



The Recruitment Hub

Casual Worker's Operating Standards



temp bank. The Recruitment Hub manages and coordinates temp/casual placements and opportunities across the County Council as well as with other public sector organisations that we work in partnership with.

Although there is never a guarantee of temp/casual work we will do our best to source work for you.

For more detailed guidance on working via the temp bank please visit:

<https://inside.devon.gov.uk/task/temp-solutions/employee-guidance/>



ENTITLEMENTS

A temp/casual worker is normally engaged on an ad-hoc basis, to provide cover for established posts or to provide short term additional resource. Although there is no guarantee of work, continuous employment, no contract of employment and no mutual obligation for the County Council to provide work or for the temp/casual worker to undertake work, the temp bank can offer flexibility and opportunities to get you into work.

Casual Worker's entitlements only extend to statutory rights referred to as 'Basic Employment Rights'. There are no contractual benefits such as maternity leave, redundancy or sick pay.

Temp/Casual Workers are:

- Eligible for statutory sick pay, statutory maternity and adoption pay dependent on the length of any period of continuous service, under the national qualifying agreements.
- Covered by the Working Time Regulations legislation, and may not work more than 48 hours a week, however, there is no obligation to provide a minimum number of hours or length of assignment.
- Entitled to 28 days leave (pro rata) per annum (which includes bank holidays), which is equivalent to accruing 0.121 hours leave for each hour worked.
- Eligible to join the Local Government Pension Scheme. For more information,



please contact Peninsula Pensions on 01392 38300 or by email pensions@devon.gov.uk or have a look at their webpages www.peninsulapensions.org.uk

If you meet certain criteria you will be enrolled into the Local Government Pension Scheme under the Automatic Enrolment rules. You have the right to opt out of the Pension Scheme during the 'opt-out period' which is 3 months from the date that you were enrolled into the scheme. If you opt-out of the LGPS before completing 3 months membership you will be treated as never having been a member and your employer will refund the contributions to you through your pay. If you opt out of the LGPS with 3 or more months membership and before completing 2 years you can still have a refund but not through your pay. Information and the opt-out form are available on the Peninsula Pensions Website.

Temp/Casual Workers are not eligible to apply for any Devon County Council vacancies that are limited to "Internal Applicants Only" during a recruitment freeze.



HOLIDAY ENTITLEMENT

Temp/Casual workers are entitled to 28 days leave (pro rata) per annum, including Bank Holidays, which is equivalent to accruing 0.121 hours leave for each hour worked. This should be claimed on the relevant section of the timesheet. All leave must be taken during or immediately after an assignment. A new assignment should not be undertaken if you have outstanding leave. The Recruitment Hub will keep records to evidence that the appropriate amount of leave is taken. You should claim for payment of your annual leave (including Bank Holidays) on a timesheet, when the period of leave is taken. There is no defined leave year for Temp/Casual Workers.

To ensure that Devon County Council is compliant with the Working Time Regulations you can only claim annual leave on days where no hours of work have been claimed.

If you are offered a contract of employment with



Devon County Council (does not apply to other organisations) and leave the temp bank then any outstanding holiday entitlement will need to be taken before you start your contract. If this is an issue then you can make a request to your new Line Manager to adopt the outstanding holiday. On request of your P45 any outstanding leave will be paid in full.

Whilst Temps/Casual Workers are not entitled to paid compassionate leave or paid time off for dependents you may contact your Hiring Manager to say that you are unavailable to work. This period of time should be unpaid. Alternatively, you can choose to use your leave entitlement.



PAYMENT

You will be paid by the hour for each hour or part hour you work at the rate appropriate to the duties you are required to undertake. **PAYMENT IS MADE ON A MONTHLY BASIS IN ARREARS** by BACS via the Payroll Team on the 25th of each month. **For example, if you started working on the 1st May, you would be paid for hours worked in May on the 25th June.**

The Hiring Manager is required to approve all business expense claims. This should not include home to work mileage. Appendix E relocation allowances are not an expense that can be claimed by temps/casual workers.

Temps/Casual Workers may not claim for Annual Leave, Bank Holidays or Sickness as hours worked.

Your hours of work may differ from one assignment to another and the length of assignments offered will vary. Our policy is not to offer alternative assignments while you are in placement. This is to prevent disruption to service provision within the County Council/partner organisations. However, once you become available again then we will proactively seek work for you.

In addition to any statutory deductions the County Council is required to make by law and deductions permitted under the unauthorised absence clause, the County Council expressly



reserves the right to make deductions from your salary to recover any outstanding overpayment by the County Council to you, of any nature, including pay and allowances. This includes the right to deduct payments in the event of termination of your assignment for any reason.



TIMESHEETS– These guidelines help us to ensure that you are paid on time

All timesheets should be fully completed, including assignment number and manager's signature.

All claims should be completed up to the last working day of the month, or at the end of the assignment, whichever occurs the soonest. The completed timesheet should be emailed to the Recruitment Hub temps@devon.gov.uk or posted **Great Moor House, Bittern Road, Exeter, EX2 7NL** by the 3rd of the following month. For example, your timesheet for May should be with the Recruitment Hub by the 3rd June.

It is your responsibility to ensure that the timesheet is received on time. Late timesheets will not be processed until the following month.



Notice Period

Casual Workers are under no obligation to provide notice and DCC are under no obligation to provide notice to you. However, out of courtesy we would always encourage as much notice as possible to be given where this is possible.

Please note we are unable to contact you about new opportunities unless your placement is due to end. This policy is to avoid disruption of service provision within the County Council.



Attendance/Sickness

Regular attendance and punctuality is important as this affects service provision. If you cannot attend work for any reason e.g. sickness you must notify the Hiring Manager as soon as possible.



Safeguarding & DBS checks

We are committed to safeguarding and promoting the welfare of children and young people and vulnerable adults and expect all casual workers to share this commitment. As part of our commitment, we need to ensure that all potential casual workers satisfy our employment checks. Please note that where appropriate, suitable casual workers will be required to undertake further checks, and will be required to provide a Disclosure from the DBS.

Rehabilitation of Offenders Act

We will treat casual workers who have a criminal record fairly and will not discriminate because of a conviction or other information revealed. Possession of a criminal record will not automatically prevent casual workers from working with us. As part of the recruitment process any information revealed regarding a criminal record will only be considered in light of its relevance to the post for which the casual worker is applying.

If you are applying for a placement which is eligible for a DBS Disclosure, you are required to declare information on any convictions, cautions, reprimands or final warnings, which would not be filtered in line with current guidance.



Agency Workers Regulations

The Agency Workers Regulations give Agency Workers the entitlement to the same basic employment working conditions as if they had been recruited directly by DCC, after 12 continuous calendar weeks. The Agency Workers Regulations will apply if you are in an assignment with an external organisation and **DO NOT** apply if you are working for Devon County Council. Where a company employs its temporary workers directly and they are only supplied to work for that same business they are not acting as a Temporary Work Agency.

If the in-house bank supplies workers to third parties, including associated companies, the in-house bank would be acting as a Temporary Work Agency for the purposes of the Regulations and an employment agency or employment business for the purposes of the Conduct of Employment Agencies and Employment Businesses Regulations 2003.

If you do not feel that you are being treated equally regarding AWR entitlements then you can request a written statement from the Recruitment Hub about any aspect of equal treatment that you do not believe you are receiving. You cannot request information until the 12 weeks has elapsed. The Recruitment Hub has 28 days from receipt of the request to respond. If you do not receive a written statement within 30 days of making the request, you can write to the Hiring Manager requesting the same information.

For more detailed guidance please visit:
<https://www.gov.uk/agency-workers-your-rights/your-rights-as-a-temporary-agency-worker>

Data Protection & Personal Information

As an employer, we have responsibilities to ensure that our employees’ personal details are respected and properly protected.

Devon County Council will act as a “data controller” for any personal data that you provide to us. As such, we will ensure that the data given to us is processed in line with our organisation’s Data Protection Policies and in line with your rights under the Data Protection Act 2017 and the EU General Data Protection Regulations.

All casual workers are bound by a legal duty to protect confidential information that they may come into contact with during the course of their work. You will be asked to sign the Council’s Data protection policy and complete data protection and information sharing training

For more detailed guidance please visit:
<https://inside.devon.gov.uk/task/data-protection/>

Equality & Diversity

Freedom from discrimination and equality of opportunity are basic rights. Devon County





Council is committed to challenging inequality and celebrating diversity.

For more detailed information please see:
<https://new.devon.gov.uk/equality/our-vision>



Health & Safety

As a casual worker you will be subject to Devon County Council's Health & Safety policies and procedures. Devon County Council recognises and accepts its responsibility for providing a safe and healthy working environment and takes such steps as are reasonable practicable to meet this responsibility. However, it is your duty to take reasonable care to avoid injury to yourself and others and to co-operate in meeting statutory requirements.

For more detailed guidance please see:
<https://inside.devon.gov.uk/task/health-and-safety/>



Can I smoke at Work?

Please visit guidance:

<https://inside.devon.gov.uk/task/can-i-smoke-at-work/>



Feedback

We welcome your comments to help us improve our service. Please email your feedback to temps@devon.gov.uk