

SOUTH WALES POLICE & CRIME COMMISSIONER
PARTICULARS OF EMPLOYMENT

Written Statement of Terms and Conditions in Accordance with Current Employment Legislation

Name of Employee: Lee Jones
Force Number:
Date of Commencement: (in post):
Date of Commencement with South Wales Police:
Date on which continuous service started:
Previous recognised employer (reckonable service):
Employment status: Interim until 31 March 2018
Date of issue of Statement of Terms and Conditions:

1. JOB TITLE

You are employed by the Police and Crime Commissioner for South Wales in the post of Interim Chief of Staff based in Tŷ Morgannwg, Police Headquarters Bridgend or in any post appropriate to your grade in the Commissioner's service as may be required. A copy of your Role Profile is attached.

It is a condition of your employment that you may be required to work anywhere in the area of South Wales Police, that would stand the test of reasonableness, as may be directed in accordance with the terms of the mobility clause. Excess travelling will be paid under this agreement at the lowest prevailing mileage rate per mile or public transport costs.

This post is designated a politically restricted post.

2. SALARY DETAILS, METHOD OF PAYMENT

Your current salary is £ £68,690 per annum (pro rata).

Subject to satisfactory performance your salary will increase within the scale by annual increments, (up to the maximum of the scale).

You are paid monthly by credit transfer.

Overtime is not payable for Senior Officers (SCP 29) and above.

3. HOURS OF WORK

Flexi

Your normal hours of work are 37 hours per week with an unpaid meal break, which must be a minimum of 20 minutes.

Your hours of work involve a flexible working pattern of 148 hours in a 4 week settlement period with a debit of 7.24 or credit carry over as may be accrued

4. LEAVE

Annual leave entitlement is 24 working days, increased by 5 working days after 5 years continuous service and pro rata according to the number of full calendar months in your leave year.

If you commence employment part way through your leave year, then you will be entitled to your annual leave pro rata according to the number of full calendar months remaining in your leave year.

Annual leave will be taken subject to the demands of the service, and may not always be allowed on the dates requested. Early applications will help minimise difficulties.

Bank Holidays, Statutory Days

You are entitled to eight statutory holidays, in addition to your annual leave, which are New Years Day, Good Friday, Easter Monday, May Day, Spring Bank Holiday Monday, Summer Holiday Monday, Christmas Day, Boxing Day. Any or all of which should be taken as part of your annual leave year where South Wales Police has required you to work on a Bank Holiday or other holiday period.

Parental Leave

Details of parental leave can be found in the South Wales Police's Maternity Policy. A copy of the policy is available on Connect..

Special Leave

Details of compassionate and other special leave, can be found in the South Wales Police's Special Leave Policy for Police Officers and Police Staff. A copy of the policy is available on Connect.

5. TERMS AND CONDITIONS OF SERVICE

Your terms and conditions of employment, including certain provisions relating to your working conditions, are covered by local conditions and local collective agreements are negotiated with specific trade unions recognised by the South Wales Police in respect of the employment group to which you belong.

These agreements are embodied in the Police Staff Council Pay and Conditions Handbook. The principle conditions are set out in this statement of written terms and particulars of employment.

Changes in your terms and conditions of employment which may result from a local condition or a local or national negotiation and agreement with the specified unions and local consultations from time to time will be separately notified to you and/or will be incorporated in the documents to which you have reference.

South Wales Police HR Department undertakes to ensure that any changes will be entered in these reference documents or otherwise recorded for reference within 8 weeks of the change.

6. PERIODS OF CONTINUOUS EMPLOYMENT

Your period of continuous service starts from the 'Date of Commencement' as quoted at the head of this statement unless:-

- I. you are an employee whose date of commencement with the South Wales Police is prior to 1 September 1996 when periods of previous service with other local authorities and related employment for specified purposes in the Police Support Staff Handbook and other agreements such as the Redundancy Payments (Local Government) (Modification) Order referred to in paragraph 4 will count;
- II. you are an employee who has continuous previous employment with a police force.

7. PROBATION

Confirmation of your appointment will be subject to satisfactory completion of a period of probationary service of 6 months in accordance with the Police Support Staff Council Pay and Conditions Handbook referred to in Section 6 paragraph 4. If a satisfactory performance is not achieved during the 6 month probationary period, then it may be extended in exceptional circumstances, by a further 3 months.

During your probationary service you will be expected to establish your suitability for the post to which you have been appointed. During this period employment can be terminated by you or the Police and Crime Commissioner for South Wales. In either case the appropriate termination notice must be given. You should note that the Disciplinary Procedure does not apply during the probationary period, or any subsequently agreed extension of the probationary period. However conditions required in the dispute regulations would apply.

Therefore in the event of your performance not being satisfactory the Police and Crime Commissioner for South Wales reserves the right to terminate your employment or to extend the probationary period.

8. SICKNESS ALLOWANCE

Your entitlement to sickness allowance is as follows;

- | | |
|-------------------------------------|--|
| During the first year of service:- | 1 month's full pay and (after completing 4 months' service) 2 months' half pay |
| During the second year of service:- | 2 months' full pay and 2 months' half pay |
| During the third year of service:- | 4 months' full pay and 4 months' half pay |

During the fourth and fifth year of service:-

5 months full pay and 5 months half pay

After five years service:-

6 months' full pay and 6 months' half pay

The Police and Crime Commissioner for South Wales operates a Sickness Absence Policy, which is available on Connect.

In accordance with South Wales Police Handbook any money claimed from a third party must be paid back to the Police and Crime Commissioner for South Wales and offset against payments made to yourself whilst on sick pay. Refer to PSC Handbook Section 4, Paragraph 4.

9. NOTICE

The minimum periods of notice to which you are entitled from the Police and Crime Commissioner for South Wales are as follows:-

One month or more but less than two years service

1 week

(ii) Two years or more service

1 week for each year of continuous service up to a maximum of 12 weeks

The minimum period of notice which you must give to the Police and Crime Commissioner for South Wales are as follows:-

(i) Staff on salary scale S01/2 & below

4 weeks notice

(ii) Staff on salary scale P01/2 & above

8 weeks notice

10. PENSIONS (IF OPTING FOR LOCAL GOVERNMENT PENSION SCHEME

Your position with regard to pension is set out in the Local Government Pensions Scheme (LGPS). The regulations detailed in the scheme are complex and you are advised, if you wish to make an enquiry, to contact the Pensions Section of the County Treasurer's Department, Rhondda Cynon Taff County Borough Council, Porth. Your contributions to the scheme will be between 5.5% and 12.5%. These rates should be applied to a members actual pensionable pay including any non-contractual overtime.

Band	Pensionable pay range for an employment	Contribution rate for that employment
1	Up to £13,500	5.5%
2	£13,501 to £21,000	5.8%
3	£21,001 to £34,000	6.5%
4	£34,001 to £43,000	6.8%

5	£43,001 to £60,000	8.5%
6	£60,001 to £85,000	9.9%
7	£85,001 to £100,000	10.5%
8	£100,001 to £150,000	11.4%
9	£150,001 or more	12.5%

Your banding may change, subject to pension review and any salary increment.

The contribution bands may be reviewed on an annual basis, which may change the salary ranges.

Please note that the contract will not be amended, but any changes in banding will be published on Connect and you are responsible for keeping up to date on these changes.

11. MEMBERSHIP OF TRADE UNION

The Police and Crime Commissioner for South Wales supports the system of collective bargaining and believes in the principle of endeavouring to resolve problems by discussion and agreement. For practical purposes this is conducted by representatives of the employers and the employees. If collective bargaining of this kind is to continue and improve, it is essential that the employees are fully represented. South Wales Police is associated with other police forces and represented on the national and provincial councils dealing with police services. You are, therefore, encouraged to be a member of a trade union representing you on the appropriate negotiating body.

You have the right to join a trade union and to take part in its activities. Details of the specified trade unions on the appropriate negotiating body are available for reference at your Administrative Office.

The Police and Crime Commissioner for South Wales will at your written request, deduct from your salary the subscription to a trade union recognised by the Police and Crime Commissioner for South Wales for negotiating purposes.

12. FAIRNESS AT WORK

If you have a grievance relating to your employment you have a right to express it by following the procedure contained in the force policy. A copy of the policy is available on the commissioner's shared drive.

13. DISCIPLINE

The Commissioner expects of each member of staff conduct which is of the highest standard and which at all times will maintain public confidence in the conduct of members of the Commissioner's Team.

Should any occasion arise when there may be misconduct, gross misconduct, poor performance (including poor attendance and timekeeping or any other misdemeanour) then the protocol and procedures contained in the Commissioner's Disciplinary or Capability Policy will apply.

A copy of the Commissioner's Staff Discipline Policy and Capability Policy are available on the shared drive.

14. MAINTENANCE OF STANDARDS

The Police and Crime Commissioner for South Wales wishes to maintain a reputation for providing quality and timely service to the public and each other.

In doing so appearance, behaviour and attitude are important. You are required to ensure that your appearance and attitude are in keeping with the occasion, circumstances and standards which members of the public expect.

The Commissioner expects every member of staff to display the highest level of professional ethics, integrity and behaviour.

15. HEALTH AND SAFETY AT WORK

Health & Safety of staff at work is paramount. To this end, the Police and Crime Commissioner for South Wales will, as far as is reasonably practicable, provide and maintain premises and systems of work which do not involve known risk.

In order to facilitate this provision a health and safety policy has been developed and will be maintained appropriately as amended from time to time.

The Health & Safety Policy forms part of the contract and is attached.

You should make yourself familiar and comply with all fire and safety precautions and procedures which are laid down for your job, and for the premises at which you work.

The Police and Crime Commissioner for South Wales has a responsibility for the health and safety of staff. In addition, individual members of staff have a responsibility for themselves and others in respect of health and safety. You should report to your supervisor any safety hazard or hazardous occurrences which come to your notice. For further details of your obligations under health and safety legislation and policy, please refer to South Wales Police's Health and Safety Policy.

South Wales Police operates a No Smoking Policy and this will apply to you.

16. OTHER CONDITIONS

The basis for the calculation of holiday pay, provisions relating to absence through sickness or injury, and other conditions of your employment are set out in the documents referred to in points 4 and 9 of this statement.

17. RECTIFYING OVER OR UNDER PAYMENTS

It is a condition of employment with the Police and Crime Commissioner for South Wales in fact to your remuneration resulting in an overpayment or an underpayment will be rectified by agreement between yourself and the Finance Department. Underpayments will normally be rectified as soon as possible after they have been identified. Overpayments will be recovered by agreement after consideration has been given to all the relevant circumstances.

All overpayments and underpayments are to be implemented for corrections as soon as they are identified. Agreement is in respect of payment period.

If you operate the flexi time system and you exceed your agreed number of debit hours, the Police and Crime Commissioner for South Wales may deduct any excess from your salary, in accordance with the flexi time policy. (This principle will also apply should you have overtaken your annual leave entitlement and wish to leave the employment of the Police and Crime Commissioner for South Wales, a deduction equivalent to the excess will be deducted from your final salary.

18. FULL TIME SERVICE/BUSINESS INTERESTS

All appointments will be to the full time service of the Police and Crime Commissioner for South Wales and no other occupation or appointment shall be undertaken or accepted without prior application to Police and Crime Commissioner and receipt of written consent. The regulations of South Wales Police relating to fees received for work performed otherwise than for South Wales Police shall apply.

All employees wishing to undertake a Business Interest outside of South Wales Police, must make an application to be submitted to the Police and Crime Commissioner via your Line Manager. You will need to provide sufficient details about the external employer or business, the type of work and the hours involved and any other information. The Police and Crime Commissioner will decide whether there is a conflict of interest/ or whether it impinges on the Primary Employment and shall reply to the employee accordingly. The Business Interests Policy is available on Connect.

19. OFFICIAL SECRETS ACT

All employees owe duties of confidentiality and loyal service to the Police and Crime Commissioner for South Wales. This means they are required to exercise care in the use of information they acquire in the course of their official duties and to protect information which is held in confidence. Police staff are also subject to the Official Secrets Acts 1911 - 1989. Failure to comply will result in Disciplinary Action.

You are reminded that after retirement or resignation you continue to be bound by the provisions of the Criminal Law which protects certain categories of official information, including the Official Secrets Acts, and by your duty of confidentiality owed to South Wales Police.

20. ACCESS TO MEDICAL REPORTS ACT 1988

Under the Access to Medical Reports Act an employer cannot apply for a medical report from a doctor who has been responsible for your physical or mental health care without your consent. The consent form also asks, in accordance with the Act, whether you wish to see the report before it is sent to the Police and Crime Commissioner for South Wales. Details of your entitlements under this act are contained in the sickness policy statement issued to every member of staff and available for reference from the Chief of Staff.

21. EMPLOYMENT OUTSIDE OF THE UNITED KINGDOM

Not applicable.

23. CAR ALLOWANCES

You may be required to use your own car for which you must be appropriately insured for business purposes. Should you have a disability and be unable to drive, then you may seek alternative means of transport/assistance, which must be an effective and cost effective method of travelling. Mileage Allowances are available on Connect.

Falsification of expenses relating to the car user scheme will be treated as Gross Misconduct and may lead to dismissal. Details of the car user scheme are held by your Line Manager, or alternatively, may be obtained from your HR Advisor.

24. REHABILITATION OF OFFENDERS ACT, 1974

This post is exempt from the Rehabilitation of Offenders Act 1974, and is made to you subject to the following;

That you have made a true disclosure of all criminal offences. Should you not have a true disclosure of offences, then your employment may be terminated immediately.

25. OTHER MATTERS

Information regarding Discipline, Capability, Fairness at Work, Maternity Rights, Code of Conduct, Early Retirement and Redundancies, Diversity, Health and Safety, Business Interests, Special Leave, Compassionate Leave, Flexible Working, Sickness Absence and other matters applicable to your employment can be found in the Police Support Staff Pay and Conditions Handbook, on Connect or alternatively from your HR Advisor.

Any amendment to these Terms and Conditions will be notified to you by giving the appropriate notice. Or by collective agreement through the recognised trade unions.

26. EMPLOYEES' GENERAL OBLIGATIONS

Failure to comply with any element contained in this section may be considered as gross misconduct and will be dealt with in accordance with the Police and Crime Commissioner's Disciplinary Policy.

You shall not at any time during your employment (except insofar as you are required to do so as part of your duties) or at any time after your employment has terminated for any reason whatsoever disclose to any person confidential information as to the practice business service or affairs of the Police and Crime Commissioner for South Wales.

Subject to the provisions of the Patents Act 1977 and the Registered Designs Act 1949 and the Copyright Designs and Patents Act 1988 or any modification for the time being in force if at any time during employment with the Police and Crime Commissioner for South Wales you alone or in participation with others, either employees, members, clients or partners of the force, produce, make, discover or manufacture any invention, intellectual property goods or thing capable of ownership **all such rights shall vest in South Wales Police and/or the Police and Crime**

Commissioner for South Wales and you shall pass all information in your possession to the Police and Crime Commissioner for South Wales upon written request and in any event at the termination for whatever reason of your employment. Even if the invention belongs to the employer, the employee may apply to the Comptroller of Patents (or Patents Court) for an award of compensation.

The copyright of any intellectual, training/IT programmes and written material produced by you in the course of your employment shall be vested in the Force.

You are required to notify the Human Resources Department promptly, of any change of your name, address, marital status, and next of kin, and of any circumstances which might affect South Wales Police insurance cover for you. Employees of the Police and Crime Commissioner for South Wales are reminded of the confidentiality of information given to them or acquired by them in the course of their employment. Any breach of confidentiality will lead to disciplinary action under the disciplinary procedure of the Police and Crime Commissioner for South Wales.

27. MEMBERSHIP OF UNACCEPTABLE ORGANISATIONS

The police service is committed to full compliance with the duty to promote race equality established in the Race Relations (Amendment) Act 2000.

Any organisation that promotes, as part of its constitution, discrimination against any person by virtue of their race, creed, colour or religion clearly contradicts with the general duty to promote race equality and it is unacceptable to the service for any member of police staff to be an active member of such an organisation.

Following investigation action may be taken at local level under relevant disciplinary/conduct procedures.

For the purposes of this policy, unacceptable organisations include: the British National Party, Combat 18 and the National Front. Active memberships could involve activities such as: the participation in leaflet drops, meetings, fund raising, and speaking on behalf of or writing articles for the said organisation. These activities remain unacceptable, regardless of whether or not an individual is a formal member of the stated organisations.

28. Politically Restricted Post

The Local Government and Housing Act 1989 places an obligation upon staff of the Police and Crime Commissioner to prepare a list of all posts which are regarded as politically restricted. The Act imposes restrictions on public political activity by the holders of such posts.

All staff of the Police and Crime Commissioner, except for the Commissioner and the Deputy Police and Crime Commissioner, are politically restricted.

In summary, the restrictions imposed on post holders include:

- Becoming (whether by election or otherwise) or remaining a member of a Local Authority, of the National Assembly for Wales, of the European Parliament or of the House of Commons, or Police and Crime Commissioner;

- Announcing, or allowing others to announce, ones candidature for one of the aforementioned offices;
- Holding office in a political party;
- Canvassing at elections; and
- Speaking or writing publicly on matters of party political controversy.

Please confirm that you have read, understood and agreed to all the terms and conditions of employment with South Wales Police laid out in this document by signing below:-

SIGNATURE ON BEHALF OF THE POLICE AND CRIME COMMISSIONER FOR SOUTH WALES	SIGNATURE OF EMPLOYEE
Signed:	Signed:
Position:	Name:
Date:	Date:

N.B. One copy to be signed by both parties and returned to the Chief of Staff and one copy to be retained for your records.