

Staffing Policy Committee  
15 September 2021

---

### **Fixed Term Contract policy**

#### **Purpose**

1. To seek approval on the new Fixed Term Contract (FTC) policy which will replace the current FTC dismissal policy, with the intention to implement this with effect from 1 November 2021

#### **Background**

2. The current FTC dismissal policy was last reviewed in 2012 and details the process for ending a FTC. Where a FTC ends on the date stated in the contract no notice is applicable, but where the FTC needs to end on a different date, contractual notice must be given.
3. The current policy focuses solely on the ending of a FTC.
4. All employees on a FTC have the same employment rights as permanent council employees.

#### **Main considerations**

5. To have a FTC policy which provides advice to managers and staff on the recruitment, circumstances of the application of a FTC or the extension of a FTC in addition to the ending of a FTC.
6. Where FTCs have ended on a date different to the one stated in the contract, the contractual notice period, which is 4 weeks for staff up to grade H and 12 weeks for staff on grade I or above, has resulted in an additional period of contractual notice when the task and funding for the FTC has already ended, incurring additional cost for the service.

#### **Amendments proposed**

7. The updated FTC policy provides advice and guidance on:
  - a. the appointment to a FTC,
  - b. reasons when a FTC should be used and length of a FTC for the same task should not be for longer than 23 months
  - c. extension of a FTC, and
  - d. process when ending a FTC including the payment of statutory notice where applicable.
8. Managers are advised to ensure that the FTC is ended on the date as stated in the employee's contract, or in any subsequent extension to the original contract, so that no notice is required when the FTC ends on the date as stated.

9. Where a FTC needs to end on a date earlier or later than stated in the FTC statutory notice will be given of 1 week for each year of service up to a maximum of 12 weeks.

#### **Reason for changes to the policy**

10. If the council fails to address the length of notice periods for FTC employees whose contract needs to end on a date different to the one stated in their contract will result in paying contractual notice, of a minimum of 4 weeks or 12 weeks depending upon grade, when the reason and funding for the FTC has already ceased. Therefore resulting in additional costs.
11. If we don't have a policy and procedure that covers the whole process of applying a FTC from recruitment to dismissal it may result in the offer of a FTC not being undertaken correctly and consistently across the council.
12. We intend to implement this policy from November 2021 to enable any recent recruitment to a FTC to be offered on the basis of this new policy.

#### **Environmental impact of the proposal**

13. It is anticipated that this policy will have a neutral environmental impact, unchanged from the current policy

#### **Equalities impact of the proposal**

14. This policy has been taken to an equality impact assessment panel and all comments from this panel have been considered against this policy.

#### **Risk Assessment**

15. If the council fails to address the length of notice periods for FTC employees whose contract needs to end on a date different to the one stated in their contract will result in paying contractual notice, of a minimum of 4 weeks or 12 weeks depending upon grade when the reason and funding for the FTC has already ceased.

#### **Financial Implications of the proposal**

16. The policy supports the best use of a FTC and reduces possible additional costs due to contractual notice.

#### **Recommendations**

17. It is recommended that Staffing Policy Committee confirm their agreement of this new FTC policy

**Joanne Pitt**  
**Director HR&OD**

---

Report Author: Janice Hiscock, HR Consultant, Policy and EDI  
Supported by: Jan Juillerat, HR & OD Strategy & Insight Manager