

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CHARTER FOR CASUAL, TEMPORARY AND FIXED TERM EMPLOYEES

1. Introduction

Neath Port Talbot Council aims to recruit and retain high calibre employees to enable them to provide quality services to the population of the county borough area.

The Council recognises the need to appoint casual, temporary and fixed term employees from time to time to support and maintain effective service provision. This Charter is intended to assist in the employment of casual / temporary / fixed term employees and to ensure equity and transparency of approach in their use throughout the Council whilst ensuring their employment rights are maintained

The aim of this Charter is to:

- ensure that casual / temporary / fixed term employees are recruited in line with the Council's Recruitment & Selection / Safe Recruitment Policies;
- comply with legislation including the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 (as amended 2008) and the Employment Rights Act 1996;
- ensure that managers adopt a fair, equitable and consistent approach to the management of these employees

2. Scope

This Charter applies to all casual / temporary / fixed term employees within Neath Port Talbot Council, with the exception of:

- Apprentices
- Agency workers; and
- Individuals employed on schemes designed to provide them with training or work experience for the purpose of assisting them to seek or obtain work.

3. Definition

A casual employee is employed on a contract where the employer is **not** obliged to provide any **minimum** working **hours**, while the worker is **not** obliged to accept any work offered.

A temporary / fixed term employee is an employee who is employed on a contract intended to terminate:

- On the expiry of a specific term (e.g. week, month, year etc);

- On the completion of a particular task/ project;
- On the occurrence or non-occurrence of a specific event e.g. employee returning to work from maternity leave.

4. Contract of Employment

Casual / Temporary / fixed term employees will receive contracts of employment which set out the terms of their employment and as such, will be part of the collective bargaining arrangements of the Council and will be encouraged to join a trade union.

5. Terms and Conditions of Employment

Casual / Temporary / fixed term employees are entitled to broadly similar terms and conditions of service to those afforded to permanent staff. Differences may be appropriate in respect of some issues and in relation to length of service matters.

6. Local Government Pension Scheme (LGPS)

Temporary / fixed term employees will be auto-enrolled into the LGPS. Casual employees will be auto-enrolled after 3 months service.

7. Training and Development

Casual / temporary / fixed term employees should not be excluded from training simply because of their employment status. They should be given access to Training and Development opportunities, induction and receive one-to-one, supervision meetings and Performance Appraisals in accordance with the arrangements in place for any permanent employee.

8. Recruitment Opportunities

Casual / temporary / fixed term employees should be made aware of where internal vacancies are advertised and be given the opportunity to apply for such vacancies.

9. Health and Safety

Casual / temporary / fixed term employees should receive relevant information, instruction, training, supervision and Personal Protection Equipment as is necessary to enable them to carry out their duties safely in line with the Council's Health & Safety Policy.

10. Monitoring of Contracts

Given the different employment rights which become available to temporary /fixed term employees depending upon their length of continuous service, such

contracts should not run indefinitely without review. Service Managers are therefore responsible for ensuring contracts are reviewed on an ongoing basis.

For casual employees, there must be consideration as to whether the casual contract remains appropriate if regular hours have been worked over a three month period and this requirement is ongoing.

11. Termination of Employment

The duration of an employee's casual / temporary / fixed term employment can have an impact on their employment rights and this should be considered when monitoring employment.

It is important that service managers communicate with the employee concerned and keep them informed of the situation in relation to their temporary contract. As much notice as possible should be given of the likely date of termination. Further guidance is provided in the Redeployment Section of the Council's Management of Change in Partnership Policy.

12. Review

Neath Port Talbot Council has a duty to ensure that all casual / fixed term / temporary Employment is managed on a fair and consistent basis, in accordance with all appropriate employment legislation.

The Head of Human Resources will review this Charter from time to time in conjunction with the Trade Unions.