

LOCAL SCHEME OF CONDITIONS OF SERVICE

The Local Scheme is the first point of reference for conditions of service for employees formally employed under APT&C or Manual Worker conditions of service.

It replaces the former Local Scheme of Conditions of Service for APT&C staff and local conditions for Chief Officers and the Chief Executive.

This document applies to all Council employees employed under NJC for Local Government Services conditions of service.

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PROVISION

The Local Scheme of Conditions of Service for Local Government Employees is effective from 1st April 1999 as amended by the Collective Agreements of 1st April 2007, 1st October 2011 and 1st April 2015.

Where local conditions have not been agreed, the appropriate section within the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service will apply.

SCOPE

As indicated in their terms and conditions documents, employees are appointed subject to:

- The National Joint Council (NJC) for Local Government Services National Agreement on Pay and Conditions of Service (referred to as the Green Book)
- The local Collective Agreement of 1st April 2007 implementing the Pay and Grading Review
- The Council's Local Scheme of Conditions of Service for Local Government Employees
- and any other arrangements which have been negotiated locally*

*Local Agreements are subject to review between the Council and its recognised trade unions.

These conditions of service have been agreed with those trade unions recognised for the NJC for Local Government Services' employees, i.e.:

- UNISON
- GMB
- UNITE-T&GWU

It replaces conditions of service of the former NJC for APT&C services, the NJC for Manual Workers, the former Local Scheme of Conditions of Service for APT&C staff and local conditions of service for Chief Officers and the Chief Executive.

Notes:

'Employee' means any full time and part time employee who has a contract of employment with the Council.

Governing Bodies in schools with delegated budgets are responsible for discipline, dismissal and grievance procedures in addition equal opportunities; however the Council is responsible for equal pay across community schools.

The conditions of service relating to these matters will be given to new appointees or are available from the Headteacher.

Where terms and conditions of service for some other employment groups are silent, this Local Scheme applies.

REVIEW

This Local Scheme will be reviewed as part of a wider review of the local Agreement on Single Status.

EQUALITY AND DIVERSITY

The Council is an equal opportunities employer and has policies in place to ensure that no employee or job applicant receives less favourable treatment on the grounds of race, colour, nationality, ethnic or national origins, religion or belief, gender, gender reassignment, sexual orientation, marital status, civil partnership status, disability or age, or is disadvantaged by requirements which cannot be shown to be justifiable.

LEARNING AND DEVELOPMENT

The Learning and Development Policy has been developed to reflect the Council's belief in the need to develop all permanent and temporary employees, whether employed on a full-time or part-time basis, to enable them to do their job effectively; develop their potential and their performance; and provide quality, value for money, services to the people of Lincolnshire.

PERFORMANCE & DEVELOPMENT APPRAISAL

Performance and development appraisals covering all employees are delivered throughout the organisation on an annual basis, with half yearly review meetings.

At the end of the appraisal year all performance and development appraisal reviews will include a rating of the employee's performance. This rating will be used to inform incremental pay progression decisions (award of scale points) for employees on GLPC grades which will be applicable from 1st April 2019.

This will be part of an overall performance and development programme.

HEALTH AND SAFETY

General Statement of Health and Safety Policy

The Council recognises that good health and safety management supports the delivery of our services to the people of Lincolnshire.

The Council is committed to providing and maintaining a healthy and safe working environment for all its employees, and in ensuring that their work does not adversely affect the health and safety of other people such as service users, visitors and contractors.

In order to achieve this aim the Council has the following key objectives:

- as a minimum, to comply with requirements of relevant legislation
- to identify hazards (the potential for harm), assess risks (the likelihood of that harm being realised) and manage those risks
- to ensure that employees (and others as appropriate) are adequately informed of the identified risks and where appropriate receive instruction, training and supervision
- to consult with employees' representatives on health and safety matters
- to provide and maintain safe and healthy premises and work equipment

- to ensure that employees are competent to do their tasks, providing training where necessary
- to ensure that contractors are competent to manage the health and safety aspects of their work
- to maintain appropriate health and safety management systems and arrangements
- to monitor and review the effectiveness of the safety management systems and arrangements and where appropriate implement improvements

Protective Clothing

Protective clothing will be provided and maintained by the Council where it believes it is necessary to comply with health and safety legislation. See Employee Leaflets [POEL7](#), [POEL 17](#), [POEL20A](#), [POEL20B](#), and [POEL26](#).

Medical Clearance

All appointments are subject to the Council being satisfied on medical advice that the employee is medically suitable for the job offered.

First Aiders

The number of trained First Aiders or emergency First Aiders required will be assessed by the manager of the work location in accordance with the Council's guidelines and appropriate training and regular updating will be provided.

An annual allowance will be paid to designated 'First Aiders'. See 'Allowances and Payments' section for further details.

Where there is requirement of the post to hold a First Aid qualification this allowance does not apply because the evaluation of the post will include these duties.

PROBATIONARY PERIODS

All new employees to the Council are subject to a six month* probationary period before an appointment is confirmed. This may be ended earlier or extended following discussion with the manager and employee concerned.

All new employees will be set objectives in their initial performance and development appraisal. These objectives will be monitored over the first 6 months of their employment through the [Probation Procedure](#). Increments will only be payable to new starters once they have had at least 6 months in post and a successful probation or performance and development appraisal review.

** Newly qualified Social Workers or Qualified Practitioners in Children's Services and Adult Care are subject to a different timeframe.*

One month's notice period, from either an employee or the Council, will be required in writing, during the probationary period to terminate employment.

See '[Appointing One Point Below](#)' policy for probation arrangements for employees appointed under this Policy.

PAY AND GRADING

TOTAL REWARD

The Council's Total Reward Strategy allows employees to:

- Purchase additional annual leave (up to a maximum five days) pro rata for part time employees (1st April 2015)
- Purchase of flexible benefits as part of their overall package
- Receive annual Total Reward Statements to outline the total employment package. (Date to be advised)

Development of a corporate reward process funded by savings generated from the purchase of annual leave.

PAY

The locally negotiated pay spine will apply from 1st April 2007. Thereafter nationally agreed pay bill increases will be honoured. The Council and relevant trade unions are committed to exploring local flexibility in the distribution of such increases.

Payment of salaries

Salaries for all new appointments will be paid each calendar month on a date not later than the 23rd day of the month in respect of which the payment is made.

Payment will be by bank credit direct into a bank account.

Trade union subscriptions are, with employees' agreement deducted from salary, payments and subscriptions so collected are paid to the union on a monthly basis.

PAY PROGRESSION

Employees will incrementally progress through their pay scale until they reach the top of grade by fully meeting their jointly agreed annual objectives. (Incremental pay progression would still be considered if the delivery of the annual objectives had been affected through external influence or extenuating circumstances.)

To be eligible for a pay progression increment, employees must achieve an overall performance and development appraisal rating of successful or above. (i.e. 3 or above).

Incremental pay progression will apply to employees appointed on an incremental grade. The means of progression will be as stated the employee's contract of employment and as contained in the Council's [Green Book Employees Pay and Conditions Policy](#).

In order to incrementally progress the employee should not have received a disciplinary sanction of withholding an increment or have been in capability action within the previous year as per current policy.

Employees appointed to a single spine column point as a spot salary will not be subject to incremental progression but could still be subject to Capability Policy or other relevant policies, where appropriate.

All employees who do not achieve their objectives could be subject to the application of the Capability Policy or other relevant policies.

The **Performance Appraisal Policy** will be updated to include **Performance Related Increments Guidance as an appendix to the existing policy** and will be implemented during **2018** following full trade union and employee input and consultation. Incremental pay progression will be applied to employee Appraisals from the **1st April 2019**.

This performance appraisal policy will be aligned to the Total Reward Scheme and monitored through:

- Providing compulsory development and training to all managers
- Briefing to employees, including within the induction programme
- A moderation process for performance related increments to ensure equity and fairness
- Employee appeal process to the Moderation Panel
- Grandparent scheme as part of the appraisal monitoring process

Part 4.9 Green Book paragraph 18.5 will be applied to the pay progression system as follows:

- objective, clear and relevant criteria will be set against which the contribution will be measured
- non-discriminatory and transparent processes of assessment by managers; and investment in compulsory training and development for managers and employees to create a 'level playing field' for all employees to achieve the required standards/criteria

Employees appointed to a single spine column point post will still be required to have performance and development appraisals and be given a rating in accordance with the rating scale.

Where an employee is appointed in accordance with '[Appointing One Point Below](#)' policy, they may be moved onto the first point of the post Grade when they have reached the required standard for the post. This may be at any time within the first 12 months on the recommendation of their manager. However they will still be required to have performance and development appraisals and be given a rating in accordance with the rating scale.

JOB EVALUATION

All posts will be evaluated in accordance with the job evaluation scheme in force.

Appeals

Employees may appeal against a grading decision in accordance with the Appeals Policy for GLPC Job Evaluation Scheme.

SALARY PROTECTION

Where an employee accepts a post on a lower grade as result of a restructuring or change in the workforce personal salary protection will apply on the following terms:

- for a maximum period of two years
- with a limit on the maximum protection available of £3000*
- with the existing salary being immediately frozen (i.e. pay awards and increments will not be paid until or unless the substantive grade maximum exceeds the protected salary)
- after two years the salary paid will be adjusted to that payable at the maximum of the substantive grade

*This will be applied pro rata for part time employees

PERSONAL TO JOB HOLDER PROTECTION

Following the job evaluation convention changes on 1st April 2015, if an employee's job description points are adversely impacted due to these changes the employee remains on their current grade and annual leave entitlement as 'personal to job holder' until:

- employee leaves current post
- employee's job description is legitimately reviewed due to job changes (salary pay protection would apply if appropriate)
- employee is appointed to a new post within the Council

Then the 'personal to job holder' status would cease.

ALLOWANCES AND PAYMENTS

Working at a Higher Level [Acting Up]

Employees temporarily working in a job which is normally graded on a higher level should be paid at an appropriate level for the duties they are asked to perform for that period.

Honoraria

An honorarium payment may be made for exceptional or special work undertaken on a short term basis. Short term is not more than 6 months.

Meals and Accommodation Charges for Employees

Meals Provided

Free meals will be provided where employees are required to take meals with clients in performance of their duties. [See Entertainment of Visitors section.](#)

Payment of Subscriptions

The Council will pay for approved subscription costs that arise from membership of a national, regional or area professional organisation which has a direct benefit to the work of the Council, provided that the objectives of the organisation do not include improvement of the pay, status or conditions of employment of its members.

Employees should submit invoices from their professional association to their line manager for the Council to pay directly up front.

Mobility Clause

Employees may be required to work, either temporarily or permanently, at any other location specified by the Council which is within a reasonable distance (reasonable

being determined solely by the Council) as the needs of the business reasonably requires. An employee's usual place of work may be changed on reasonable notice.

Disturbance Payments

Where there is a change or disturbance of work base the Council's Change of Work base Policy will apply.

Where disturbance requires additional home to work travel, and a single journey is increased by more than 10 miles, a disturbance sum will be paid in complete recompense. The sum will be payable in monthly instalments over a 1 year period. The total sum payable will be calculated on the basis of the appropriate HMRC AMAP rate (taking into account annual mileage) X (the journey excess x 2) X 225 journeys and will apply to all employees.

This will be applied pro rata for employees who work fewer than 5 days per week.

Should there cease to be an additional travelling requirement the situation will be reviewed.

Where there is a temporary need (up to 6 months) to move an employee or team to a different location, additional mileage incurred can be paid under the Business Travel Policy.

First Aid Allowance

Employees who are designated 'First Aiders' for specific work locations will be paid an annual allowance of £104 per annum. First Aiders must hold a current recognised certificate in accordance with health and safety legislation. Employees who are designated Emergency First Aiders or Appointed Persons must have attended an emergency first aid course and are required to hold a recognised first aid certificate. Emergency First Aiders will be paid an allowance of 50% of the First Aider's annual allowance.

Two Way Radios in Private Cars

Employees who have a two way radio installed in their private car will be paid an allowance of £50 when the radio is installed. The cost of installation and removal of the radio is to be paid by the Council. This also applies to the installation of mobile phones.

Homeworking

Employees who are authorised to work from home may be provided with equipment by the Council. Such equipment is only to be used for business purposes and must be returned on leaving the post or the Council. Homeworkers must comply with the Health and Safety and IT Security policies and ensure that proper insurance cover is provided. Where any additional costs of homeworking are not met by an inclusive rate of pay for employees who are contractually required to use their home as the work base, an office allowance will be payable in accordance with the Council's Office Allowance policy. See the [Homeworking Policy](#) for further information.

Injury Award Scheme

Employees including relief employees who sustain injury resulting in permanent disablement or die as a result of anything they were required to do in carrying out their work may qualify for an award under this scheme. Details of the Injury Award

Scheme are available from Pensions Section. It is essential that in all cases the formal reporting and investigation procedures are followed. See [Injury Award Scheme](#).

SITE ALLOWANCES

Employees in the Environment and Economy Director Area, who are required to be temporarily based on site and to carry an exceptional burden in terms of hours worked and endurance of all-weather conditions in construction and/or engineering works may be paid a site allowance for a period when they are site based in substitution of overtime arrangements.

Scales of Payment

Additional Hours Worked Per Week	Allowance
3½-7	4 percent of salary
7½-9	10 percent of salary
9½-11	16 percent of salary
11½-14½	24 percent of salary
15-18½	34 percent of salary
over 18½	44 percent of salary

Notes:

Extra time of less than half an hour on any day will be discounted.

Only complete half hours will be counted for payment.

Where the nature of the job makes it likely that work will exceed 18½ additional hours per week over a sustained period of four weeks or more, the Director of Environment and Economy may recommend remuneration on the basis of planned overtime instead of the above allowances.

REIMBURSEMENTS

Travelling

Before undertaking any journey an assessment must be made to confirm the necessity of travel.

It is expected that employees will use the most cost effective and environmentally friendly mode of transport whilst recognising that this may require some judgement in balancing both factors. See the [Business Travel Policy](#) and the [Travel and Subsistence Rates](#).

With effect from the 1st October 2011 the designation of essential user status and payment of the associated lump sum to new employees and internal appointments ceased.

For employees receiving lump sum payments, these payments will be phased out completely by 30th September 2014.

The Council will reimburse all car, van and motor cycle business mileage at HMRC rates. See the [Travel and Subsistence Rates](#).

It is expected that any employee who travels more than 8,000 business miles per financial year in future will join the new lease car scheme (available from 1st July 2011). Any employee who does not wish to join the lease car scheme will have their mileage rate reimbursed at the HMRC rates (as above).

An additional mileage rate will be paid, as allowed for within HMRC rules, when conveying necessary Council business passengers, therefore saving an additional potential vehicle claim. See the [Travel and Subsistence Rates](#).

Other Travel Rates

These are set out in Travel and Subsistence Rates.

Meals and Overnight Stays

Meals costs, as a general rule, are the responsibility of the employee, whether at or away from the working base. However, if work demands are such that an employee necessarily expends more than s/he would normally, then the additional expenditure will be reimbursed, provided there is prior line management approval and submission of receipts.

Where an overnight stay is required, costs of accommodation and meals together with any further out-of-pocket expenses should be discussed with, and approved for reimbursement by the line manager before they are incurred.

Entertainment of Visitors

Employees may be reimbursed the actual costs of entertaining visitors on Council business providing approval has been obtained from the manager.

Interview Expenditure

Reasonable expenses for interview will be paid including mileage at the HMRC AMAP rate, or the reimbursement of the cost of public transport, after the appointment has commenced.

Telephone Costs

Employees who due to the nature of their work need to be contacted out of normal hours or are away from the workplace frequently may be supplied with a mobile telephone or with a telephone line at their home which is for Council business purposes only. In these circumstances the cost of the line rental and business calls will be reimbursed.

Training Costs

Reimbursement of appropriate fees and expenses will be given in approved cases.

As a condition of financial assistance employees may be required to repay a proportion of expenses incurred if they leave the Council within a period of two years after completing training. Details of the circumstances in which this may be required will be made clear before any commitment to training is made. For further details see the Learning and Development Policy

RESIDENTIAL ACCOMMODATION

All rents and charges for residential accommodation and services are assessed by the Council's Valuer and deducted from salary. The assessment is based on type of

property, size, and location, standard, access to facilities and whatever services (heating, lighting, laundry etc.) are provided.

FEES

Fees received from the press, radio, television or from writing books or articles, or from giving lectures concerned with an employee's work should be notified to People Services so that an appropriate deduction from salary may be made unless annual leave has been taken to carry out this work.

LONG SERVICE AWARD

Employees who have completed 20, 30 and 40 years continuous service with the Council and its predecessor authorities will receive a long service award. (Note: Lincolnshire Fire and Rescue have a separate scheme for their employees).

WORKING ARRANGEMENTS

The following covers all working arrangements which apply from the National Agreement Part 3 Section 2 and any collective and local agreements.

The locally agreed elements are in italics.

WORKING WEEK

The standard working week for all full time employees (*except nursery and related employees contracted to a 32.5 hour week*) is 37 hours which are to be arranged to meet service needs taking into account the Council's policies on flexible working.

Overtime is defined as being hours worked beyond the 37 hour working week. Part time employees who work additional hours up to 37 hours will be paid at plain time for those hours.

The relevant premium rate for payment for additional hours will be paid for those hours worked above 37 hours.

Overtime is payable, subject to conditions in local agreements and terms and conditions, for employees paid up to and including Grade 8 on the Council pay spine.

Employees on Grade 9 and above on the Council pay spine are not eligible to receive overtime payments.

Employees in receipt of basic pay at or below Grade 8 who are required to work:

- a) Beyond the full time equivalent hours for the week in question or;
- b) On Saturday or Sunday, or
- c) At night, or
- d) On public holidays, or
- e) Sleeping in duty, or
- f) Other non-standard working arrangements

are entitled to compensation as set out below.

NB: Employees at or above Grade 9 are not entitled to the compensation as set out below.

Additional Hours

Employees who are required to work additional hours beyond their working week are entitled to receive enhancements hours payment on the following basis:

Monday to Saturday	Time and a half
Sundays and Public and Extra Statutory holidays	Double Time (min 2 hours)

Enhanced pay for Saturday and Sunday working

Employees who are required to work on Saturday and/or Sunday as part of their normal working week will not be entitled to enhanced hours payments.

Night Work (Waking Nights)

Employees who work at night as part of their normal working week are entitled to receive an enhancement of time and one third for all hours worked between 10.00pm and 6.00 am.

Where a regular number of hours are worked at night each month a percentage payment is payable. The percentage payment is calculated based on an additional third paid for the average number of hours worked between the hours of 10.00pm and 6am over the year (this does not include periods of annual leave). The payment is added to the annual salary and paid monthly.

Public and Extra Statutory Holidays

Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid a plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

Time worked less than half the normal working hours on that day	Half Day
Time worked more than half the normal working hours on that day	Full Day

Sleeping-in Duty

Employees required to sleep in on the premises shall receive an allowance as stated in the Council Pay Scales. This covers the requirement to sleep in and up to 30 minutes call out per night, after which the additional hours provisions will apply.

Other Non-standard Working Patterns

Where employees are engaged in non-standard patterns of work other than those covered by (a) to (e) above, the following compensations apply;

- Shift working – no compensation applies
- Free and rest day working
- Unavoidable split shift or split duty working – no compensation applies
- Irregular hours working – no compensation applies
- Lettings – current arrangements apply as defined by client services or as agreed in the educational establishment

Sutton Bridge Keepers

Where free days and rest days are allocated and hours are worked over 37, the following overtime rates apply:

- Overtime worked on free day is paid at time and a half
- Overtime worked on a rest day is paid at double time
- Evening working – no compensation applies

Standby Duty (on call)

The following arrangements apply for employees at or below Grade 16:

Employees who are allocated standby or on-call shifts where they are required to remain at home on standby duty after normal working hours and at weekends to deal with emergencies as they arise shall be paid on the following sessional basis to cover the duties and responsibilities involved:

- To pay nationally agreed stand-by rate (for Social Workers) for stand-by shifts for GLPC grades
- The stand-by payment to cover up to one hour of occupied time
- The appropriate overtime rate to apply where occupied time is greater than one hour in accordance with Paragraph 2.6(a)

TYPES OF LEAVE

ANNUAL LEAVE

Leave Year

The leave year normally runs from 1st April to 31st March but may be varied to suit service needs.

Entitlement

From 1st October 2011, the annual leave entitlement in working days is as follows:

	Employees with less than 5 years' continuous Local Government Service	Employees with 5 years or more continuous Local Government Service (see Notes)
Grades 1 to 7	24	29
Grades 8 to 16	27	32
Senior Leadership Roles	30	35
Executive Directors	30	35
Chief Executive	33	38

Extract from JNC for Chief Officers

Annual leave and holiday arrangements are at the discretion of the Local Authority subject to a minimum entitlement of 30 working days including annual and long service leave, extra statutory and local holidays.

Notes:

The timing of all leave is subject to the approval of the manager.

The figures quoted assume a five day working week and will be adjusted for employees working more or less than 5 days each week.

Employees may carry forward to a following year or bring into a current year up to five days of their leave entitlement, adjusted for employees working more or less than 5 days each week. Additional days may be transferred with the approval of their manager.

The leave entitlement is inclusive of the three concessionary and extra statutory days previously provided for in each year (usually the Tuesdays following the Easter, Spring and Autumn bank holidays).

There will be no protection arrangements. All staff will transfer to the new entitlements from 1st October 2011.

The Council reserves the right to designate up to two days annual leave in any leave year, when employees will be required to take annual leave from their allocated allowance, when it considers it is economically beneficial to do so.

All employees are entitled to a minimum of 28 days leave made up of annual leave entitlement and worked bank holidays, pro rata for part time staff. Employees whose working pattern in any leave year does not total 28 days (or pro-rata equivalent) will have their entitlement made up to 28 days.

The additional annual leave entitlement starts from the 5th anniversary of joining the Council.

LEAVE AT BANK AND PUBLIC HOLIDAYS

Paid leave will be granted on nationally declared Bank and Public holidays subject to the needs of the service, these are currently:

- New Year's Day
- Good Friday
- Easter Monday
- May Day Holiday
- Spring Bank Holiday
- Summer Bank Holiday
- Christmas Day
- Boxing Day

OTHER LEAVE

Special Leave

Leave with pay may be approved for those occasions when employees need time off for family or personal reasons. These conditions of service supplement the statutory right to reasonable unpaid time off from work for dependants. See the [Special Leave Policy](#).

Ordinary Parental Leave

Employees who are the parents of a child, or have adopted a child under 18 years, are entitled to take a total of 18 weeks unpaid ordinary parental leave. For further details see the [Ordinary Parental Leave Policy](#).

Shared Parental Leave

Shared Parental Leave enables eligible employees to choose how to share the care of their child during the first year of birth or adoption. For further details see the [Shared Parental Leave Policy](#).

Adoption Leave

Adoptive parents, subject to qualifying conditions are entitled to up to 52 weeks adoption leave. For further details please see [Adoption Leave Policy](#).

Maternity Support Leave

Maternity Support Leave of 5 days with pay shall be granted to the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth. This also applies in

cases of adoption where these criteria are met. Details are contained within the [Paternity Leave Policy](#).

Paternity Leave

Paternity Leave is a statutory right, subject to qualifying conditions, to enable the father of the baby, including adoptive father's, the mother's husband or partner to have one or two consecutive weeks leave within 56 days of the birth. Additional Paternity Leave of up to 6 months is available for qualifying employees. Details are contained within the [Paternity Leave Policy](#).

Maternity Scheme

The provisions for maternity leave and pay are contained in the [Maternity Leave Policy and Guidance](#).

Leave for Public Duties

Employees may be granted reasonable time off with pay to enable them to carry out public duties such as a Member of the following public bodies as defined in legislation:

- a local authority
- a statutory tribunal, public committee or similar body when appointed or nominated by a Minister of State, the Council or an association of which the Council is a member
- a police authority
- a board of prison visitors or a prison visiting committee
- a relevant health body
- a relevant education body
- the Environment Agency
- Justice of the Peace
- Chairman of a Local Authority or Mayor

OR

- where requested to give their services voluntarily for activities in which their knowledge, skill, experience or judgement would be of particular value to the Country, community or organisation concerned

Employees wishing to take leave to undertake public duties must first obtain prior approval from their manager and agree the amount of leave allowed in any one year.

Leave will be approved subject to the needs of the service. Employees who work within a scheme of flexible or annualised hours will be expected to use these arrangements where possible. Where an employee is entitled to claim reimbursement of salary for the time lost from any other source, the leave will be without pay.

Election Duties

The Council regard Election Duties as a Public Duty and as such allow employees the day off with full pay. Employees may also receive an allowance and expenses for carrying out these duties, which they are allowed to retain.

Employees who undertake an election count during a normal working day are also allowed that day as time off with full pay. If a count is undertaken at night there is no

entitlement to have the day following as additional leave and employees should arrange to request this as annual leave.

Leave for Trade Union Duties

The Council has a collective agreement which sets out the provisions on Trade Union Facilities and time off for trade union duties. Details are available from managers or from Human Resources.

Jury Service

An employee receiving a summons to serve on a Jury must report the fact to their manager who will approve leave of absence unless an exemption is secured from the Court.

The allowance for loss of earnings must be claimed by the employee from the Court under the Juror's Allowance Regulations by forwarding the form confirming loss of earnings and period of jury service to People Services for completion. The Council will then deduct from the employee's pay an amount equal to the allowance received. Out of pocket expenses which may be payable by the Court may be retained and should not be included in the figure notified.

Attendance at Court

When an employee is required to attend Court following a subpoena or as a witness on behalf of another party where loss of earnings can be claimed from public funds, the claim should be made from the Court and People Services should be notified of the amount as soon as possible.

If an employee is asked to appear by the Council, appearance as a witness will be treated as a part of normal duties and responsibilities and leave is not appropriate.

Military Reservists

Volunteer members of the Reserve Forces who attend Annual Camp will be granted 2 weeks paid leave of absence in addition to their normal entitlement. In relation to volunteer reservists, managers may grant Special Leave of absence. For further information see the [Reservists Policy](#).

Accompanying a Fellow Worker

Employees are entitled to reasonable paid time off during working hours to accompany a fellow worker at a disciplinary or grievance hearing, and are also allowed no more than a half day paid time off to discuss and prepare the case with the worker beforehand.

Time off for Training/Study

Time off for training and study leave will be given in approved cases. When on training courses outside their contracted daily hours, part time employees shall be paid on the same basis as full time employees or given time off in lieu. For further details see the [Learning and Development Policy](#).

Time Off to Attend Interviews

Time off with pay will be granted for interviews within the Council. Interviews outside of the Council are to be taken as annual leave.

Where an employee is made redundant and has at least 2 years' service they are entitled to reasonable time off work during the period of notice to look for work and make arrangements for training.

To exercise this right the employee must have been given formal notice of redundancy.

Time Off for Medical Screening

Necessary paid time off will be given for the purpose of cancer screening.

Hospital, Doctors and Dental Appointments

Employees should arrange Doctors/Dentists/Opticians visits to take place outside core time. Flexi time should be used if appointment is within core time.

However, when unavoidable, employees will be allowed time off inside work time, subject to the agreement of their line manager.

Requests will be considered on an individual basis. Hospital appointments are considered authorised absence and time off will be paid. Employees should provide their manager with proof of their appointment (e.g. an appointment card or a copy of the appointment letter) when requesting time off to attend hospital appointments.

Time off to accompany dependants should normally be taken as annual leave or flexi time unless there are exceptional circumstances where paid time off is appropriate.

Prayer/Religious Observance

Employees should seek to undertake prayer or religious observances outside core time. Flexi time should be used if prayer or religious observance is within core time.

PROVISIONS FOR RETAINED EMPLOYEES

School Crossing Patrol Attendants and Catering Staff in Schools

Annual leave will normally be taken during school holidays. Alternative arrangements may be agreed locally. Payments for annual leave will be pro-rata to comparable full-time employees.

In addition to the provisions set out in the Agreement on annual leave, public and extra-statutory holidays there shall be an entitlement to:

- payment for days at full rate when the school is closed during the term owing to exceptional circumstances such as elections, emergencies etc.
- in the case of school meals employees only, not more than three additional days in each year may be granted for school closures during term time on account of half term and other permitted official holidays. Payment at full rate shall be made for any such additional days. Employees required to work on any such additional days are to be given time off in lieu at a later date, or if this is not practicable, payment shall be at double time rates

In respect of the remaining periods of the year when the school is closed employees are not entitled to receive a retainer payment. The existing contract provisions for pro-rata annual leave shall remain unchanged and will continue to be calculated and paid over 12 months of the year in equal amounts.

Retainer pay for all new employees including internal appointments ceased from 1st October 2011.

For employees receiving retainer pay, these payments will be phased out by 30th September 2014.

Employees who are unable to work due to sickness absence will be treated in accordance with the sickness provisions as set out in the paragraph 'SICKNESS SCHEME'. Their entitlement to sick pay is as set out in the NJC National Agreement and will be based on their normal equated salary.

Teaching Assistants

Teaching Assistants in Community Schools, or a Foundation or Aided School who have adopted the Lincolnshire County Council Collective Agreement of 1st April 2007 receive a salary in accordance with this agreement.

The terms and conditions for this group of employees are contained within the Lincolnshire County Council Teaching Assistant Collective Agreement 2003 as amended and will apply for schools that have not adopted the Lincolnshire County Council Collective Agreement of 1st April 2007.

The following points agreed within the Local Scheme Collective Agreement of 2011 changes the application of the Teaching Assistants Collective Agreement in Community Schools in respect of:

- Annual leave entitlement
- Overtime threshold at full time hours i.e. 32.5 hours for Teaching Assistants

Nursery Employees and Ancillary Assistants

Nursery Employees and Ancillary Assistants in Foundation or Aided School where the Lincolnshire County Council Teaching Assistant Collective Agreement or Collective Agreement of 1st April 2007 has not been adopted.

Nursery employees include nursery nurses and nursery assistants working in nursery classes and nursery schools:

- nursery employees are to be regarded as full-time employees if regularly employed for ten sessions or more per week (including lunch breaks where worked) during the school term or, where a sessional basis is inappropriate, for 32.5 hours (including lunch breaks where worked)
- the right of the employer to require further work outside normal school hours is subject to payment at the plain time rate (based on 1/32.5 of weekly pay) or at the overtime rate of 1.5/32.5 for hours worked beyond the standard working week
- nursery employees employed full time should be available to work for 195 days in any year, of which 190 days will be days on which pupil contact is required

These conditions also apply to ancillary assistants working with statements of special educational needs of working in a special school and ancillary assistants working in classrooms up to the age of seven.

A protected allowance in accordance with the National Agreement (as varied by the Lincolnshire County Council Collective Agreement of 1st April 2007) will be paid to

Teaching Assistants working with children with statements of special educational needs or working in special schools who were appointed prior to 1st September 1998.

SICKNESS SCHEME

Employees unable to work due to sickness must inform their nominated manager as quickly as possible after becoming unfit, indicating the first day of illness, the nature of the illness and where possible the likely date of return to work.

The Director Area/school's own arrangements for sickness absence must be complied with at all times.

Entitlement to sick pay is as set out Part 2, Section 10.3 of the NJC National Agreement on Pay and Conditions. This is as follows:

Employees are entitled to receive sick pay for the following periods:

<i>During 1st year of service</i>	<i>1 month's full pay and (after completing 4 months Service) 2 months half pay</i>
<i>During 2nd year of service</i>	<i>2 months full pay and 2 months half pay</i>
<i>During 3rd year of service</i>	<i>3 months full pay and 3 months half pay</i>
<i>During 4th year of service</i>	<i>4 months full pay and 4 months half pay</i>
<i>After 5 years</i>	<i>5 months full pay and 5 months half pay</i>

Managers shall have discretion to extend the period of sick pay in exceptional cases in line with the Extension to Sick Pay Policy and process. HR shall provide support to ensure consistency and fairness of all decisions taken regarding extension to sick pay.

'Qualifying days' for the purposes of the Statutory Sick Pay Scheme are all seven days of the week.

An employee who considers the illness arises out of an accident at work or disease associated with their work must notify their manager and complete form PO3.

A claim for sick pay entitlement shall be honoured provided that:

- notification is made at the earliest possible time to the person identified for this purpose by the Council
- further notification is made as required by the Council
- a doctor's statement is submitted to the Council not later than the eighth calendar day of absence
- subsequent doctor's statements are submitted as necessary
- in cases where the doctor's statement covers a period exceeding fourteen days or where more than one statement is necessary, the employee must, before returning to work submit to the Council a final statement as to fitness to resume duties
- on return to work the employee signs a statement detailing the reasons for absence for all absences up to and including seven days

An employee shall, if required by the Council at any time, submit to a medical examination by a medical practitioner nominated by the Council, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. Any costs associated with the examination should be met by the employing Council. Where it is necessary to obtain a second medical opinion, it should be provided by an independent medical referee.

Where, for the purpose of qualifying for sick pay under the scheme, the Council requires a doctor's statement from an employee, the Council will reimburse the employee the cost of such a statement on the provision of a receipt.

An employee who falls sick during the course of annual leave shall be regarded as being on sick leave from the date of a doctor's statement.

Where an employee is receiving sick pay under the scheme, sick pay should continue if a public or extra statutory holiday falls during such sickness absence. No substitute public or extra statutory holiday should be given.

Widows and married women exercising their right to be exempted from the payment of full rate National Insurance Contributions shall be deemed to be insured in their own right for all National Insurance benefits.

An employee who is absent from work as a result of an accident is not entitled to a sick pay allowance if damages may be receivable from a third party. The Council may at its discretion advance the allowance provided the employee agrees to refund the amount from any damages awarded.

TERMINATION

NOTICE PERIODS

Notice given by either an employee or the Council to terminate employment will be as follows, unless this is during the probationary period when notice is 1 month, or there is a separate provision in an employee's terms and conditions document:

- employees paid on Grades 1 to 8 - not less than one calendar month
- employees paid on Grades 9 to 12 - not less than two calendar months
- employees paid on Grade 13 and above - not less than three calendar months

The minimum statutory provisions will always be applied.

Ill Health

Termination of an employee's contract on the grounds of incapability arising from ill health will only take effect following proper consideration of medical advice, alternative employment options and any reasonable adjustments which can be made.

Termination of employment may occur before an employee has exhausted their occupational sick pay.

Retirement

The Council does not have a compulsory retirement age for its employees. For further information see the [Retirement Policy](#).

Separate arrangements apply for operational fire fighters by local agreement.

Severance Pay

Redundancy payments and any enhancement to pension provision will be made in accordance with the statutory provisions and discretionary provisions adopted by the Council.

Death in Service

An immediate payment of £200 will be made to the surviving spouse, civil partner or partner of full time and part time employees of the Council, if admitted to (either the Local Government Pension Scheme - LGPS or the Teachers Pension Scheme -TPS excluding uniformed Fire Officers) subject to:

- The deceased employee has been continuously employed by the Council since 1.4.87
- Employment served with another local authority as long as it is continuous will be taken into account when determining eligibility.

Notes:

Consideration will also be given to the payment to any other dependent relative of a deceased employee of an amount not exceeding in total £200 where there is no spouse/civil partner/partner subject to the provisos set out above.

Partner is defined as a person living with the employee for a period of at least six months before the death.

The Death Gratuity is a taxable benefit.

CONDUCT

CODE OF CONDUCT

The Council's Code of Conduct applies to all employees. See the [Code of Conduct](#). Employees in schools may have additional requirements adopted by the Governing Body.

DISCIPLINARY PROCEDURE

The Council has adopted disciplinary rules to help employees know the standards expected of them. All employees should familiarise themselves with these. See the [Disciplinary Policy and Procedure](#).

Employees in schools will be given copies of the disciplinary procedure adopted by the Governing Body.

GRIEVANCE PROCEDURE

Employees who have a grievance arising from their employment should first raise it with their immediate manager.

Issues of harassment, race, colour, nationality, ethnic or national origins, gender, gender reassignment, sexual orientation, marital status, civil partnership status, disability or age discrimination will be dealt with under the Dignity at Work Procedure. See the [Grievance and Dignity at Work Policy and Procedure](#).

Employees in schools will be given copies of the grievance procedure adopted by the Governing Body.