
Subject: **BENEFIT IN KIND POLICIES**

Meeting and Date: **General Purposes Committee – 8 April 2014**

Report of: **Nadeem Aziz, Head of Paid Service**

Classification: **Unrestricted**

Purpose of the report: This report seeks approval for changes to five Benefit in Kind Policies that form part of the Officer's Conditions of Service

Recommendation:

1. The five Benefit in Kind policies at Appendices 1 to 5 are approved for introduction from 1 April 2014.
2. That the terms and conditions of all staff be varied in accordance with the policies with effect from 1 April 2014 and that any new staff be employed on the revised terms and conditions.
3. The Director of Governance is authorised to make any associated adjustments to the Statement of Particulars and Condition of Service documents.

1. **Summary**

1.1 As part of a wider review of the Conditions of Service a number of benefit in kind policies that form part of Officers' terms and conditions of employment have been reviewed, as they were found to be no longer fit for purpose, and/or required regularising and/or did not fit with the salary scales introduced with the 2009 JE scheme. Following a formal 45 day consultation with all staff and a successful negotiation process between representatives of Corporate Management Team and the recognised Trade Unions (Unison and GMB (MPO), supported by East Kent HR Partnership, five revised policies are now being recommended for introduction from 1 April 2014. The report also seeks approval to vary the terms and conditions of employment of all staff in accordance with the revised policies.

2. **Introduction and Background**

2.1 A number of Benefit in Kind policies of the Council have recently been subject to review, as they were found to be no longer fit for purpose, and/or required regularising and/or did not fit with the salary scales introduced with the new JE scheme. These are:

A. Annual Leave

B. Notice Period

C. Professional Fees

D. Overtime

E. Shift Premium (Previously termed as Alternating Shift Payments)

- 2.2 The objective in preparing these new policies has been to provide increased clarity and transparency, whilst seeking to ensure that each policy is both fair and consistent. These revised policies have not been developed to make budget saving, but simply to achieve the objectives outlined above in paragraph 2.1. Policies A to D potentially impact on all Council staff, whilst policy E impacts on a small number of officers. The five policies can be found at Appendices 1 to 5. The consultation process with the recognised trade unions (GMB and Unison) in accordance with Dover District Council's Trade Union Recognition and Procedure Agreement commenced on 4 November 2013. Individual responses were also encouraged via a consultation e-mail address. To comply with the that Agreement, the consultation period initially was for 45 days; until 16 December 2013, but was then extended at the request of the Trade Unions to 17 January 2014 to allow for further discussion and negotiations.
- 2.3 All feedback received was considered, resulting in some small changes to the policies consulted upon. The responses gave a useful insight to how the current policies are perceived and understood by staff and helped shape the final proposals. A summary of the amendments following the consultation feedback is provided at Appendix 6. The amended policies were then finalised and agreed with the recognised Trade Unions for presentation in this report to the Council's General Purposes Committee.
- 2.4 It is proposed that all five policies, once approved are all implemented from 1 April 2014.
- 2.5 It is also necessary for Members to approve the variation that these policies make to the terms and conditions of employment of all staff. By virtue of the Trade Union Recognition and Procedure Agreement, which was approved by General Purposes Committee on 21 June 2010 and subsequently accepted by all staff [by virtue of net consent], these changes are deemed to be made to the terms of conditions of employment without the need for staff to give their express consent. All new staff will also need to be employed on the revised terms and conditions.

3. Identification of Options

- 3.1 The options for the General Purposes Committee are:
- (a) To approve the proposed revised policies that have been negotiated between representatives of Corporate Management Team and the Recognised Trade Unions, supported by the East Kent HR Partnership and to agree to the change these make in terms and conditions of employment for all staff. This is the preferred option as each policy is now considered to be fit for purpose, is consistent with relevant legislation and is aligned to the Job Evaluation Scheme.
 - (b) Request that Corporate Management Team looks at other options that deliver the desired policies.

4. Evaluation of Options

- 4.1 The successful negotiation of the five policies has taken a number of months of analysis, discussion and debate for all parties. There is genuine belief that the policies are equitable and fair, offering as part of the wider Terms and Conditions, reasonable terms for all employees.

5. **Resource Implications**

- 5.1 There are no additional resource implications from the proposed changes to the five policies.

6. **Corporate Implications**

- 6.1 Comment from the Director of Finance (linked to the MTFP): Finance has been consulted and has no further comments to add (SJL).
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the development of this report and have no further comments to add.
- 6.3 Comment from the Equalities Officer: The Equality officer has been consulted during the development of this report and has no further comments to make other than to remind members that in discharging their responsibilities they are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.

7. **Appendices**

Appendix 1: Annual Leave

Appendix 2: Notice Period

Appendix 3: Professional Fees

Appendix 4: Overtime

Appendix 5: Shift Premium (Previously termed as Alternating Shift Payments)

Appendix 6 Summary of Policy amendments following consultation feedback

8. **Background Papers**

Statement of Particulars and Conditions of Service

Contact Officer: David Randall, Director of Governance.

ANNUAL LEAVE POLICY

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POLICY STATEMENT

1. INTRODUCTION

1.1 The Council is committed to providing excellent local services and recognise that this can only be achieved through our staff. We want a healthy, flexible workforce that is capable of responding to the changes and challenges facing local government.

1.2 To provide excellent services, our staff need to be at work and performing well. In order to help them to achieve this, the Council recognises that staff need to take adequate rest breaks from work and achieve a satisfactory balance between their home and work lives. This policy outlines the annual leave entitlements available to staff as part of their terms and conditions of employment.

2. SCOPE

2.1 This policy applies to all posts. A standard full-time week is 37 hours over five days and a standard day is 7 hours and 24 minutes (7.4 hours). Where working patterns or hours vary from this standard, annual leave entitlements will be calculated on a pro-rata basis.

2.2 The annual leave year runs from 1 April to 31 March

2.3 It is the responsibility of the line manager to monitor the application of this policy.

2.4 All references to 'line manager' may also be taken to include their nominated representative, where appropriate.

3. ROLES AND RESPONSIBILITIES

3.1 Staff will:

- i) Maintain an accurate, up to date record of their annual leave;
- ii) Be mindful of the needs of the business before requesting annual leave and submit any requests in a timely manner, before they wish to take a period of annual leave;
- iii) Ensure that line manager approval is given prior to taking any leave
- iv) Take their full annual leave entitlement within the current leave year, unless there are exceptional circumstances which prevent leave from being taken.

3.2 Managers will:

- i) Abide by the principles of the Councils' Annual Leave Policy;
- ii) Actively monitor and manage annual leave within their work area;

- iii) Advise employees of their annual leave entitlements each year and consider each request for annual leave fairly and consistently.
- iv) Make sure their employees are fully aware of the scheme and their responsibilities under it.

Line managers are ultimately responsible for ensuring that offices/workplaces are adequately staffed at all times; therefore all aspects of annual leave will be under their direction.

3.3 Heads of Service / Directors will:

- i) Make suitable arrangements to ensure the full implementation of the policy and procedure;
- ii) Ensure all managers are actively aware of the Councils' commitment to equality of opportunity and the well being of its employees.

4. BANK, PUBLIC AND STATUTORY HOLIDAYS

4.1 There are 8 Bank/Public Holidays in a normal year. The fact that Easter is variable and falls in either March or April, means that in some years there can be 6, 8 or 10 Bank/Public Holidays. On occasion, there may also be additional Bank Holidays granted, as was the case for the Diamond Jubilee in 2012.

4.2 Employees will, irrespective of length of service, be entitled to a day's holiday with a normal days pay for each of the Bank, Public and Statutory Holidays as they occur.

4.3 Where an employee works part time or part week, Bank/Public Holiday entitlements will be calculated on a pro rata basis and shown separately from Annual Leave entitlements. The employees' standard working hours for these Bank/Public Holidays will need to be deducted from this separate entitlement, in the same way as annual leave would be deducted.

4.4 For new starters, the entitlement to Bank/Public Holidays will depend on when in the year they commence their employment and will be calculated on a pro rata basis based upon the number of Bank/Public Holidays remaining in that year.

4.5 Excess Bank/Public Holidays will be available to be taken as annual leave

4.6 Where there is insufficient Bank/Public Holiday entitlement for the number of Bank/Public Holidays in the year, these hours will be made up using annual leave, flexi leave/working additional hours or though unpaid leave

4.7 Where there is a requirement to work Bank/Public Holidays as part of a rota system (or similar), no deduction will be made from the entitlement and these hours will therefore be available to be taken at another time

4.8 Where contracts state that no lieu day will be given for Bank/Public Holidays worked but that payment will be made in recompense, the appropriate number of enhanced

hours paid will be deducted from the entitlement. Once the entitlement is exhausted, no further enhancement will be made.

4.9 If an employee falls sick on a Bank/Public Holiday, the day is 'lost' and there is no entitlement to have the day credited back, even with the provision of a GP Fit Note.

4.10 In addition to Bank/Public Holidays, employees are also entitled to three Statutory and Non Statutory days leave. The Council has determined that these are taken each year at Christmas.

4.11 Where excess Bank/Public Holiday hours remain at the end of the leave year, appropriate payment will be made in complete recompense in the next possible salary run after the end of the leave year.

5. ANNUAL LEAVE

5.1 Annual leave entitlements are dependent upon the grade of the post the employee is employed to carry out and the annual leave year runs from 1 April to 31 March.

5.2 The basic entitlements are as follows:

Grade	Entitlement
A & B	30 days
C & D	27 days
E & F	24 days
G - L	22 days

5.3 Where an employee joins part way through the leave year, entitlement will be calculated based upon completed weeks service.

5.3 In addition to basic entitlements and in line with the National Conditions of Service, employees will be entitled to the following additional annual leave days dependent upon their continuous Local Government service

- An additional 5 days leave upon completion of five years continuous Local Government service prior to the commencement of the leave year.
- An additional 1 days leave upon completion of ten years continuous Local Government service prior to the commencement of the leave year.
- An additional 1 days leave upon completion of fifteen years continuous Local Government service prior to the commencement of the leave year.

A break of service that does not exceed six weeks may be ignored for the purposes of entitlement to the additional leave.

This additional leave is awarded on completed years service as at 1 April each year.

5.4 In the event of an employee falling sick during a period of annual leave, the appropriate amount of time will be credited back, subject to the provision of a GP Fit Note to cover the period.

5.5 A minimum of 28 days annual leave (or the pro rata equivalent), including Bank/Public Holidays must be taken in each leave year. In special circumstances, a maximum of five days may be carried over into the following leave year subject to Head of Service approval. Any leave carried over into the next leave year must be taken by the end of June, unless explicitly approved by the Head of Paid Service.

5.6 Where an employee leaves the employment of the Council part way through the leave year, the annual leave will be calculated on a pro rata basis and either paid or deducted from the employees final salary.

6. CALCULATING PART TIME ANNUAL LEAVE

6.1 Part time employees (those working less than 37 hours per week), are entitled to the same pay and benefits as full time employees and these entitlements are calculated on a pro rata basis

6.2 Annual leave for part time employees is expressed in hours rather than days. Entitlements should be calculated by the line manager at the beginning of the leave year using the annual leave calculators on the EKHR intranet site, which are updated each year. The manual calculation is as follows:

Weekly hours worked x Basic annual leave entitlement (days) x 7.4 hours (a standard working day) ÷ 37 (a standard working week)

For example, for an employee on grade H with no additional service working 25 hours per week, the calculation would be as follows:

$25 \times 22 \times 7.4 \div 37 = 110$ hours annual leave

6.3 Bank/Public/Statutory Holiday entitlements should also be calculated at the beginning of each annual leave year by the line manager, using the annual leave calculators on the EKHR intranet site. As with basic annual leave entitlement, these are also expressed in hours rather than days. The manual calculation for this is as follows:

Weekly hours worked x Number of Bank/Public/Statutory Holidays x 7.4 (hours in a normal working day) ÷ 37 (hours in a normal working week)

For example, an employee working 25 hours per week in a year where there are 7 bank/Public Holidays and the 3 Statutory/Non Statutory days the calculation would be:

$25 \times 10 \times 7.4 \div 37 = 50$ hours leave for Bank/Public/Statutory Holidays

7. ANNUAL LEAVE AND MATERNITY, ADOPTION & ADDITIONAL PATERNITY LEAVE

7.1 Employees continue to accrue their entitlement to annual leave and Bank/Public/Statutory Holidays during the course of their maternity, adoption or additional paternity leave.

7.2 Maternity, adoption and additional paternity leave (including authorised unpaid maternity leave up to 29 weeks in duration) shall be treated as continuous service for the purposes of calculating an employee's entitlement to annual leave.

7.3 Employees and managers should work together to ensure that as much of this entitlement as possible is taken either prior to the commencement of maternity, adoption or additional paternity leave or before the employee returns to work following a period of such leave.

7.4 A maximum of five days (or the equivalent pro-rata amount) annual leave may be carried over from one leave year to the next

8. ANNUAL LEAVE AND SICKNESS ABSENCE

8.1 Employees continue to accrue their entitlement to annual leave during any period of sickness absence.

8.2 Periods of sickness absence shall be treated as continuous service for the purpose of calculating an employee's entitlement to annual leave.

8.3 Employees and managers should work together to manage annual leave that is accrued during a period of long term sickness absence.

8.4 If an employees falls ill during a period of annual leave or if a period of pre-booked annual leave coincides with a period of illness, they can request to treat this period of time as sick leave rather than annual leave, provided they follow the normal sickness reporting procedures outlined in the Absence Management Policy, even if they are abroad.

8.5 It is insufficient to notify the Council of an illness upon the return from annual leave.

8.6 Employee's will be required to provide a Fit Note to verify the illness, regardless of the duration of the illness.

8.7 An employee is not obliged to treat a period of annual leave as sick leave in these situations and the Council will treat the period as annual leave unless an employee makes a request to the contrary.

8.8 The relevant period of annual leave may be taken at a later date, in the same leave year, with prior management approval. Payment in lieu of annual leave cannot be made other than on termination of employment.

8.9 A maximum of five days (or equivalent pro -rata amount) annual leave may be carried over from one leave year to the next.

9. OPERATING PRINCIPLES

9.1 Any member of staff found to be falsifying annual leave records or in any way undermining the integrity of the system may be subject to the normal disciplinary procedures.

9.2 Any member of staff that feels they have been subject to unfair treatment under this policy should put their concerns in writing to their line manager, or if the matter relates to a decision made by their line manager to that person's line manager. The process to be followed is that of the Grievance Appeal Procedure and the decision of the more senior manager is final and there is no further right of appeal.

10. EQUALITY STATEMENT

10.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

NOTICE PERIOD POLICY

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POLICY STATEMENT

1. INTRODUCTION

1.1 The Council recognises that there will be times when there is a need to end employment by mutual agreement.

1.2 This policy outlines the minimum notice periods that both the Council and its employees are obliged to give in such an event.

2. SCOPE

2.1 This policy applies to all posts within the Council.

3. ROLES AND RESPONSIBILITIES

3.1 Staff will:

- i) Discuss their intentions to leave the Councils employment with their line manager and confirm this in writing, providing adequate notice in accordance with this policy;
- ii) Continue to adhere to the Councils policies, procedures and terms and conditions of employment for the duration of their notice period

3.2 Managers will:

- i) Discuss with employees their reasons for leaving;
- ii) Pass resignation letters to EKHR along with correctly completed Leaver Notification Forms

3.3 Heads of Service / Directors will:

- i) Foster a culture that encourages the retention of high performing employees
- ii) Support managers to develop their teams and adhere to appropriate policies and procedures

4. NOTICE DURING PROBATIONARY PERIOD

4.1 Where an employee is engaged without continuous Local Government service, they will be subject to a probationary period of six months

4.2 During this probationary period, the Council will give one weeks' notice should there be a need to terminate employment and Officers are also expected to give at least one weeks' notice should they choose to leave employment during any probationary period.

4.3 Where an employee has continuous Local Government service upon commencement with the Council, they will be subject to a monitoring period of six months as outlined in the National Conditions of Service (the Green Book). The notice

given by the Council and expected of the employee will be in accordance with the grade of their post as outlined below.

5. NOTICE PERIODS

5.1 Upon satisfactory completion of the probationary period and where employment is permanent or for a period of six months or more, the notice required of employees is as follows:

Dover Grade	Notice Period
A	6 months
B & C	3 months
D - F	2 months
G - L	1 month

5.2 Where the Council is required to give notice to an employee, it will give one week for every year of continuous Local Government service up to a maximum of twelve weeks, subject to the minimum periods stated above.

5.3 Notice must be given in writing by the employee to their line manager who should then pass it to EKHR along with a completed Leaver Notification Form.

5.4 Where notice is issued by the Council, this will be done in writing by a Head of Service, Director or the Chief Executive. The minimum notice given by the Council will be as outlined above.

6. EQUALITY STATEMENT

6.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

PAYMENT OF PROFESSIONAL FEES POLICY

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POLICY STATEMENT

1. INTRODUCTION

1.1 The Council recognises the importance of supporting its employees in their development, both on a professional and personal level.

1.2 As part of this commitment to personal development, the Council recognises that in certain roles, enabling employees to obtain membership of an appropriate professional body through financial support may achieve this.

2. SCOPE

2.1 This policy applies to posts at Grade F or above and/or where it is deemed to be an essential requirement of the role, as outlined in the Person Specification or are deemed to be appropriate to the role.

2.2 Payments made by the Council to Statutory Regulatory Bodies, such as the Solicitors Regulatory Authority, on behalf of individuals, are outside of the scope of this policy.

3. ROLES AND RESPONSIBILITIES

3.1 Staff will:

- i) Submit an annual request to their line manager for the payment of the most appropriate Professional Fee for their post along with a short explanation for the request;
- ii) Inform their line manager immediately if at any point they cease to be a member of the professional body for which a fee has been paid

3.2 Managers will:

- i) Give due consideration to any requests received based upon the individuals role and the remit of the policy;
- ii) Pass all appropriate requests on to the Director for approval
- iii) Arrange for payment once approval has been obtained from the Director.

3.3 Directors will:

- i) Give due consideration to all requests received and either approve or decline them based upon the remit of the policy
- ii) Confirm the outcome of their decision to the employees line manager for either further discussion or to arrange payment

4. APPROVAL PROCESS

4.1 Where an employee's main role with the Council is a grade F or above and/or where membership of a professional body is deemed to be an essential requirement of their role, they may submit one request for payment of a professional fee on an annual basis

4.2 The professional body should be the most appropriate for their role with the Council and the request should be made in writing and be accompanied by a brief explanation as to why this is the most appropriate professional body.

4.3 Requests should be submitted to line managers, as far in advance of the date that payment is due as possible along with payment details from the professional body

4.4 Once line managers are satisfied that the request is appropriate and in line with policy they should submit the request to the Head of Service for approval.

4.5 Once Head of Service approval is obtained, payment will be made, either directly to the professional body or, in cases where employees pay by direct debit, as a BACS payment to the employee in the next available payment run.

5. LEAVING EMPLOYMENT

5.1 Where an employee in receipt of a professional membership payment leaves the employment of the Council voluntarily or is dismissed for misconduct part way through the year, they will be required to repay some or all of their entire fee on a sliding scale as follows:

Month following payment	% due for repayment
1 & 2	100%
3 - 5	75%
6 - 9	50%
10 - 12	25%

5.2 Where an employee leaves the Council for any other reason, there will be no requirement to repay the professional membership fee.

6. PAYMENT DURING POST ENTRY TRAINING AND TRAINING CONTRACTS

6.1 Where the Council funds a post entry training course or engages an employee on a trainee contract, the cost of one relevant professional membership will be paid for the duration of the employees study.

6.2 The approval process for payment of such fees will be that noted at section 4 of this policy.

6.3 Upon completion of the post entry training or trainee contract, the Council will cease to pay the professional fee unless it is determined by the Head of Service that membership of the professional body is a requirement of the employees role.

7. PAYMENT DURING MATERNITY, ADOPTION AND ADDITIONAL PATERNITY LEAVE

7.1 Where the appropriate approval process is followed, the Council will continue to pay for membership of a professional body whilst an employee is on maternity, adoption or additional paternity leave

7.2 Where an employee decides not to return to the Council following a period of maternity, adoption or additional paternity leave, they will be required to repay any professional fee in accordance with section 5 of this policy.

8. EQUALITY STATEMENT

8.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

OVERTIME POLICY

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POLICY STATEMENT

1. INTRODUCTION

1.1 The Council recognises that a good work/life balance ensures a healthy, happy workforce, which in turn is the key to its success. However, it also recognises that there is a need to balance this with the demands of its service users, to ensure that it continues to support the local community in a culture where demand for services on a 24/7 basis is ever increasing.

1.2 As a result of this, the Council recognises that, at times, there may be a need for some officers to work over and above their normal working week in order to meet these service demands and this policy outlines the compensation that will be made to them in these situations.

2. SCOPE

2.1 This policy applies to all posts. A standard full-time week is 37 hours over five days and a standard day is 7 hours and 24 minutes (7.4 hours). Standard office hours are 8am - 6pm, Monday to Friday. Where working patterns or hours vary from this standard, enhancements will only be applied to hours worked in excess of contracted hours where these cannot be managed through the flexi time scheme.

2.2 It is the responsibility of the line manager to monitor the application of this policy.

2.3 All references to 'line manager' may also be taken to include their nominated representative, where appropriate

3. ROLES AND RESPONSIBILITIES

3.1 Staff will:

- i) Maintain an accurate, up to date record of their working hours;
- ii) Work with their manager to ensure that they achieve a good work/life balance whilst also giving consideration to the needs of the business
- iii) Ensure that line manager approval is given prior to undertaking any overtime
- iv) Submit overtime claim forms to their line manager in a timely manner each month to ensure payment is received in the following months salary.

3.2 Managers will:

- i) Abide by the principles of the Councils' Overtime Policy;
- ii) Actively monitor and manage overtime within their work area, taking care to ensure that employees are not being asked to work excessively long hours;

- iii) Approve overtime claim forms received from employees and submit them to EKHR in time for payment each month.

Line managers are ultimately responsible for ensuring that offices/workplaces are adequately staffed at all times in order to meet the needs of their service; therefore all aspects of overtime will be under their direction.

3.3 Heads of Service / Directors will:

- i) Make suitable arrangements to ensure the full implementation of the policy and procedure;
- ii) Ensure all managers are actively aware of the Councils' commitment to equality of opportunity and the well being of its employees.

4. OVERTIME RATES

4.1 Where an employee is expected to work in excess of 37 hours per week and where these hours do not fall within the scope of the flexi time scheme, compensation will be made as follows:

Grade A – F: No overtime payable but time off in lieu will be given for any Bank Holidays worked. If the overtime hours worked are excessive, the Head of Paid Service may make a discretionary payment in exceptional circumstances.

Grade G – L: Overtime will be paid at time and a half for hours worked between Monday and Sunday at double time for hours worked on Bank Holidays.

4.2 For the purposes of this policy, Bank Holidays shall include the three Statutory and Non Statutory days granted at Christmas.

5. OPERATING PRINCIPLES

5.1 Extra time of less than half an hour on any day will not qualify as overtime. Overtime will be aggregated for each calendar month and only complete half hours will be paid.

5.2 Where employees are contracted to work in excess of 37 hours as their normal working week overtime will only be paid on hours in excess of those they are contracted for and for which they receive no other enhancement.

5.3 Where an employee's designated rest day falls on a Bank Holiday, they will be able to take the standard hours for that day as time off in lieu.

5.4 Authorisation must be obtained from a line manager before any overtime is undertaken. Where overtime is to be worked on a Bank Holiday, this must be authorised in advance by a Director.

5.5 Overtime claim forms must be submitted to a line manager for approval and then passed to EKHR by the specified date each month.

6. EQUALITY STATEMENT

6.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

SHIFT PREMIUM POLICY

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POLICY STATEMENT

1. INTRODUCTION

1.1 The Council recognises that a good work/life balance ensures a healthy, happy workforce, which in turn is the key to its success. However, it also recognises that there is a need to balance this with the demands of its service users, to ensure that it continues to support the local community in a culture where demand for services on a 24/7 basis is ever increasing.

1.2 As a result of this, the Council recognises that, in certain roles, there may be a need for some officers to work a shift pattern outside of what would be classed as a normal working week. This policy outlines the additional payments that will be made to such officers as compensation for working anti social hours, which could impact upon their work-life balance.

2. SCOPE

2.1 This policy applies to all posts. A standard full-time week is 37 hours over five days and a standard day is 7 hours and 24 minutes (7.4 hours). Standard office hours are 8am – 6pm, Monday to Friday.

2.2 It is the responsibility of the line manager to monitor the application of this policy.

2.3 All references to 'line manager' may also be taken to include their nominated representative, where appropriate

3. ROLES AND RESPONSIBILITIES

3.1 Staff will:

- i) Maintain an accurate, up to date record of their working hours;
- ii) Work with their manager to ensure that they achieve a good work/life balance whilst also giving consideration to the needs of the business

3.2 Managers will:

- i) Abide by the principles of the Councils' Shift Premium Policy;
- ii) Actively monitor and manage the shift patterns within their work area, taking care to ensure that employees are not being asked to work excessively long hours;
- iii) Notify EKHR immediately once an employee ceases to be entitled to a Shift Premium payment.

3.3 Heads of Service / Directors will:

- i) Make suitable arrangements to ensure the full implementation of the policy and procedure;
- ii) Ensure all managers are actively aware of the Councils' commitment to equality of opportunity and the well being of its employees.

4. SHIFT PREMIUM RATES

4.1 Where an officer is required to work a shift pattern and is expected to work a proportion of these shifts outside of standard office hours, the compensation will be as follows:

Hours worked between 8am – 6pm, Monday to Friday: These are considered normal office hours and will not attract any additional compensation.

A shift pattern which, on average, involves more than 8 hours per week to be worked between 6am - 8am and/or 6pm – 8pm: These hours will attract a shift premium of 7% of the officers' annual salary.

A shift pattern which, on average, involves more than 8 hours per week to be worked between 8pm – 6am: These hours will attract a shift premium of 14% of the officers' annual salary.

5. OPERATING PRINCIPLES

5.1 Officers employed on shift pattern basis will operate a standard working week of Monday – Sunday.

5.2 In order to qualify as a shift pattern, there must be at least four hours between the starting time of the earliest and latest shifts.

5.3 A shift premium payment will only be made when an average of more than 50% of weekly shifts are worked outside of normal working hours.

6. EQUALITY STATEMENT

6.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

Summary of policy amendments following consultation feedback

Policy Title	Details of proposed changes
Annual Leave Policy	<ul style="list-style-type: none"> ✓ Slight change of wording at 4.2 of the policy to clarify the Statutory entitlement to Bank Holidays ✓ Additional text at section 8 to align with Absence Management Policy in respect of taking sick leave if an employee falls ill during a period of annual leave
Payment of Professional Fees Policy	<ul style="list-style-type: none"> ✓ Slight change to wording at 2.1 to clarify that the professional membership must be an essential requirement as outlined in the Person Specification for the role or appropriate to the role ✓ Additional text at 2.2 to clarify that payments to Statutory Bodies on behalf of individuals does not fall within the scope of this policy ✓ Change of wording at 3.2 iii) to read Director instead of Head of Service to maintain consistency with 3.2 ii) ✓ Change of wording at 3.3 to read Director instead of Head of Service/Director to align with 3.2 ii) and 3.2 iii) ✓ Change of wording at 5.1, final row of repayment table to read 10 – 12 instead of 9 - 12
Notice Period Policy	<ul style="list-style-type: none"> ✓ Change to wording at 1.2 to read "minimum notice periods" ✓ Change to wording in table at 5.1 Notice period for D – F is now 2 months and for G – L is 1 month to align with Annual Leave and Overtime Policies. ✓ Additional text at 5.4 to detail the minimum notice that will be given by the Council to an employee.
Shift Premium Policy	<ul style="list-style-type: none"> ✓ Change shift premium rates detailed in section 4 to 7% and 14% respectively
Overtime Policy	<ul style="list-style-type: none"> ✓ Change to overtime rates at section 4 to read grades A- F no overtime payable and G – L overtime is payable to align with Notice Period Policy and Annual Leave Policy