



**NORTHAMPTONSHIRE OFFICE OF THE POLICE, FIRE AND CRIME
COMMISSIONER**

LOCAL SCHEME OF CONDITIONS OF SERVICE

Policy Version Control			
Version	Date	Summary of Changes	Author
V1	April 2019		Stuart McCartney
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PROVISION

*These conditions of service are based on the Local Scheme of Conditions of Service for Local Government Employees effective from 1st April 1999 and as amended, the Police Staff Council Pay and conditions of service, the OPFCC's Local Scheme of Conditions of Service and any other arrangements which have been negotiated locally**

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

These conditions of service have been agreed with those trade unions recognised for the OPFCC employees, UNISON.

Notes:

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

EQUALITY AND DIVERSITY

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

LEARNING AND DEVELOPMENT

Learning and Development reflects the OPFCC's belief in the need to develop all permanent and temporary employees, whether employed on a full-time or part-time basis, to enable them to do their job effectively; develop their potential and their performance; and provide quality, value for money, services to the people of Northamptonshire. Learning and Development opportunities are identified formally through Personal Development Plans arising from Performance Review process and in accordance with business need during the year.

PERFORMANCE & DEVELOPMENT APPRAISAL

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

HEALTH AND SAFETY

General Statement of Health and Safety Policy

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

The OPFCC is committed to providing and maintaining a healthy and safe working environment for all its employees, and in ensuring that their work does not adversely

affect the health and safety of other people such as service users, visitors and contractors.

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

- as a minimum, to comply with requirements of relevant legislation
- to identify hazards (the potential for harm), assess risks (the likelihood of that harm being realised) and manage those risks
- to ensure that employees (and others as appropriate) are adequately informed of the identified risks and where appropriate receive instruction, training and supervision
- to consult with employees' representatives on health and safety matters
- to provide and maintain safe and healthy premises and work equipment to ensure that employees are competent to do their tasks, providing training where necessary
- to ensure that contractors are competent to manage the health and safety aspects of their work
- to maintain appropriate health and safety management systems and arrangements
- to monitor and review the effectiveness of the safety management systems and arrangements and where appropriate implement improvements

Protective Clothing

Protective clothing will be provided and by the OPFCC where it believes it is necessary to comply with health and safety legislation.

Medical Clearance

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

First Aiders

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

PROBATIONARY PERIODS

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

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

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

Payment of salaries

Salaries for all new appointments will be paid each calendar month on a date not later than the 25th day of the month in respect of which the payment is made.

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

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

PAY PROGRESSION

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

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

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

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

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

PAY SCALES

The OPFCC will use the Police Staff pay scales for all staff unless posts are designated for spot salary. Cost of living salary increases negotiated for Police staff will also be adopted for all OPFCC staff.

JOB EVALUATION

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

Appeals

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

SALARY PROTECTION

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

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

*This will be applied pro rata for part time employees

ALLOWANCES AND PAYMENTS

Working at a Higher Level [Acting Up]

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

Honoraria

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

Meals and Accommodation Charges for Employees Meals Provided

Free meals will be provided where employees are required to take meals with clients in performance of their duties.

Payment of Subscriptions

The OPFCC will pay for approved subscription costs that arise from membership of a national, regional or area professional organisation which has a direct benefit to the work of the OPFCC, provided that the objectives of the organisation do not include improvement of the pay, status or conditions of employment of its members. Employees should reclaim any subscriptions paid for professional memberships which have been approved for payment through the MFSS expenses process.

Mobility Clause

Employees may be required to work, either temporarily or permanently, at any other location specified by the OPFCC which is within a reasonable distance (reasonable being determined solely by the OPFCC) as the needs of the business reasonably requires. An employee's usual place of work may be changed on reasonable notice.

Disturbance Payments

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

Where disturbance requires additional home to work travel a disturbance sum will be paid in complete recompense.

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

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

Homeworking

Employees who are authorised to work from home may be provided with equipment by the OPFCC. Such equipment is only to be used for business purposes and must be returned on leaving the post or the OPFCC. Homeworkers must comply with the Health and Safety and IT Security policies and ensure that proper insurance cover is provided.

REIMBURSEMENTS

Travelling

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

It is expected that employees will use the most cost effective and environmentally friendly mode of transport whilst recognising that this may require some judgement in balancing both factors.

The OPFCC will reimburse all car, van and motor cycle business mileage at HMRC rates.

Other Travel Rates

All travel by public transport should be by standard class and consideration should be given to the most cost effective means of travel. Travel by taxi will not ordinarily be paid unless travel by public transport is not available or it is required to ensure personal safety.

Meals and Overnight Stays

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

Where an overnight stay is approved, costs of accommodation and meals together with any further out-of-pocket expenses should be discussed with, and approved for reimbursement by the line manager before they are incurred. Meal costs should not exceed £10.00 for breakfast and £30.00 for dinner. Costs for lunch will not be reimbursed unless it is agreed for business purposes.

Accommodation costs should not exceed what is reasonable for the local area and hotel accommodation should not exceed a three star rating.

Where possible accommodation should be booked in advance at the most economical rate. Advance booking can be managed through the Police travel department or using OPFCC purchasing cards.

Entertainment of Visitors

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

Telephone Costs

Employees who due to the nature of their work need to be contacted out of normal hours or are away from the workplace frequently will be supplied with a mobile telephone.

Training Costs

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

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

FEES

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

WORKING ARRANGEMENTS

The following working arrangements will apply to all OPFCC staff unless specific arrangements are in place for specified groups of employees.

WORKING WEEK

The standard working week for all full time employees is 37 hours which are to be arranged to meet service needs taking into account the OPFCC's policies on flexible working.

The OPFCC does not operate an overtime policy and additional hours for staff up to PMG grades is managed through the Flexible Working Hours and Time off in Lieu policies.

Public and Extra Statutory Holidays

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

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

Leave Year

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

Entitlement

From 1st April 2018, the annual leave entitlement in working days is as follows:

Scale 1 – 6 and SO1/2	24 days
PMG 1 and 2	25 days
PMG 3 and 4	27 days

All employees will be entitled to an additional 5 days annual leave after 5 years.

In exceptional circumstances, with the approval of the Chief Executive, annual leave at commencement of contract can be matched to a previous entitlement provided it does not exceed the maximum allowance for the grade of the post.

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

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

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

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

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

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

OPFCC employees can purchase additional annual leave (up to a maximum five days) pro rata for part time employees.

LEAVE AT BANK AND PUBLIC HOLIDAYS

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

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

OTHER LEAVE

Special Leave

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

Ordinary Parental Leave

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

Shared Parental Leave

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

Adoption Leave

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

Maternity Support Leave

Maternity Support Leave of 5 days with pay shall be granted to the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth. This also applies in cases of adoption where these criteria are met. Details are contained within the Paternity Leave Policy.

Paternity Leave

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

Maternity Scheme

The provisions for maternity leave and pay are contained in the Maternity Leave Policy and Guidance.

Leave for Public Duties

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

- a statutory tribunal, public committee or similar body when appointed or nominated by a Minister of State, the OPFCC or an association of which the OPFCC is a member
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- a board of prison visitors or a prison visiting committee
- a relevant health body
- a relevant education body
- the Environment Agency
- Justice of the Peace

OR

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

Country, community or organisation concerned

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

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

Election Duties

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

Employees who undertake an election count during a normal working day are also allowed that day as time off with full pay. If a count is undertaken at night there is no entitlement to have the day following as additional leave and employees should arrange to request this as annual leave.

Leave for Trade Union Duties

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

Jury Service

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

A juror is usually called for two weeks or ten working days. However, if a trial exceeds ten working days, the juror is expected to remain until the trial finishes. Jurors are usually warned in advance if a trial is expected to last a long time.

If the employee is not selected to serve, or dismissed earlier than expected, they should then return to work as normal.

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

Attendance at Court

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

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

Military Reservists

Volunteer members of the Reserve Forces who attend Annual Camp will be granted 2 weeks paid leave of absence in addition to their normal entitlement. In relation to volunteer reservists, managers may grant Special Leave of absence.

Accompanying a Fellow Worker

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

Time off for Training/Study

Time off for training and study leave will be given in approved cases. When on training courses outside their contracted daily hours, part time employees shall be paid on the same basis as full time employees or given time off in lieu.

Time Off to Attend Interviews

Time off with pay will be granted for interviews within the OPFCC. Interviews outside of the OPFCC are to be taken as annual leave. Where an employee is made redundant and has at least 2 years' service they are entitled to reasonable time off work during the period of notice to look for work and make arrangements for training.

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

Time Off for Medical Screening

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

Hospital, Doctors and Dental Appointments

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

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

Requests will be considered on an individual basis. Hospital appointments are considered authorised absence and time off will be paid. Employees should provide their manager with

proof of their appointment (e.g. an appointment card or a copy of the appointment letter) when requesting time off to attend hospital appointments.

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

Prayer/Religious Observance

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

Sickness scheme

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

The Commissioner's Occupational Sick Pay Scheme in a rolling 12-month period is as follows:

During 1st year of service	1 month's full pay and (after completing 4 months service) 2 months half pay.
During 2nd year of service	2 months full pay and 2 months half pay
During 3rd year of service	4 months full pay and 4 months half pay
During 4/ 5th years of service	5 months full pay and 5 months half pay
After 5 years service	6 months full pay and 6 months half pay

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

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

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

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

- notification is made at the earliest possible time to the person identified for this purpose by the OPFCC
- further notification is made as required by the OPFCC
- a doctor's statement is submitted to the OPFCC not later than the eighth calendar day of absence
- subsequent doctor's statements are submitted as necessary
- in cases where the doctor's statement covers a period exceeding fourteen days or

where more than one statement is necessary, the employee must, before returning to work submit to the OPFCC a final statement as to fitness to resume duties

- on return to work the employee signs a statement detailing the reasons for absence for all absences up to and including seven days

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

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

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

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

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

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

TERMINATION

NOTICE PERIODS

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

- Scale 1 - 6 - not less than one calendar month
- SO1/ SO2 - not less than two calendar months
- PMG grades and above - not less than three calendar months

The minimum statutory provisions will always be applied.

Ill Health

Termination of an employee's contract on the grounds of incapability arising from ill

health will only take effect following proper consideration of medical advice, alternative employment options and any reasonable adjustments which can be made.

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

Retirement

The OPFCC does not have a compulsory retirement age for its employees. For further information see the Retirement Policy.

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

CODE OF CONDUCT

The OPFCC's **Code of Conduct** applies to all employees.

DISCIPLINARY PROCEDURE

The OPFCC has adopted disciplinary rules to help employees know the standards expected of them. These are set out in the Disciplinary Policy and Procedure. All employees should familiarise themselves with these.

GRIEVANCE PROCEDURE

Employees who have a grievance arising from their employment should first raise it with their immediate manager. In circumstances where the grievance directly relates to their line manager it should be raised in the first instance with a Director or Chief Executive.

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