

# Terms and conditions of service

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1. The Commission is an equal opportunity employer, which means that in filling any post or assessing performance it takes account only of individual's suitability for the work to be done and not, for example, of sex or race. All appointments are offered subject to the satisfactory completion of a probation period. The probation period for staff on or below scale point 30 is three months. The probation period for other staff is six months.

## **Salaries**

2. The salary scale applicable to any post is stated in the individual's letter of appointment and is normally derived from the National Agreement for Local Government Services. Changes made to the salary scales in that Agreement are normally applied but the Commission reserves discretion to depart from the scales in individual cases.
3. Those working in the London office receive the NJC pay scale for inner London.
4. Salaries are paid monthly in arrear on the last work day of the month, normally by credit transfer to the individual's bank account. New staff may opt to receive part of their salary in the middle of the month during their first three months' service.
5. To qualify for an increment, a member of staff must have been in post for three months prior to 1 April. One increment will be awarded each year until the top point of the scale is reached unless the Commission has decided on the recommendation of a Deputy Ombudsman or the Deputy Chief Executive & Secretary that it should be withheld. If so, the circumstances will be fully discussed with the member of staff concerned. Staff joining the Commission between 1 January and 31 March in any year will qualify for an increment after three months service subject to completing the probation period satisfactorily. Increments thereafter will be awarded on 1 April each year.

## **Overtime**

6. Payment of overtime working is only made to staff graded on scale points 1 – 29 and will be in accordance with the National Agreement. Overtime working is not encouraged and should except in emergencies, be approved in advance by the Deputy Ombudsman or Deputy Chief Executive & Secretary. Staff who have returned from a period of absence of at least one full day due to sickness, will not be eligible for paid overtime until they have completed five full consecutive days from the date of their return to work.

## **Superannuation**

7. Membership of the London Pension Funds Authority Scheme is available for all full-time staff and part-time staff working at least 35 weeks a year, except those seconded to work for the Commission and retaining membership of another approved scheme. Employee contributions are deducted from salary. Full details of the Scheme and its benefits can be obtained from the Human Resources department.

## **Lunch allowance**

8. A lunch allowance is paid monthly and pro rata to the hours worked. The allowance is pensionable. It is not paid for complete weeks of absence due to sickness. [Since this

document was last updated, the lunch allowance has been consolidated into normal pay.]

## **Loans to buy season tickets**

9. The Commission will make loans, free of interest, to staff to buy season tickets for their journey to work. Applications should be made to the Finance department. Repayment of the loan will be made, under an agreement, by monthly deductions from salary. The outstanding balance of any loan must be repaid before the individual leaves the Commission's service.

## **Relocation expenses**

10. The Commission will help:
  - (i) existing staff who are promoted from one appointment to another within the Commission's service, or who transfer at the Commission's request, if the move requires a change of residence so that the employee can live within reasonable travelling distance of the new place of work;
  - (ii) staff joining the Commission's service if a change of residence is required so that the employee can live within reasonable travelling distance of the Commission's office.

The Commission may help other staff who do not fall into these categories. Please see the Commission's Relocation policy.

## **Hours of work**

11. The working week is 35 hours for full-time staff, unless exceptional arrangements have been agreed by the Commission. Normal daily working hours are from 9.00am to 5.00pm. The daily lunch-break is one hour, organised to ensure that essential services operate throughout office hours.
12. Staff who for good reason wish regularly to work daily hours different from the office opening hours may do so by agreement with the Deputy Ombudsman or Deputy Chief Executive & Secretary.

## **Holidays**

13. Staff should take their full holiday entitlement in each holiday year. Staff are required to obtain permission for leave from their line manager. At least two weeks notice should normally be given for absences of five days or more and at least three days notice for shorter absences; line managers have discretion to permit leave with shorter notice. Holiday arrangements already firmly made by newly appointed staff are normally honoured.

## **Annual leave**

14. The leave year begins on the first working day of January. Annual entitlements to paid leave are related to the grading of posts:
  - Staff on scale points 1 - 29 22 working days
  - Staff on scale points 30 - 47 24 working days

- Staff on scale points 48 - 52 25 working days
- Staff on scale points 55 - 59 26 working days
- Secretary and Deputies 27 working days

The annual entitlement of staff contracted to work other than 35 hours each week is calculated pro rata to the hours worked. A maximum of five days leave can be carried over at 31 December in any year and the days carried over must be taken by 31 December in the next year. Any continuous absence of more than three weeks must be approved in advance by the Deputy Ombudsman or Deputy Chief Executive.

15. Staff are entitled to the bank holidays in England. At present there are eight bank holidays each year. Three days holiday in addition to statutory holidays are fixed by the Commission in each year and at least one of them is attached to the Christmas holiday. The annual entitlement of staff contracted to work other than 35 hours each week is calculated pro rata to the hours worked.
16. Staff become entitled to holiday on the basis of earning one-twelfth of their holiday entitlement for each completed month of service with the Commission during the holiday year. Staff are not entitled to any balance of annual holiday entitlement not taken with a former employer.
17. Extra leave to recognise years of service with the Commission is given as follows:
  - one extra day in the leave year starting after the year in which three years' service was completed; and
  - two further days in the leave year starting after the year in which five years' service was completed.

These annual entitlements are calculated pro rata to the hours worked for staff contracted to work other than 35 hours each week.

18. Special leave with pay other than for public duties and in addition to entitlement may be granted for up to five days in any year, on application to the Deputy Ombudsman or Deputy Chief Executive & Secretary. The Commission's policy on special leave is on the intranet.
19. Staff leaving the Commission's service with holidays untaken are paid for those days. Staff leaving having taken more holidays than their entitlement during the expired period of the holiday year are required to repay the salary paid for those excess holidays.
20. Under the *Working Time Regulations*, staff must take a minimum of 24 days leave in each year, pro rata to the hours worked. Statutory leave for staff in the Commission, will be the first 24 days taken in the year including extra statutory days and bank holidays.

## Family friendly leave policy

21. The Commission aims to offer a range of pay and benefits to support staff achieve a work life balance. The policy is a separate document on the intranet;
  - maternity leave
  - adoption leave

- paternity/partner's leave
- time off for dependants
- parental leave.

## **Sickness payments**

22. Please refer to the Commission's policy for sickness payments.

## **Medical examinations**

23. All appointments to the Commission's staff are subject to completion of a satisfactory medical questionnaire. The Commission may, at its expense, require an individual to have a medical examination before confirming an appointment, or at any time during service with the Commission if it feels that the individual's performance is being impaired by ill-health.
24. The Commission's medical adviser can be consulted, by appointment, by any member of staff who has a medical problem on which he or she would value advice in addition to that of their General Practitioner. There is no charge but appointments must be arranged (in confidence) through the Human Resources.

## **Code of Conduct**

25. The Code of Conduct applies to all employees. The Code has the following provisions to deal with conflicts of interest. Membership by certain post holders of an authority subject to investigation by the Commission is inappropriate. Accordingly, staff in posts on the 'restricted' list must resign from their posts if they become a member of a body which falls within jurisdiction. This restriction does not apply to membership of school governing bodies which are admission authorities.
26. The Commission does not wish to prevent staff from taking work – paid or voluntary – outside their duties with the Commission, provided that the outside work does not harm their work for the Commission. Staff must tell the Deputy Ombudsman or Deputy Chief Executive & Secretary in confidence, and before making any commitment, of any outside work (excluding purely temporary work but including public service, eg as a JP or a school governor) in which they wish to engage. The Commission reserves the right to instruct any member of staff not to do outside work which it considers harmful to its interests. 'Harmful' in this context includes outside work which could give the appearance of a conflict of interest in the investigation of a complaint.
27. Staff are required to make known to their line manager any personal interest which may affect their ability to deal with a particular complaint.

## **Complaints to the Local Government Ombudsmen by members of staff**

28. As citizens, staff have every right to make a complaint to the Local Government Ombudsman if they feel they have suffered injustice through the maladministration of an authority. However, certain obvious difficulties arise if they do. The Commission, therefore, expects members of staff only to complain if no-one else can make the complaint.

## Staff Appraisal Scheme

29. Each year an interview is arranged between each member of staff and his or her line manager to review performance and to discuss the possibilities for development. A note of the interview is agreed between them and sent to the Human Resources department.

## Time off and payments for education purposes

30. Any requests for help in terms of time and money to secure expertise or qualifications relevant to the Commission's work should be made to the Deputy Ombudsman or Deputy Chief Executive & Secretary.

## Travel

31. (i) In the interests of economy, the Commission expects staff to travel by the cheapest possible means, where the Commission is satisfied that this is also the most efficient means of transport. Generally staff should travel by public transport (plus hire car if necessary). Some work can be undertaken on the train so that the journey is not entirely wasted time. Staff on scale point 29 and above are entitled, if they wish, to first class rail travel while on the Commission's business. The Commission expects staff to economise by travelling second class whenever reasonable. Rail warrants are provided for rail journeys. The cost of taxis is only reimbursed if the Commission is satisfied that circumstances made the use of a taxi reasonable.
- (ii) The Commission does not expect staff to have to use their own cars on the Commission's business. There are, however, times when going by car is the only practicable way to travel. For those occasions a hire car can be obtained through the arrangements made by the Commission.
- (iii) Alternatively, staff may use their own cars and submit a claim based on the current NJC mileage rates<sup>1</sup>. Changes in mileage rates will be notified in the staff bulletin. Therefore, when staff use their own cars in cases where it would be cheaper to travel by hired car, the Commission reserves the right to restrict payment for such claims to the notional cost of carrying out the journey by hired car. This will be done by applying maximum limits for private car mileage. The maximum limits will be settled by the Commission from time to time and published in the staff bulletin.

## Subsistence

32. (i) Subsistence, etc, expenses must be claimed on the standard form as quickly as possible. Meal costs may be claimed for any meal actually taken during absence from home on the Commission's business. Except when they cannot be easily obtained, eg for snacks, receipted bills must be attached to the claim form.
- (ii) For an overnight absence from home necessary to do the Commission's business, reasonable actual expenses for accommodation may be claimed. Accounts for accommodation must not be sent direct to the Commission: the

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1 Current mileage rates are:

**Car Size** 451-999cc 1000-1199cc 1200cc Up to 8,500 miles 42.9p 46.9p 58.7p After 8,500 miles 13.3p 13.6p 15.8p

individual should pay and attach the receipted bill to the claim form. Other necessary expenses, eg business telephone calls, may be claimed at cost.

- (iii) If a member of staff stays with a friend or relative while travelling on duty, the Commission will reimburse the cost of a gift or meal for the staff member and his host or hosts. Wherever possible receipted bills should be submitted in support of such claims.
- (iv) The Commission reserves the right not to meet a claim, or to meet it only in part, if it considers the claim excessive.

## **Grievance procedure**

- 33. There is a procedure for any member of staff to have a grievance considered, including a final right to meet the Commission on the matter. A copy of the procedure document is on the intranet.

## **Disciplinary procedure**

- 34. The Commission has a disciplinary procedure.

## **Appeals against salary gradings**

- 35. Appeals against salary grading will be heard in the first instance by the Commission, following the procedure for dealing with grievances.

## **Periods of notice**

- 36. The Employments Rights Act 1996, sets minimum periods of notice related to length of continuous service with the employer. Subject to those minima, the periods of notice to be given by the Commission or by the employee are:

- Deputy Ombudsmen, Deputy Chief Executive & Secretary and staff on scale points 29 and above: 84 days
- Staff on scale points 1 - 28: 28 days

The Commission will however be prepared to consider applying a shorter period of notice if an individual requests, but staff should not assume that such requests will automatically be granted.

## **Retirement age**

- 37. Staff will normally retire on reaching age 65. The Commission may, with the employee's consent, extend his or her service for one year, or any shorter period, and from time to time thereafter, subject to any extension never being for longer than one year without review by the Commission. The extension of service will be dependent on the employee passing a medical examination to be repeated every 12 months if further extensions are contemplated. The medical examination will be carried out by the Commission's doctor, or if the employee wishes, by his or her own doctor. The costs of the medical examination will be met by the Commission.

## **Fees received by Commission staff**

38. Commission staff may be asked to give presentations about the work of the Commission at training courses, conferences, meetings or at other events. Any fee received must be paid to the Commission through the Finance department. This applies even if the presentation is given outside working hours. The Commission recognises that, in certain circumstances, staff may be asked to give such talks after 7.30 pm in the evening which is outside the flexi-time period. The Commission has agreed to give time off in lieu for such talks, subject to the member of staff obtaining his or her line manager's approval in advance to give the talk. Also the travel costs incurred to and from the venue will be reimbursed.

**Nigel Karney**  
**Deputy Chief Executive & Secretary**

## ***Extracts from Financial Instructions***

Latest update: June 2008

### **38. Civil Service Sports Council**

- 38.1 The Commission has arranged that its staff may, if they wish, become members of the Civil Service Sports Council. Details of the facilities available and membership application forms are available from the Head of Human Resources.
- 38.2 Members pay a monthly subscription (currently £2 per month) which is deducted from salary at source and sent quarterly by the Commission, together with a comparable employer's contribution, to the Council.

### **51. Subsistence allowances**

#### **51.1 Dinner allowance**

- 51.1.1 The Commission has not placed a limit on the amount staff may reclaim in respect of the cost of dinner taken while travelling on duty. This is because the cost of a dinner in a small town may well vary greatly from that in an hotel in a major city. In addition, the hotel at which a member of staff is staying may well be the only reasonable place in which to have dinner, and the Commission does not wish to put its staff in the position of having to search for a cheaper dining place, perhaps late at night or in the dark, in a strange town, should the hotel's set meal be more costly than any limit imposed. The Commission reserves the right, however, to refuse to reimburse the cost of any meal which it considers unreasonable.
- 51.1.2 The Commission expects staff to have in mind the need to safeguard its finances and not to be over lavish, particularly if a meal is not taken in the hotel in which the officer is staying, but in a restaurant.
- 51.1.3 The Commission will not normally reimburse the cost of alcoholic drinks. Soft drinks taken with a meal may be claimed for. In some cases hotels and restaurants mark the drinks under the general heading of 'bar' and, in such cases, the bill should be endorsed clearly to the effect that the charge

is in respect of a soft drink only. If no such endorsement is made the claim will be rejected.

- 51.1.4 All claims for reimbursement of dinner costs must be supported by receipted bills. As is the case with hotel bills, credit card slips are not acceptable as evidence of payment.

## 51.2 Lunch allowance

- 51.2.1 The Commission will reimburse the cost of a lunch actually taken by staff travelling on duty up to certain limits, which it will fix from time to time, providing receipted bills are produced. In cases where the meal takes the form of a snack, no receipt can be obtained and the claim is for under £3, the claim form should be endorsed clearly 'No receipt available', and a brief explanation given. Claims for over £3 unsupported by receipts will not be reimbursed unless a full explanation is given.
- 51.2.2 Because staff also receive a cash allocation towards the cost of lunch on each working day, the limit of reimbursement for lunches will be £7.50.
- 51.2.3 Such a claim may only arise whilst out of the area normally based.
- 51.2.4 Receipts in support of claims of £3 or over should be submitted. Receipts not only substantiate the correctness of a claim, but enable the Commission to recover the VAT element, thus helping its finances.

## 51.3 Breakfast and snack allowances

- 51.3.1 In cases where a member of staff has to make an earlier start than normal in order to fulfil a duty visit, the Commission will meet the reasonable costs of a breakfast or snack, providing claims for reimbursement are supported by receipts. Conditions governing claims for breakfast and the amounts which may be claimed will be the same as those relating to claims for a lunch allowance.
- 51.3.2 Claims for snacks, such as coffee, biscuits and tea (including afternoon tea) will be met in full on production of receipts where the claim is over £3. If there are no receipts available, the claim must be supported by a short explanatory note giving reasons. The Commission reserves the right to refuse payment or make only part payment of any claims which it considers excessive or unreasonable.

## 52. Hospitality reimbursement

- 52.1 If a member of staff intends staying with a friend or relative instead of in a hotel while travelling on duty, and claiming hospitality reimbursement, he/she should first inform the appropriate Assistant Ombudsman and obtain prior consent for incurring the expenditure.
- 52.2 If a member of staff intends staying with a friend or relative instead of in an hotel while travelling on duty, the Commission will reimburse the cost of a gift for his/her host or hosts. Such claims must be supported by receipted bills. The Commission reserves the right not to meet a claim, or to meet it only in part if it considers the claim excessive.

- 52.3 Gifts in respect of hospitality should in general be modest and be confined to: flowers, chocolates, a bottle of wine or spirits. The maximum cost the Commission will pay towards the purchase of a gift for a host or hostess with whom an officer travelling on duty stays in lieu of staying in a hotel is £25.
- 52.4 If the officer chooses instead to take their host and/or hostess out for a meal, the Commission will make a contribution towards the cost of such meals for the host and hostess not exceeding £25. The claim must be supported by a receipted invoice, and the amount paid will be in addition to the cost of the officer's own meal.
- 52.5 Hospitality reimbursement will be paid on a one-off basis for an entire stay. It is not an allowance payable per day. However, should the officer be away from home on duty for more than one night and stay with different hosts, expenditure of up to £25 may be claimed, providing it is supported by receipted bills, for each host.
- 52.6 Claims for reimbursement of hospitality expenditure should be submitted on the usual claim form as soon as possible and must be supported by receipted bills. Credit card slips are not acceptable on their own as evidence of expenditure.