend 'down time' outside work. Therefore, there may be a motivational benefit to the Employee that would in turn benefit Braunstone Town Council. Other benefits to the Employee include spending more time with the child or dependant, less money spent on child or nursing care, *more work life balance to spend time with family members.*

You must not work more than 11 consecutive hours on any working day, nor must you work more than 48 hours in any one week. You have a break entitlement of at least 20 minutes where a working day is at least 6 hours. If you plan to exceed these limits you must notify Braunstone Town Council in advance and confirm in writing your agreement to opt out of the Working Time Regulation limits. If you do exercise this option then you may not exceed the following limits under any circumstances; 12 hours on any working day or 60 hours in any week.

11. Holiday Entitlement

Full time staff are entitled to **24 days paid leave per annum, increasing to 29 days** after five years continuous employment, plus 8 Bank Holidays (Spring Bank Holiday, Good Friday, Easter Monday, May Day, August Bank Holiday, Christmas Day, Boxing Day and New Year's Day). If staff are required to work on a Bank Holiday they will be entitled to Time Off in Lieu.

Part time staff entitlements are pro-rata those of full time staff.

All holiday requests will be considered by the line manager, depending upon:

1. How many other Employees have already requested leave during the same period.
2. No more than a maximum of three weeks are requested at any one time.
3. The request is made with at least as much notice as the amount of time requested for the period of paid leave

The Council's holiday year runs from 1st April to 31st March each year. Employees are expected to use all their entitlement during the year. **Only five unused days (pro-rate for part-time employees) can normally be carried over** and used within the month of April, with permission.

Employees who leave or join the Council during the holiday year are entitled to a pro-rata holiday allowance, based on how much of the year they work for the Council.

12. Illness and Statutory Sick Pay

Employees should report all accidents immediately, or as soon as possible, to the line manager; or whoever is deputising in their absence.

In the event of time off due to illness:

1. Notification should be given ideally before the start time, or as soon as possible during the first day of incapacity.

2. Employees need to complete a Council Sickness Self-Certification Form from day one of the period of sickness absence.
3. A GP's Statement of illness is required after seven consecutive day's absence.
4. Unacceptable absenteeism will be addressed through disciplinary procedure.

Please note that failure to comply with the sickness reporting requirements may result in the Employee losing their sick pay for the period in question.

Employees are entitled to Council Sick Pay paid at the following rates:

Length of continuous Employment	Council Sick Pay Entitlement	
	Full Pay	Half Pay
Up to 12 months	1 month	1 month
Up to 2 years	2 months	2 months
Up to 3 years	3 months	3 months
Up to 4 years	4 months	4 months
Up to 5 years	5 months	5 months
Over 5 years	6 months	6 months

These payments include Statutory Sick Pay for those Employees whose weekly wage exceeds the National Insurance Lower Earnings Limit.

Employees whose weekly wage exceeds the National Insurance Lower Earnings Limit are entitled to claim Statutory Sick Pay (SSP).

The Council may ask Employees who have been absent for six weeks or more through sickness, or whose health is a cause for concern for the Council, to attend a consultation with a Doctor appointed by the Council. The Employee will be asked to give their consent to this request, however failure to provide consent may be seen as a deliberate act to prevent a reasonable investigation by the Council's Management.

If the period of sickness exceeds the above entitlements, the Employee will be required to claim Incapacity Benefit.

Medical Appointments: Staff are required to make GP and Dentist appointments outside of normal working hours. Staff attending hospital appointments are required to show an appointment card to their line manager prior to attending the appointment.

13. **Parental Leave**

Employees with more than 12 months continuous employment and who are parents of children aged under five years old, are entitled to 18 weeks unpaid leave; pro rata for part time staff.

This entitlement can be taken as a minimum of one week per annum, up to a maximum of four weeks per annum.

When taking Parental Leave, the Council needs to be given the same period of notice as for holidays, and informed that it is specifically Parental Leave that you are taking.

14. Time off for Dependants

Employees are entitled to reasonable unpaid time off where:

- 1) A dependant is ill
- 2) Death of a dependant
- 3) Disruption occurs to the care of a dependant
- 4) Unexpected occurrences to your child

Braunstone Town Council's Management recognises a dependant as: an Employee's children, partner, parent, or other member of their immediate family. Should an Employee care for other dependants who don't fall within this definition, they should discuss the matter with their line manager.

The Council recognises that most of these events can occur without a great deal of warning, however we request that Employees provide as much notice as possible in the event of taking time off for dependants.

15. Maternity Leave

All female Employees are entitled to 52 weeks Maternity Leave, which consists of 9 months ordinary paid leave (if eligible) and an optional 3 months additional unpaid leave.

All female Employees are entitled to 9 months paid Maternity Leave, and will receive Statutory Maternity Pay (SMP) if their average weekly wage exceeds the National Insurance lower earnings limit and have been employed for a period of 6 months at the 15th week prior to the due date of the birth of their child. Employees need to discuss all arrangements with their line manager prior to beginning this leave.

Employees will need to give their Employer 8 weeks prior notice if they wish to return to work early from Maternity Leave.

Employees are required to give their line manager twenty eight days notice prior to their intended return date from ordinary Maternity leave. No notice is required from Employees who have taken 12 months Maternity Leave.

Employees on Maternity Leave will be able to arrange up to 10 'Keep in Touch Days' with their line manager, to return to work for short periods during their leave and receive their normal rate of pay on these working days, without damaging their entitlement to Maternity Pay.

16. Flexible Working Time Requests

Employees with six months continuous employment, are able to request an adjustment to their working hours under certain circumstances.

The Council will not be obliged to accept this request, however refusal will be based on one or more of the following:

- 1 The additional costs to the Council.

- 2 Reduced ability to meet the needs of customers.
- 3 Inability to share the person's workload amongst other staff.
- 4 Potentially damaging effects upon the quality of work produced.
- 5 Potentially damaging effects upon performance.
- 6 Inability to recruit extra staff to provide cover.

Requests to change working hours must be made in writing to your line manager. The process of holding a meeting with the Employee making the request, and providing a written response to them should take no more than 28 days.

If the Employee who made the request is unhappy with the decision, they must address the issue through the Council's grievance procedure.

17. Paternity Leave

New Fathers with more than six months continuous employment are entitled to two weeks paid paternity leave, paid at the same rate as SMP.

This leave must be taken within the first eight weeks of the child's birth.

Employees are required to show their line manager a relevant MAT B1 when making a request to take this leave.

New Fathers are entitled to convert up to six months of the Maternity Leave entitlement of the Mother of their child to Extended Paternity Leave, twenty weeks after the child's birth.

Up to three months of this Extended Leave can be paid at the same rate as Statutory Maternity Pay. To qualify for this entitlement both parents of the child must be in employment and qualify for Statutory Maternity Pay. Furthermore, the child's Mother must have formally ended her Maternity Leave.

Employees wishing to take Extended Paternity Leave must provide their line manager with a minimum of two months prior notice.

Those Employees wishing to take up to three months Extended Paternity Leave need to provide their line manager with the following evidence as proof of their entitlement:

- A copy of the appropriate MAT B1
- A copy of the child's birth certificate, or adoption details.
- Copies of the Mother's payslips covering the most recent eight week period.
- Confirmation from the Mother's Employer that she is entitled to Statutory Maternity Pay and is returning on the specified date.

18. Shared Parental Leave Entitlement

Parents who both have 26 weeks or more continuous employment, and who earn above the National Insurance Lower Earnings Limit, can take SPL for children born after the 4th April 2015.

Both Parents can share a total of 37 weeks statutory paid leave and 12 week's unpaid leave, following their child's birth.

Mothers must take two weeks compulsory Maternity leave immediately after the birth, (four weeks for manual workers). Following that compulsory period, both Parents can request dates to take leave totalling 37 weeks paid (35 for manual workers) and 12 weeks unpaid.

Leave can be taken by both Parents at the same time, or in alternating periods.

To take leave:

1. Both Parents must qualify in terms of earnings and length of service.
2. The Mother must give her Employer eight week's notice that she is ending her Maternity Leave. This can be done as early as eight weeks before the birth, (starting from February 2014).
3. The Company requires eight weeks prior notice of the dates an Employee wishes to take SPL.
4. The Company requires the following evidence that an Employee's Partner/Spouse is also entitled to SPL:
 - The Partner/Spouse's name.
 - Their National Insurance number.
 - Copies of the Partner/Spouse's pay slips for the past eight weeks.
 - A letter from the Partner/Spouse's Employer to confirm that they are entitled to SPL.
5. The Company will automatically allow any requests for just one continuous period of leave.
6. If an Employee requests two or more separate/discontinuous periods of SPL, the Company can discuss dates with the Employee, which are unacceptable for business reasons.
The Company will discuss problem dates with an Employee during the first two weeks of the eight week notice period.
If agreement cannot be reached, the Employee will be entitled to one continuous period of SPL, starting from the date the discontinuous leave request was due to start.
7. Parents are paid at the same rate as Statutory Maternity Pay when taking SPL.

Employees wishing to take SPL will be able to submit a written eight week notice from February 2015, to their Line Manager, specifying the dates they wish to take.

19. Redundancy

It is the aim of the Council to avoid making Employees redundant wherever possible. Ideally this will be achieved through finding an alternative position within the Council.

Should redundancy be unavoidable, the Council will follow the following procedure:

1. Issue a Notice of Threat of Redundancy; this will include notice of a period of consultation and the date Consultation will begin.
2. Provide those individuals affected with a period of Consultation. During this period the Council will discuss with the affected Employees:
 - Finding alternative work within the Council.
 - Reasons for the redundancy.
 - Calculating the amount of redundancy compensation Employees with two or more years continuous employment are entitled to, based on the Statutory Formula.

Statutory Formula:	
Employees Aged 18 – 21 years old	½ week's pay for every year employed under the age of 22
Employees Aged 22 – 40 years old	1 week's pay for every year employed over the age of 21
Employees Aged 41 + years old	1 ½ weeks' pay for every year employed over the age of 40
Maximum weekly wage limit - £475	Up to a maximum of twenty years

- 3 After the period of Consultation, a Formal Meeting will be arranged to discuss the outcome of the Consultation. Individuals will be invited by letter to this meeting and informed of their right to be accompanied.
- 4 Conduct an Appeal against the Formal Decision, should the affected Employee wish to do so. Appeals must be submitted in writing within 7 days of the Formal Meeting.

20. Termination of Employment

EMPLOYEE TERMINATION

Should an Employee wish to terminate their Contract of Employment with Braunstone Town Council, the Council requests that a period of **one week / month / three months notice** (delete as appropriate) is provided prior to termination.

COUNCIL TERMINATION

In the event of Braunstone Town Council needing to terminate the Employee's Contract, or alter its Terms and Conditions, for any purpose other than disciplinary action, the Council will provide the affected Employee(s) with a notice period equal to that of their Statutory notice period, i.e.:- One week for each year of continuous employment, up to a maximum entitlement of twelve weeks notice.

21. Health & Safety

All Employees must ensure they are fully aware of all Council Health and Safety policies and procedures. Failure to comply with these policies and procedures will result in a disciplinary investigation and may be deemed to constitute gross misconduct.

In accordance with the Health & Safety at Work Act 1974 all Employees are responsible for taking reasonable care to avoid hurting themselves and others by their work activities, and reporting anything untoward to the nearest available manager.

**22. Insurance
Personal Accident and Assault**

As a responsible Employer the Council is anxious to minimise the risk to its Employees of personal accident or assault whilst performing their duties. The Council will therefore insure staff against death or permanent disablement arising from and in the course of their duties.

23. Fidelity Guarantee

For the purpose of securing the Council against the loss of money or other property under the control of its Employees, or in accordance with the requirements of legislation, the Council will maintain adequate insurance's to cover such losses.

24. Any Other Points

The Council fully conforms with all current Employment and other relevant legislation concerning:

- The Working Time Directive
- Equal Opportunities Employment
- Minimum Wage Requirements

25. Death in Service

In the event of an Employee's death in service, any salary, pension or gratuities due to the Employee will be paid to the nominated next of kin.

26. Appraisal

You will receive an annual Appraisal/ Development Review. Should there be any concern about your performance, other than matters of a disciplinary nature, the Council undertakes to work with you to seek to ensure that necessary training, mentoring and support is provided to ensure that agreed standards of performance are reached in a reasonable agreed time frame.

27. Declaration:-

I have read the Terms and Conditions of employment with Braunstone Town Council and agree to be bound by them during my employment with the Council.

For Braunstone Town Council

Date

Print Name

Employee

Date

Please note that the Management of Braunstone Town Council may need to alter these Terms and Conditions when circumstances require it. When possible, all changes will ideally be with the mutual agreement of staff. However, where unilateral Management changes are made, you will be given notice equal to that of your statutory notice entitlement.