

Terms and Conditions Handbook

Human Resources Version 8.0 – April 2023



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Version Control

Version	Date	Author	Summary of Changes
1.0	23/04/14	HR	Version 1
2.0	26/2/15	HR	Paragraph 10.1 – Promotion Increases revised to allow for truly exceptional circumstances. Agreed with UNISON and GMB on 25/2/15
3.0	28/12/16	HR	Various pages. Minor changes to wording to reflect that contained within the revised version of the Green Book as updated on 14 December 2016.
4.0	10/12/18	HR	Annual Leave: removal of ‘completed years’ and ‘statutory minimum whichever is the greater’. Standby: details of the various standby schemes as agreed by JNC 10 December 2018. Updated to reflect training and interview mileage to be paid at 25p per mile. Agreed in 2014 but missed from handbook.
5.0	13/05/19		Amendment to paragraph 11.5 (a) to refer to Reserve forces.
6.0	22/01/20	HR	Amendment to paragraph 11.5 (a) to make specific reference to Cadet Force Adult Volunteers.
7.0	29/04/21	HR	Paragraph 6.7 amended to remove reference to Flexi and introduction of Personal Time and Core Hours. Paragraph 7.1 - Replacement of Job Evaluation with Job Families. Section 8 – removal of references to the appraisal process and the introduction of the Every Day Matters 121 procedure and how that relates to incremental progression.

			<p>Paragraph 11.7 – additional wording added to cover paid time off for hospital appointments for conditions covered by the Equality Act.</p> <p>Section 30 – removal of reference to Probationary Periods and the introduction of the Supporting New Employees Policy.</p>
8.0	11/03/23	HR	<p>Section 9.2 – amendment to Sleeping In Duty figure to reflect the 2022 pay award.</p> <p>Section 11.2 – increase of one day to annual leave entitlement from 1 April 2023.</p> <p>Various Sections – amended references to new MKCC intranet.</p>

1.0 Terms and Conditions

- 1.1 The terms and conditions of service set out in this booklet apply all employees except those on Chief Officer grades and those groups of staff who are subject to nationally determined pay (Soulbury, Youth Worker, Coroner and Teachers). For these non-Single Status groups the locally agreed terms and conditions of service will apply where there is no nationally agreed provision.
- 1.2 *Wording in italic is taken from the Green Book.*

2.0 Equalities

(Part 2, paragraph 1 of Green Book)

- 2.1 Milton Keynes City Council recognises its responsibility to ensure that all employees should receive equal pay for like work, work rated as equivalent or work of equal value, and in order to achieve this, has committed to maintain a pay system that is transparent, based on objective criteria and free from bias.
- 2.2 *Employees will be afforded equal opportunities in employment irrespective of disability, gender, race, religion, age, sexuality, marital status, parental status, caring responsibilities and hours of work.*
- 2.3 *The council will ensure that discriminatory practices are identified and removed and non-discriminatory practices introduced in all areas of employment including recruitment, training and promotion. Lawful positive initiatives may be taken to achieve and maintain a representative workforce.*
- 2.4 The Equalities Policy Statement can be accessed in full on the intranet at [Equality, Diversity and Inclusion](#)

3.0 Official Conduct

(Part 2, paragraph 2 of Green Book)

- 3.1 *Employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained.*
- 3.2 Employees of the Council are expected to give the highest possible standard of service to the public and, where it is part of the employees' duties, to provide appropriate advice to councillors and colleagues with impartiality.
- 3.3 If an employee has any concern about impropriety or breach of procedure the employee must report this to the appropriate manager.
- 3.4 Employees are expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. A Whistleblowing - Confidential Reporting Policy is available for use in appropriate

circumstances. This policy is available on the intranet at [Internal Audit > Whistleblowing Policy](#).

- 3.5 The Council has published standing orders and financial regulations, which describe important rules and standards. All employees are required to work in accordance with them. Details of the Council's Standing Orders are available on the Intranet (Committee and Member Information) and from Member Services. Directors will have details of the Council's financial regulations.
- 3.6 The Code of Conduct for employees is set out on the intranet at [HR and L&D > HR guidance and policies](#).
- 3.7 The Council's ICT Security Policy sets out the responsibilities of all employees. This policy is available on the intranet at [ICT Services > ITC Policies](#).

4.0 Training and Development

(Part 2, paragraph 3 of the Green Book)

- 4.1 The Council's approach to training and development is found on the intranet at [HR and L&D > Learning and Development](#).
- 4.2 *Employees attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations. When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as full-time employees. (Assistance for other forms of learning, for example that directed at individual development, will be locally determined). Some training can be very expensive and authorities may require repayment of all or part of the costs incurred should an employee leave the authority before a reasonable time period has expired. The Council's policy in respect of this can be found on the intranet at [HR and L&D > Learning and Development](#).*
- 4.3 Mileage for training purposes is paid at the lower HMRC rate (25p per mile in April 2021).

5.0 Health, Safety and Welfare

(Part 2, paragraph 4 of the Green Book)

- 5.1 The Council recognises *its duty to comply with the law governing the health, safety and welfare of employees, including the conditions under which they work and the provision and maintenance of necessary protective clothing.*
- 5.2 *Employees have a duty to take care of themselves and others affected by their activity at work and to co-operate with employer's actions taken to meet their duties under the relevant Regulations.*
- 5.3 The Council's policy on Health & Safety together with the organisation and arrangements for implementing the policy are set out on the intranet at [Health and Safety](#).

6.0 Working Time

(Part 2, paragraph 6 and Part 3, paragraph 2 of the Green Book)

- 6.1 *The standard working week for full time employees is 37 hours.*
- 6.2 *Employees who are required to work non-standard patterns of work shall be compensated in accordance with the Council's single status agreement. Details are given at paragraph 9 of this Handbook.*
- 6.3 *Variations to the established working week or patterns of work will be reasonable and subject to adequate notice.*
- 6.4 *Working arrangements to suit the needs of the service will comply with relevant Health and Safety legislation, including the European working time directive and its associated UK legislation.*
- 6.5 In order to comply with the Working Time Regulations, if an employee is likely to work more than 48 hours per week, including any secondary employment, they must make their manager aware of this in order for a judgement to be made as to whether it is safe for the employee to work such hours. The employee will be asked to sign a waiver form and keep a record of the hours worked.
- 6.6 *Working arrangements should avoid:*
- *Short notice changes to rostered or expected patterns of work*
 - *Excessive hours in any particular week*
 - *Unnecessarily long periods over which the weekly hours are arranged*
- 6.7 The normal working week will be fixed, subject to local needs, but will normally fall within the Council's Core Hours of 7.30 am and 6 pm. Core hours will not apply to those who by the nature of their role are required to work shift patterns or irregular hours. Where additional hours have to be worked some employees are able to benefit from the Personal Time scheme. Full details and eligibility are set out in The Personal Time Policy which can be accessed on the intranet at [HR and L&D > HR guidance and policies](#).

7.0 Pay and Grading

(Part 2, paragraph 5 and Part 3, paragraph 1 of the Green Book)

- 7.1 *The pay and grading of jobs must be fair and non-discriminatory, complying with equal pay legislation and associated Codes of Practice.* The Council operates a Job Family approach with each job family containing a number of grades, each reflecting different job outputs, skills, knowledge and experience. The families have been developed to reflect the main focuses of the roles within the council and each grade within a job family has been based upon our existing job evaluation schemes. Details of the scheme are on the intranet at [HR and L&D > Recruitment > Job Families](#).

- 7.2 *The basic pay of each employee will consist of points on the local government pay spine as extended locally.*
- 7.3 *An employee dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading subject to qualifying criteria. Current procedures to deal with such requests are detailed on the intranet at [HR and L&D > Recruitment > Job Families](#).*
- 7.4 *Posts paid above the maximum of the pay spine, but graded below Director level, are within scope of the NJC and come under the Green Book. The pay levels for such posts are determined locally, but once fixed are increased in line with agreements reached by the NJC.*
- 7.5 In certain services career progression may apply. In such cases, progression will be in accordance with locally agreed criteria.
- 7.6 Staff acting-up will be paid at the higher grade, where an employee undertakes the full range of duties of the post and where the Director agrees this arrangement in advance. This temporary responsibility payment will be paid during annual leave, but not sickness, and only if it has been paid for a period of 4 weeks or more prior to the absence. The Council's policy on Temporary Responsibility is detailed on the intranet at [HR and L&D > HR guidance and policies](#).
- 7.7 Where staff undertake a percentage of duties at a higher level, this will not qualify for a temporary responsibility allowance. However, an honorarium may be paid in exceptional circumstances. The Council's policy on honoraria payments is detailed on the intranet at [HR and L&D > HR guidance and policies](#).
- 7.8 The starting salary will normally be the first point of the grade. If consideration is given to appointing a new employee to the Council above the minimum of the grade this may only be done in consultation with the appropriate Human Resources Business Partner. Further advice is available from Human Resources.

8.0 Incremental Progression

- 8.1 The success of the council is closely linked with the performance of its staff and as such the council recognises the importance of acknowledging the positive performance of employees in terms of their development and contribution to the work of the Council through incremental progression. The award of increments will be considered on an annual basis.
- 8.2 Performance is managed via the Every Day Matters – 121 process. Employees, not at the maximum of the grade, will receive an increment provided that:
- a) The 121 process for the preceding year has been completed and:
- there are no live concerns around performance (either informal or formal).
 - that they have been consistently meeting the Council's Expectations during the previous 12 month's 121's

Note: If sufficient 121's have not been completed up to 30 September, the manager will need to inform their Service Director, as to why this is so, undertake and evidence an alternative documented assessment, and inform HR as to whether or not the above criteria are met and whether an increment is due.

- b) There are no current performance issues being addressed through formal performance review meetings.
 - c) Any issues raised by way of an informal performance review meeting held within the preceding six month period have been satisfactorily addressed and 121's do not record any further concerns.
- 8.3 Increments are to be awarded from 1 October each year. This will enable the annual 121 process to have been fully completed prior to consideration.
- 8.4 Where a new employee has joined the council, or when permanent internal promotion has taken place, no incremental progression will be awarded until an annual 121 process has been undertaken based upon a full-year's performance with at least one full year in post.
- 8.5 Where an employee transfers to another role on the same pay band, or redeployment has taken place to a lower pay band, incremental progression will be considered in line with paragraphs 8.1 and 8.2 above.
- 8.6 Employees on maternity or long-term sickness leave who have worked part of the 121 year will have their performance assessed based on the part of the year they were not on maternity or long-term sickness leave. If this is less than three months, or if an employee has been absent for the whole 121 year then this consideration will be based on their performance in the three months leading up to the commencement of their absence. In cases of long-term sickness this would apply in the first complete year of absence only, with no further incremental increase if absence is extended beyond the first year. However, in cases of successive periods of maternity leave where the employee is absent for more than one year, the assessment applicable at the commencement of the original maternity leave will continue to apply during the subsequent period of absence.
- 8.7 The Incremental Progression arrangements will comply with the disability provisions contained within the Equality Act 2010. Consideration will therefore be given to appropriate reasonable adjustments, should an employee's performance be impacted by their disability.
- 8.8 The council will monitor and review the operation of the incremental progression arrangements on a periodic basis (usually annually) using data obtained from HR on those employees where progression has not been awarded. This is to ensure a fair and consistent approach is taken in all areas of the council, and action will be taken to address any areas of concern. High level data from this review will be shared with the trade unions.

9.0 Payments and Allowances

9.1 Alternative Work Pattern (AWP) Payments

An Alternative Work Pattern (AWP) payment may be assigned to basic pay for those posts which are deemed to have the most disruptive and non-standard working patterns. This will only apply within services which operate on a 24/7 - 365 day basis and that have a requirement to work on Christmas day, with post holders having a minimum contractual commitment to work a proportion of their time during unsocial hours. This must include a working pattern which requires the post holder to work on at least 2 bank holidays a year.

The alternative work pattern payment will apply to standard contracted hours, and any additional hours worked undertaking the same duties will also have the AWP payment applied.

If the post's contractual working pattern changes, either as a result of business requirements, organisational change or for reasons related to individual employee arrangements and no longer meets the criteria set out for AWP, then the AWP payment will cease from the effective date of that change. In addition, Managers will be required to assess contractual working patterns of those in receipt of AWP payments and reassign levels based on work records and future plans in advance of each new financial year. Such changes will require authorisation by the Director.

Only 1 level of AWP can be applied to each role.

- Level 0 AWP Payment : 0% on total basic pay

Normal working hours are undertaken Monday - Sunday between 06:00 and 23:00. Split-shift patterns and occasional exceptions for emergencies involving weekend or night work will not attract additional enhancements.

- Level 1 AWP Payment : 5% on total basic pay

Work is normally scheduled to take place between the hours of 06:00 and 23:00, but some work is regularly scheduled to take place outside of these hours

OR

One shift in every five rostered for work is regularly scheduled to take place on Saturdays and Sundays and on Bank Holidays (at least two Bank Holidays per year) i.e. 365 day working pattern

- Level 2 AWP Payment : 10% on total basic pay

Where both Level 1 conditions A & B apply, i.e. work is normally scheduled to take place between the hours of 06:00 and 23:00 but some work is regularly scheduled to take place outside of these hours.

PLUS

One shift in every five rostered for work is regularly scheduled to take place on Saturdays and Sundays and on Bank Holidays (at least two Bank Holidays per year) i.e. 365 day working pattern

For example: Work is regularly scheduled and carried out after 23:00 and before 6.00, and post holders work at least one shift in five on Saturday or Sunday plus a minimum of two Bank Holidays per year i.e. 365 day working pattern

- Level 3 AWP Payment : 35% on total basic pay

Work is regularly scheduled and carried out after 23:00 and before 6.00am

PLUS

Post holders work at least one shift in five on Saturday or Sunday, plus a minimum of two Bank Holidays per year i.e. 365 day working pattern

PLUS

Where the work is subject to a rotating shift pattern, and shifts alternate from night to day, or day to night on consecutive days within a seven day period (e.g. Mon-Sun, or Sun-Sat etc.)

All three conditions must be met for posts to qualify for Level 3 AWP payment

- Level 4 AWP Payment : 35% on total basic pay

Paid to night worker posts where: the normal working hours are scheduled throughout the night with shift patterns that require work through all hours between 23:00 and 6:00

PLUS

The postholder works at least one shift in five on Saturday or Sunday plus a minimum of two Bank Holidays per year i.e. 365 day working pattern

For example: permanent night worker posts where the working pattern requires seven hours night work between the hours of 23.00 and 06.00 hours on each occasion.

9.2 Sleeping-In Duty

Employees required to sleep in on the premises will receive an allowance at the rate agreed nationally. As at April 2022, this allowance is £39.24 per night. The allowance covers the requirement to sleep in and up to 30 minutes call out per night, after which the overtime/additional hours provisions, as stated below, will apply. Payment will only be made

in relation to duties that are undertaken, and not in respect of periods of sickness. Those in receipt of the sleeping in duty allowance will not be eligible for any standby payment

9.3 Public Holiday Pay

Employees required to work on a public holiday will be paid at plain time PLUS, if eligible, any AWP payment for the actual hours worked. In addition, the employee will be able to choose whether to receive either compensatory time off in lieu or a further payment at plain time, with, if eligible, any AWP payment, on an hour for hour basis (in total, therefore, double time). There is no grade restriction

9.4 Free and Rest Day working

Employees required to work on a free or rest day will receive payment at plain time, with any AWP payment for the role applied, for the hours worked. Normal overtime rules to apply where the hours worked are in excess of contractual hours

9.5 Overtime / Additional Hours

Principles to apply:

- a) Only to be paid in exceptional circumstances where the service requirement prevents flexible working from covering the requirement for overtime to be worked. Time off in lieu to be taken on an hour for hour basis.
- b) For pay band G and above, time-off in lieu to be taken.
- c) It must be agreed in advance by the manager as part of a planned programme of work.

Where overtime payment is claimed, this will be paid at plain time, with any AWP payment for the role applied, provided the pay band is F or below

9.6 Standby and on-call payment

Call-out payments will be paid at plain time.

The following standby arrangements have been adopted by the Council:

- a) Level 1 and Level 2 standby arrangements.
- b) The out of hours services provided by Children's Social Care Emergency Social Work and Adult Social Care Mental Health teams.
- c) The out of hours service within Taxi Enforcement carrying out enforcement and test purchase operations.

- d) Facilities: an out of hours service dealing with issues that pose a threat to the Councils property portfolio.
- e) The out of hours service provided by Managers within the Children's Services Emergency Social Work Team.

The payment rates for the above standby arrangements can be found on the Intranet at **HR and L&D > Pay and expenses > Standby Schemes and Rates.**

9.7 Approved Mental Health Practitioner (AMHP) allowance

This allowance of £2025 per annum is paid to employees who are warranted Approved Mental Health Professionals (previously Approved Social Workers), who have the authority to certify people and undertake these responsibilities either as part of their role or in conjunction with their other duties. They are employed by the council but may have a PCT or health background.

9.8 Christmas Day Working

Pay for hours worked on Christmas Day will be at basic pay for the day with any AWP payment for role applied

PLUS

The employee will be able to choose whether to receive either compensatory time off in lieu or a further payment at plain time, with, if eligible, any AWP payment, on an hour for hour basis (in total, therefore, double time). There is no grade restriction

10.0 Other Terms and Conditions

10.1 Promotion increases

Salary on appointment to a promotional post will be at the bottom of the grade. Only in truly exceptional circumstances may appointment above the bottom of the grade be put to HR for consideration in line with the agreed process [Appointment above the bottom of the grade - April 2022.docx \(sharepoint.com\)](#)

10.2 Multiple roles / split contracts of employment

Where an employee is undertaking more than one role, a separate contract of employment will be issued for each role undertaken. Where the roles are similar (e.g. within schools there are a number of different Teaching Assistant roles, each with distinct levels of responsibility and associated pay), a record will be kept of the reason why the different levels of work are appropriate.

10.3 Travel

(Part 2, paragraph 12 and Part 3, paragraph 6 of the Green Book)

Employees required to use their motor vehicles for the efficient performance of their duties will receive allowances for the use of their motor vehicles on business only after being so authorised by the Council. Any vehicle used must be insured for business use.

An employee has a contractual obligation to fulfil their duties as described within the individual role profile and terms and conditions of employment. If the employee has to travel to fulfil these obligations then it is the employee's responsibility to ensure appropriate means of transport to do this. The council's obligation as an employer is to reimburse costs in line with council policy.

Those employees claiming car/motorcycle/moped mileage rates will be asked to provide evidence on an annual basis that they have an appropriate driving licence and that their vehicle is insured for business purposes

a) Car Mileage Rate

HMRC rate to apply (as at April 2022: 45p per mile for first 10k miles in one year, then 25p per mile).

When mileage is undertaken for training or claimed as an interview expense with the council, it will be paid at the lower HMRC rate (as at April 2022: 25p per mile).

b) Motor Cycle and Moped Mileage Rate

HMRC rate to apply (as at April 2022: 24p per mile)

c) Cycle Mileage Rate

HMRC rate to apply (as at April 2022: 20p per mile).

d) Renewal of Special Driving Licence

Where the Council requires an employee to possess a Heavy Goods Vehicle, Passenger Service Vehicle and/or other special driving licence, the Council shall meet the renewal costs.

10.4 Other allowances: housing, food and uniforms

a) Housing allowance:

Where employees are required to live in particular accommodation in order to fulfil the duties of their post, a reduced rent will be payable and a service tenancy drawn up.

b) Food:

Where prepared meals are provided for the employee a charge will be made. This will be determined by the council and will be subject to variation as necessary. Meals will not be available for families or guests of employees.

No charge will be made where employees are required to have meals with clients in the performance of their duties.

Remission of charges for food and accommodation will only be payable where absences exceed seven days.

c) Uniform:

Where the council requires an employee to wear a uniform, this will be provided

- 10.5 Professional Subscriptions: Employees are responsible for paying their own professional subscriptions or registration fees.

11.0 Leave

(Part 2, paragraph 7 of the Green Book)

11.1 Public Holidays:

Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur, except in the case of part time and job share employees who shall receive payment in respect of public holiday's pro-rata.

11.2 Annual Leave

NUMBER OF DAYS LEAVE INCLUDING 2 EXTRA STATUTORY DAYS			
Up to 5 Years Continuous Local Government Service	Over 5 years Continuous Local Government Service		
28 days	32 days		

- a) The annual leave entitlement includes two extra statutory days to be taken as part of annual leave.
- b) The annual leave year runs from 1st April to 31st March.
- c) For new employees, entitlement to annual leave will be pro-rata'd based on their new start date, to the nearest half day.
- d) If an employee resigns from the Council's service, their annual leave will be pro-rata'd based on their last day of service. They will be expected to take full entitlement prior to departure.

- e) The leave entitlement as expressed applies to 5 day working patterns. Leave entitlement excludes public and statutory holidays.
- f) For alternative equivalent working patterns, an equivalent leave entitlement will need to be calculated.
- g) If employees work in offices which close for two additional local holidays, they are required to take two of their annual leave days at that time.
- h) If an employee works part time and does not work a specific number of days per week, their leave entitlement will be calculated in hours on a pro-rata basis. The method of calculation is:

$$\begin{array}{lcl} \text{Average no. of hours} & \times & 5.6 \text{ (weeks)} \\ \text{Worked per week} & & \end{array} = \begin{array}{l} \text{Total hours leave} \\ \text{entitlement} \end{array}$$

(Multiply by 6.4 in place of 5.6 if 5 years' service or more)

- i) Whilst employees are encouraged to take their full leave entitlement during the leave year, an employee may carry forward up to 5 days of annual leave to the next leave year (pro-rata for part-time employees). In exceptional circumstances, the Director, after consultation with the appropriate Human Resources Advisor, may approve the carry forward of additional days.
- j) Leave entitlement will increase from the month following completion of 5 years' service.
- k) Annual leave will accrue during periods of long-term sickness absence and during maternity absence.

11.3 Management of Annual Leave

- a) Each employee to provide to their team manager details of the main periods of annual leave they wish to take during the year as soon as they are known. This will enable services to plan ahead, allowing staff and team's greater flexibility in annual leave on the whole. Employees must agree leave dates reasonably in advance with their manager.
- b) Managers and their teams to take responsibility to:
 - Determine the minimum number of employees required to be at work at any one time so that adequate cover is in place at all times to ensure service delivery;
 - Ensure that forward planning of annual leave works to the benefit of all team members and service delivery;
 - Give maximum notice of intended leave periods at all times.
- c) During periods where there is a high demand for annual leave, the team should meet and discuss each individual's leave requirement and agree by mutual consent where

possible. If there is difficulty in reaching agreement consideration should be given to leave history, for example, has a team member had leave refused in the past; is it someone else's turn to take the period in question off this year. If a decision cannot be made, draw lots. The outcome of this will then become part of future considerations.

- d) No holidays should be booked until leave has been granted.

11.4 Christmas Leave

Staff normally required to work on the last weekday before Christmas Day are granted an additional half day's leave on that day. Full details are available on the intranet at [HR and L&D > HR guidance and policies](#).

11.5 Public Duties

- a) The Council will grant paid leave to employees required to undertake official duties relating to membership of public bodies including service in support of the legal system and the democratic process, annual service with the non-regular forces (which includes training with the Reserve forces and the Cadet Force Adult Volunteers), jury service and as a school governor.
- b) Employees who are considering taking up any of the public duties covered by this paragraph should discuss the implications with their manager, having particular regard to any time off in order that this may be taken into account in service planning.
- c) Employees will be expected to give reasonable notice of any requirement for time off. Whilst the Council will wish to offer support to those who undertake public duties, there may be occasions when it will not be possible to approve time off because of the need to maintain Council services.
- d) Employees receiving time off under this provision will be required to provide evidence of the need for such time off.
- e) This will be limited to a maximum of 10 working days, or the hourly equivalent, as paid time off (pro-rata for part time employees) in any one financial year, subject to service needs being met. In addition, unpaid time off, up to a maximum of a further 8 working days or the equivalent number of hours (pro rata for part time employees) may be approved in appropriate circumstances. Under this agreement, a total of up to 18 days time off (paid and unpaid) may be approved in any one financial year.
- f) An individual employee will be eligible for one entitlement to time off under this provision, no matter how many public duties they undertake.
- g) It will exclude those bodies defined in regulations under the Local Government and Housing Act 1989 to which restrictions apply for politically restricted posts.

- h) Other periods may be taken as part of annual leave.
- i) Employees are required to claim for loss of earnings from the public body in relation to the duties that they undertake. In the event that such a payment is less than the normal take home pay of the employee, the Council will make up the difference.
- j) Jury Service may require an individual employee to be absent from work for a period of more than 10 working days. The first ten days of any such service would be counted within the normal entitlement to time off for public duties. Any time in excess of this would be considered within the framework of discretionary leave.
- k) Those employed by Milton Keynes City Council's Returning Officer at a Polling Station on the day of a Poll will be granted paid time off. This is excluded from the 10 days given under (d) above. Employees must obtain prior agreement from their line manager to undertake election duties. Subject to the needs of the service, requests should not be unreasonably refused.

11.6 Cancer Screening: *Necessary paid time off will be granted to employees for the purpose of cancer screening.*

11.7 Medical and Dental Appointments: Employees are expected to make such appointments outside their normal working hours or, if this is not possible to make up the time lost. With the approval of the employee's Line Manager, initial emergency or specialist hospital appointments will be permitted without deduction of time where these cannot be arranged outside of normal working hours. Evidence of the appointment may be required. Follow up appointments will be unpaid.

Additionally, where a medical appointment is specifically for a condition under the Equality Act, it can be regarded as paid time off. An OH report would be required to confirm the condition is covered under the Equality Act. When entering the absence into ERP go to Special Leave Paid and then select Hospital Appointment. These may not necessarily require a full day if the appointment is early in the day or late in the day or local, and if it would be reasonable to attend work either before or after the appointment.

At any appointment where treatment is administered, which then results in someone being unfit to attend work, this should be reported as sickness on ERP.

11.8 Blood Donor Sessions: Blood donor sessions will be permitted without deduction of time

11.9 Study Leave

- a) Study leave is granted at the discretion of the employee's Director for the first attempt at each part of examinations approved by the Council.
- b) The maximum permitted study leave is five days. This is usually on the basis that one day is granted for each paper being undertaken.

11.10 Leave to Attend Examinations:

This will be granted without loss of salary, for the purpose of the first sitting of examinations that are applicable to the post held and approved by the Council.

11.11 Discretionary Leave:

Special Leave may exceptionally be granted, with or without pay, at the discretion of the Director, in consultation with the appropriate HR Business Partner.

11.12 Compassionate Leave:

Paid or unpaid compassionate leave is available. Each request will be judged on its individual merit but the following criteria may be used as guidelines:

- Death or serious illness of a close relative - usually spouse/partner, child, parent, brother, sister or grandparent
- Other occasions when care of dependants is necessary

A limit of 5 days paid leave per annum is normally applied subject to the agreement of the Director although additional time may be awarded in exceptional circumstances.

11.13 Maternity Scheme

For full details of the Council's Maternity Policy, please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative.

11.14 Adoption Leave

For full details of the Council's Adoption Policy, please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative.

11.15 Maternity Support Leave:

For full details of the Council's Maternity Support Leave Policy, please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative.

11.16 Paternity Leave:

For full details of the Council's Paternity Leave Policy, please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative.

11.17 Parental Leave:

For full details of the Council's Parental Leave Policy, please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative.

11.18 Time off for Family Emergencies

Under Domestic Incident Leave all employees have the right to take a reasonable period of unpaid time off work to deal with an emergency involving a dependant.

This is intended to cover unforeseen matters. If an employee knows in advance that they are going to need time off, they should arrange this in advance with their manager, perhaps by way of annual leave or parental leave if appropriate.

Circumstances in which an employee can take time off:

This right enables employees to deal with an unexpected or sudden problem and make any necessary longer term arrangements:

- if a dependant falls ill or has been involved in an accident or assaulted, including where the victim is hurt or distressed rather than injured physically;
- when a partner is having a baby;
- to make longer term care arrangements for a dependant who is ill or injured;
- to deal with the death of a dependant; for example to make funeral arrangements or to attend a funeral;
- to deal with an unexpected disruption or breakdown in care arrangements for a dependant; for example, when the child-minder or carer fails to turn up;
- To deal with an incident involving the employee's child during school hours; for example, if the child has been involved in a fight or is being suspended from school.

Definition of a dependant

A dependant is the employee's partner, child or parent or someone who lives with the employee as part of their family. For example this could be an elderly relative or grandparent who lives with the household. It does not include tenants or boarders living in the family home or someone who lives in the household as an employee, for example a live-in housekeeper or au pair.

Amount of time off

In most cases, the amount of leave will be one or two days at the most, but this will depend on individual circumstances. For example, if a child falls ill, the leave should be enough to help the employee cope with the crisis – to deal with the immediate care of the child, visiting the doctor if necessary, and to make longer term care arrangements. It does not mean that the employee may take two weeks leave to look after a sick child.

Notice period

- The employee should tell their manager as soon as possible about the need to take time off for domestic incidences.
- The employee should state the reason for the time off and how long they expect to be away from work.

- The employee cannot unreasonably be refused time off and will suffer no detriment as a result of any request they make.

12.0 Part Time Employees

(Part 2, paragraph 8 of the Green Book)

- 12.1 *Part time employees shall have applied to them the pay and conditions of service pro-rata to comparable full time employees in the Council except for training and development, where part time employees should have access equal to that of full time employees and when on training courses outside their contracted daily hours shall be paid on the same basis as full time employees.*

13.0 Temporary Employees

(Part 2, paragraph 9 of the Green Book)

- 13.1 *Temporary employees shall receive pay and conditions of service equivalent to that of permanent employees.*

14.0 Sickness Scheme

(Part 2, paragraph 10 and Part 3, paragraph 4 of the Green Book)

- 14.1 *The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault.*
- 14.2 *Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with the Council. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.*
- 14.3 *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 month's half pay</i>
<i>During 2nd year of service</i>	<i>2 month's full pay and 2 month's half pay</i>
<i>During 3rd year of service</i>	<i>4 month's full pay and 4 month's half pay</i>
<i>During 4th and 5th years of service</i>	<i>5 month's full pay and 5 month's half pay</i>
<i>After 5 years service</i>	<i>6 month's full pay and 6 month's half pay</i>

The Council shall have discretion to extend the period of sick pay in exceptional cases.

- 14.4 *The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.*

- 14.5 *In the case of full pay period's sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable will secure the equivalent of normal pay.*
- 14.6 *In the case of half pay periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable, so long as the total sum does not exceed normal pay.*
- 14.7 *Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.*
- 14.8 *The Employment and Support Allowance or equivalent social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis that the employee has satisfied so far as is possible:*
- a) The conditions for the reporting of sickness as required by the Council*
 - b) the claiming of benefits*
 - c) the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement*
- 14.9 *An employee, who is prevented from attending work because of contact with infectious disease, as certified by a registered medical practitioner, shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.*
- 14.10 *If an employee abuses the sickness scheme or is absent on account of sickness due or attributable to deliberate conduct prejudicial to recovery or the employee's own misconduct or neglect or active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer sick pay may be suspended. The Council shall advise the employee of the grounds for suspension of sick pay and the employee shall have a right of appeal. Appeals of this nature are delegated to a senior officer. If the Council decides that the grounds were justified, then the employee shall forfeit the right to any further payment in respect of that period of absence. Repeated abuse of the sickness scheme should be dealt with under the disciplinary procedure.*
- 14.11 The Council's Managing Attendance Policy is available on the intranet at [HR and L&D > HR guidance and policies](#). Employees will be advised of any local reporting arrangements, which differ from the standard, by their manager.
- 14.12 Annual leave will accrue during periods of sickness absence. This must be taken in accordance with the provisions for annual leave set out within the Council's Managing Attendance Policy.

15.0 Reimbursement of Expenditure

(Part 2, paragraph 13 of the Green Book)

- 15.1 *Employees necessarily incurring additional expense in the course of their work in respect of travel, meals or overnight accommodation will be reimbursed approved expenses, subject to prior agreement by their manager and appropriate evidence of expenditure being produced.*
- 15.2 Employees may be required to work in any location within the boundaries of Milton Keynes City Council. If circumstances arise where an employee is required to move their base of work to outside the Milton Keynes City Council area, consideration will be given as to whether a travel allowance is appropriate.
- 15.3 Expenditure on telecommunications equipment or service will only be reimbursed where this is authorised by the manager in advance and is necessarily incurred solely for work related purposes (i.e. it is in addition to normal household costs).

16.0 Continuous Service

(Part 2, paragraph 14 of the Green Book)

- 16.1 *For the purposes of entitlements regarding Annual Leave, the Occupational Sickness Scheme and the Occupational Maternity Scheme continuous service will include continuous previous service with any public authority to which the Redundancy Payments Modification Order (Local Government) 1999 applies.*
- 16.2 *Where an employee returns to local government service following a break for maternity reasons, or reasons concerned with caring for children or other dependants he or she will be entitled to have previous service taken into account in respect of the sickness and maternity schemes provided that the break in service does not exceed eight years and that no permanent paid full time employment has intervened. For the purpose of the calculation of entitlement to annual leave the eight years' time limit does not apply provided that no permanent full time employment has intervened.*
- 16.3 *Where an employee is transferred to an organisation not covered by the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999, continuity of service is protected under the TUPE regulations where there is a TUPE transfer. However, if that employee returns voluntarily to local government service continuity is broken. Where an employee returns in such circumstances, without a break between employments, all previous continuous service will be recognised for the purposes of the calculation of entitlements to annual leave, occupational maternity leave / pay and occupational sick pay. This is subject to the return to service being within five years of the original transfer.*

Note: This agreement applies to all employees who have returned to local government service since 1st April 1997 however the calculation of the resulting benefits, such as additional leave, will only take effect as and from 1st April 2002.

16.4 The Council recognise continuity of service for the purposes of calculation of entitlements to annual leave, occupational maternity leave/pay, occupational sick pay and redundancy pay in respect of those who transfer out of the Council's employ under TUPE legislation to work in partnership with the Council, then voluntarily return to the Council as an employee provided:

- The employee has continually worked to provide a service in partnership with the Council to the community of Milton Keynes;
and
- There has been no break in service.

This arrangement will be reviewed periodically against any additional costs it has incurred to the Council.

17.0 Period of Notice to Terminate Employment

(Part 2, paragraph 15 of the Green Book)

17.1 *Employees will be required to give notice that is equivalent to the normal period between salary payments, unless the contract of employment specifies a different period.*

17.2 The notice period required is dependent upon the grade of post as follows:

Grades A to G	=	1 months notice
Grades H to K	=	2 months notice
Grades L to O	=	3 months notice

17.3 The statutory minimum periods of notice to be given by the Council will be applied only where they are greater than the contractual notice period. These are as follows:-

Continuous Service with The Council	Legal minimum notice period
One month or more but less than 2 years	1 week
2 years or more but less than 12 years	1 week for each year
12 years or more	12 weeks

17.4 Longer periods of notice may apply subject to agreement between the Council and the employee.

18.0 Grievance Procedure

(Part 2, paragraph 16 of the Green Book)

18.1 The Council's Policy and Procedure for the handling of individual and collective grievances is the subject of separate consultation. For full details please refer to the [HR and L&D > HR guidance and policies > Resolving Workplace Concerns](#) on the intranet or contact your HR Representative. This procedure accords with ACAS guidance.

19.0 Disciplinary Procedure

(Part 2, paragraph 17 of the Green Book)

- 19.1 The Council's Policy and Procedure for the handling of individual and collective matters of capability and discipline is the subject of separate consultation. For full details please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative. This procedure accords with legal requirements and with the ACAS guidance.

20.0 Trade Union Membership and Facilities

(Part 2, paragraph 18 of the Green Book)

- 20.1 Employees have the following rights in respect of trade union membership and activities:
- The right to be a member of such trade union as the employee may choose
 - The right not to belong to a trade union
 - The right where an employee is a member of one of the trade unions recognised by the Council for collective bargaining purposes, to take part in its activities at appropriate times, to seek election to office in the union.
- 20.2 The Council, as an employer, supports the process of collective bargaining in every way and believes in the principle of solving industrial relations' problems by discussion and agreement. For practical purposes, this can only be conducted by representatives of the employers and the employees.
- 20.3 If collective bargaining of this kind is to continue and improve to the benefit of both, it is essential that the employees' organisations should be fully representative. The Council is associated with other Local Authorities represented on a National and Provincial Council dealing with Local Authorities' services. It is equally sensible for employees to be in membership of a Trade Union representing them on the appropriate negotiating body and the Council encourages employees to do so. At a local level, the Trade Unions represented on the negotiating body for these terms and conditions are UNISON and GMB.
- 20.4 The Council provides *the recognised trade unions with facilities necessary to carry out their functions, including paid leave of absence to attend meetings concerned with the work of the NJC and Regional / Provincial Councils and the operation of a check off system whereby, with the consent of the individual, trade union dues are deducted from pay.*

21.0 Payments to Employees in the event of Death or Permanent Disablement arising from Assault

(Part 3, paragraph 7 of the Green Book)

- 21.1 In accordance with the provisions of the existing national agreements, the Council makes provision to compensate employees in the event of death or permanent injury arising from assault suffered in the course of employment, or as a consequence of their employment. Any changes in the national provisions automatically form part of this provision.

22.0 Official Premises

- 22.1 Employees have no right of access to official premises outside the course of duty, nor may they bring in visitors nor use the premises for unofficial purposes without the prior consent of the appropriate Director, except when attending functions or activities recognised by the Council.

23.0 Theft from and damage to employees' vehicles

- 23.1 The Council cannot compensate employees who have had personal possessions stolen from their private vehicles whilst parked at any Council premises during the course of their work.
- 23.2 Employees should avoid leaving Council property in their car. If property has to be transported by car it should be kept out of sight, whenever possible. In certain instances, such as the transportation of laptop computers, items will not be covered by employees' insurance if they are not out of sight.
- 23.3 The Council cannot accept responsibility for damage to employees' vehicles whilst an employee is carrying out their duties for the Council. Employees who use their cars in the course of their duties are required to have business insurance cover for their vehicles.
- 23.4 However, the Council recognises that there may be situations in which clients are believed to have caused damage to employees' vehicle. In such situations, it may be appropriate for the Council to consider, without prejudice, the payment of an ex-gratia sum towards the cost of such damage. Each case will be considered on its own merits.

24.0 Property

- 24.1 Employees are expected to take all reasonable steps to ensure the safety of their property whilst they are on the Council's premises. The Council will not normally accept responsibility for an employee's personal property which is on Council premises. However, in exceptional cases employees may be able to claim an ex-gratia payment in respect of personal property that has been lost or damaged.

25.0 Phone Calls

- 25.1 Private calls can be made on Council telephones provided:-
- The call is of an urgent nature which cannot be made outside working hours.
 - The call is to an exchange listed on the local code pages of the Milton Keynes alphabetical directory.
 - The duration of the call is kept to a minimum and does not exceed three minutes.
- 25.2 If an employee wishes to make phone calls through the office telephone system or on a mobile phone provided for business use by the Council which do not fall within the above

criteria, they must obtain permission from their manager before making the call. The call should be kept as brief as possible, and must be paid for at the appropriate rate. Guidance is available in the IT User Security Policy which is available on the intranet at [ICT Services > ICT Policies](#).

26.0 Identity Cards/Badges

- 26.1 All staff, except for school based and teaching staff will be provided with identity cards. The card must be displayed at all times.
- 26.2 On leaving employment, access and identity cards must be returned to the appropriate line manager prior to members of staff leaving the Council.

27.0 No Smoking Policy

- 27.1 The council operates a smoke free policy that incorporates all directly managed council buildings and their associated enclosed land; all council owned or leased vehicles, plant, machinery and equipment. The policy only covers an employee's own vehicle if it is being used to transport colleagues and/or service users. Smoking breaks may be taken in an employee's own time and in accordance with the smoking break rules of the policy.
- 27.2 For full details of the Council's Smoke Free Policy, please refer to the [HR and L&D > HR guidance and policies](#) on the intranet or contact your HR Representative.

28.0 Rehabilitation of Offenders Act (1974) Exceptions

- 28.1 The Rehabilitation of Offenders Act specifies time periods after which specific criminal convictions are considered spent. However, some posts are exempt from the Act as follows:
- Accountants
 - Solicitors/Barristers
 - All employees concerned with provision of services, schooling, training etc. of young people under 18 years of age
 - Employees in connection with provision of social services
- 28.2 Additionally, where a post involves work with children or vulnerable adults then the Council is required to carry out a Disclosure and Barring Service check in accordance with the criteria defined in, Safeguarding Vulnerable Groups Act 2006 and Protection of Freedoms Act 2010. After completion of the recruitment procedure all forms are destroyed.
- 28.3 Any successful candidate for posts falling within the above categories will be asked to declare on application any "spent" or "unspent" convictions or cautions.
- 28.4 A false declaration may lead to employment being terminated without notice.

29.0 Politically Restricted Posts

29.1 Certain posts are classified as “Politically Restricted” under the Local Government and Housing Act 1989 and as amended under the Local Democracy, Economic Development and Construction Act 2009. Such posts include:

- Posts giving advice on a regular basis to the Council, to any committee or sub-committee of the Council, or any joint committee on which the Council is represented.
- Posts involving speaking on behalf of the Council on a regular basis to journalists and broadcasters.

29.2 Such post holders are restricted from:

- Standing as candidate for membership of a Council or Parliament (but not a Town, Parish or Neighbourhood Council).
- Holding office in a political party.
- Canvassing at elections.
- Speaking or writing on matters of party political controversy.

29.3 Where a position is identified as being politically restricted, it will either be classified as ‘Specified’ or ‘Sensitive’.

29.4 If role-holders of ‘Sensitive’ posts feel that the Authority has wrongly applied the criteria, they can apply to the local Standards Committee for exemption.

30.0 Supporting New Employees

30.1 The Council’s Supporting New Employees Policy will apply during an employee’s first six or 12 months of employment. Employees will be advised as to which period applies to their role.

30.2 Reviews of performance, via the Council’s 121 process will take place in accordance with the guidance contained in the Supporting New Employees Policy.

30.3 Should performance be unsatisfactory during this period then appropriate contractual notice may be given by the Council to terminate the contract.

30.4 Full details of the process can be found in the Supporting New Employees Policy available on the intranet at [HR and L&D > Induction](#).

31.0 References, Medical Checks and Qualifications

31.1 Employment with the Council is subject to:

- Confirmation that the employee is medically fit to undertake the duties of the post.

- References being obtained which satisfy the Council. References will normally be taken up before any offer of an appointment is made. (It is the final decision of the Council to determine if such references meet its requirements).
- Producing originals of all those qualifications / professional registrations declared on the employee's application form for inspection, which are detailed essential or desirable requirements in the person specification for the post.
- Asylum and Immigration Act requirements.
- A satisfactory Disclosure and Barring Service check (if applicable)

32.0 Long Service Award

- 32.1 Employees who have completed 25 years' service with Milton Keynes City Council or Milton Keynes Borough Council's predecessors, or Buckinghamshire County Council and transferred as a result of LGR or worked for Buckinghamshire County Council at premises in the Milton Keynes area, will be eligible for a Long Service Award. The period of service need not be continuous for an employee to be eligible for the award.
- 32.2 The Long Service Award will take the form of a gift. The sum is index linked to the Retail Price Index (excluding mortgages) based on £400 as at 1 April 2020. No cash equivalent may be given. Detail of the current value of this award is provided on the Intranet under Long Service Award at [HR and L&D > HR guidance and policies](#).

33.0 Pension Scheme

- 33.1 Employees whose contract is for a period of more than 3 months, will automatically be enrolled in the Local Government Pension Scheme (LGPS) unless they have indicated in writing that they wish to opt out of the scheme. Employees may choose not to be a member of the Local Government Pension Scheme and instead make their own pension arrangements, possibly in the form of a personal pension, (current legislation provides that employees can only have one pension scheme, either the Local Government Pension Scheme or a Personal Pension).
- 33.2 The total contributions paid into the LGPS comprise employer and employee contributions. The Council's share is based on a percentage of the employee's contribution. The Council's contribution is reviewed annually. Employee contributions will be deducted direct from salary.
- 33.3 Additional Voluntary Contribution Schemes (AVCs) are available from the Buckinghamshire County Council Pension Fund in conjunction with Clerical Medical. These schemes can help increase the value of the pension payable. Details of these AVCs are available from the Payroll Manager in Human Resources.
- 33.4 If an employee leaves the service of the Council to work for another organisation with which there are transferable agreements, then contributions may be transferred to the new organisation under the terms of the agreement.

- 33.5 For the purpose of the relevant pension's legislation, pensionable employees are contracted out of the State Earnings Related Pension Scheme.
- 33.6 Detailed information on the LGPS can be found on the Buckinghamshire Council website by going to <https://lgps.buckinghamshire.gov.uk/> and click on Your Council / Local Government Pension Scheme.

34.0 Compensation for Redundancy and Early Retirement

- 34.1 Provisions for dealing with individual applications for early retirement and voluntary redundancy are set out in the Redeployment and Redundancy Policy and the LGPS Discretions within the Scheme Policy. These policies are available on the intranet at [HR and L&D > HR guidance and policies](#).

35.0 Pay Protection to Avoid Redundancy

- 35.1 In the event of redeployment as a result of internal reorganisation, the pay protection arrangements are set out in the Redeployment and Redundancy Policy. This policy is available on the intranet at [HR and L&D > HR guidance and policies](#).

36.0 Child Care and Dependants

(Part 3. paragraph 5 of Green Book)

- 36.1 *The Council will take reasonable steps to ensure adequate support for employees with responsibilities for children and dependants.* Details of the Childcare Subsidy Scheme are available on the intranet at [HR and L&D > Employee Benefits and Support](#).

Version Control

Version	Date	Updated by	Comments
V8.0	01/04/2023	Gillian Davis	<p>Transferred on to new MKCC template.</p> <p>Updated links to other policies, pages and removed reference to appraisal.</p> <p>Annual leave balances updated to reflect pay award changes</p> <p>AMHP allowance changed to new rate</p>

