

# Summary of Main Terms & Conditions of Employment

This is a summary of the terms and conditions generally applicable to employees in the council; some roles have variations to these. Full details of pay and terms and conditions are specified in the offer letter and contract issued to successful candidates.

<b>Pay and Terms and Conditions of Employment</b>	Will be determined by the job role and outlined in the statement of main terms and conditions of employment. Most roles are subject to the terms and conditions of the Soulbury Committee and National Joint Council for Local Government Services which are supplemented by local collective agreements. Local agreements are reached with the trade unions recognised by the City Council and by the policies and procedures of the Council.
<b>Probationary period</b>	All appointments are subject to a satisfactory probationary period of 6 months.
<b>Annual Leave</b>	<p>Leave year - 1 October to 30 September*</p> <p>Leave entitlement:</p> <p>8 public and bank holidays            30 days where less than 5 years' service, or            31 days where 15 or more years' service**.</p> <p>In the case of part-time employees, the entitlement is given in hours, and is proportionate to the contracted hours of work.</p> <p>For those staff who are not required to work on the three working days between the Christmas and New Year bank holidays three day's pay will be deducted. This will be pro-rata for part time staff and spread across the year.</p>
<b>Pension</b>	<p>Contributory Pension Scheme</p> <ul style="list-style-type: none"> <li>• 17.6% Employer Contributions (Variable)</li> <li>• Employee Contribution – between 5.5% - 12.5% depending on salary. (6.5% for those earning between £22,501-£36,500 per annum).</li> </ul>
<b>Additional benefits</b>	<p>Includes:-</p> <ul style="list-style-type: none"> <li>• No smoking environment</li> <li>• Relocation Scheme (subject to meeting specific criteria)</li> <li>• Employee Assistance Programme</li> <li>• Car Lease Scheme</li> <li>• Agile working environment with flexible working hours (dependent on role)</li> <li>• Highly supportive management team committed to learning and development</li> </ul>
<b>Special Conditions</b>	<ul style="list-style-type: none"> <li>• All appointments are subject to medical clearance by the Council's Medical Adviser.</li> <li>• All appointments are subject to receipt of satisfactory references.</li> <li>• If the post for which you are applying involves working with children or vulnerable adults, it will be exempt from the Rehabilitation of Offenders Act 1974 and subject to a disclosure in accordance with the requirements of the Disclosure &amp; Barring Service, and the Police Act 1997. Applicants for these posts will be required to disclose any criminal convictions, cautions, reprimands, bind-overs or final warnings, even if they are 'spent' under the Act.</li> <li>• If you are successful you will be required to provide documents that prove you have the legal Right to Work in the UK and to comply with the relevant legislation.</li> </ul>

\*Other posts may be subject to pay and/or terms and conditions determined by other national bodies.

\*\* Continuous Local Government Service.

## GUIDANCE ON DECLARATION OF CRIMINAL OFFENCES

BEFORE COMPLETING THE JOB APPLICATION FORM, PLEASE READ THE FOLLOWING NOTES CAREFULLY: Applicants should note that providing false information to obtain employment is a criminal offence [S16 Theft Act]

Under the provision of the Rehabilitation of Offenders Act 1974, job applicants do not usually have to disclose information on certain convictions after a set period of time, as they become 'SPENT' (except those resulting in prison sentences of over four year, sentences of detention for young offenders, and all public protection sentences). However, there are exemptions to this which mean that for some jobs convictions must be declared and can never be considered 'spent'. Information on when a conviction, a caution or a bindover is considered 'spent' is given below.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences. Any information given will be treated confidentially and only considered in relation to the post for which you are applying. You must give details on your Job Application Form of any offences, convictions, cautions or bindovers you have, or any court cases that you have pending.

## EXEMPTIONS

If you are applying for a job in any of the following categories, you **MUST** disclose any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013):-

- Regulated activity with children and other activities which involve working closely with children such as caring for, training, supervising or being solely in charge of children under 18 (including adoption, fostering, day care and childminding)
- Regulated activity and other activities which involve caring for, training, supervising or being solely in charge of other people in vulnerable circumstances (including social work and advocacy services)
- Employment in healthcare professions

If you are offered a job in these or other sensitive categories, you will be required to complete a further form and to authorise the Council to undertake a Disclosure check through the Disclosure & Barring Service who will release to the Council information concerning any relevant criminal convictions. This is handled in accordance with our DBS policy and the DBS Code of practice. Copies are available on request. In addition, if those subject to a DBS check have worked or been resident overseas in the last five years they will be required to provide a 'STATEMENT OF GOOD CONDUCT' covering the period. This Statement of good conduct is usually provided by the relevant embassy or police force and is arranged by the applicant.

## REHABILITATION PERIODS

The rehabilitation period (the length of time before a caution or conviction becomes spent) is determined by the type of disposal administered or the length of the sentence imposed. Rehabilitation periods that run beyond the end of a sentence are made up of the total sentence length plus an additional period that runs from the end of the sentence, which is called the 'buffer period'. Other rehabilitation periods start from the date of conviction or the date the penalty was imposed.

The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The following sentences are exempt from the 1974 Act and can never become spent:

- a. Sentence of imprisonment for life;
- b. Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over 4 years;
- c. Sentence of preventive detention;
- d. Sentence of detention during Her Majesty's pleasure or for life;
- e. Sentence of custody for life;
- f. Public protection sentences (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders).

The 'buffer periods' are halved for those who are under 18 at date of conviction (save for custodial sentences of six months or less where the 'buffer period' is 18 months).

Sentence/disposal	Buffer period for adults (18 and over at the time of conviction or the time the disposal is administered). This applies from the <u>end date</u> of the sentence (including the licence period).	Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the <u>end date</u> of the sentence (including the licence period).
Custodial sentence* of over 4 years, or a public protection sentence	Never spent	Never spent
Custodial sentence of over 30 months (2 ½ years) and up to and including 48 months (4 years)	7 years	3½ years
Custodial sentence of over 6 months and up to and including 30 months (2 ½ years)	4 years	2 years
Custodial sentence of 6 months or less	2 years	18 months
Community order or youth rehabilitation order**	1 year	6 months

\*Custodial sentence includes a sentence of imprisonment (both an immediate custodial sentence and a suspended sentence), a sentence of detention in a young offender institution, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training.

\*\*In relation to any community or youth rehabilitation order which has no specified end date, the rehabilitation period is 2 years from the date of conviction.

The following table sets out the rehabilitation period for sentences which do not have “buffer periods” and for which the rehabilitation period runs from the date of conviction:

<b>Sentence/disposal</b>	<b>Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered).</b>	<b>Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered).</b>
Fine	1 year	6 months
Conditional discharge,	Period of the order	Period of the order
Absolute discharge	None	None
Conditional caution and youth conditional caution	3 months or when the caution ceases to have effect if earlier	3 months
Simple caution, youth caution	Spent immediately	Spent immediately
Compensation order*	On the discharge of the order (i.e. when it is paid in full)	On the discharge of the order (i.e. when it is paid in full)
Binding over order	Period of the order	Period of the order
Attendance centre order	Period of the order	Period of the order
Hospital order (with or without a restriction order)	Period of the order	Period of the order
Referral order	Not available for adults	Period of the order
Reparation order	Not available for adults	None