# PROCEDURE FOR MANAGEMENT OF CASUAL EMPLOYMENT

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PART 1

1.1 POLICY STATEMENT

Falkirk Council aims to recruit and retain high calibre employees and ensure a commitment to equal opportunities. The Council recognises that casual workers are required to support and maintain effective service provision.

A casual worker does not hold a contract of employment but has entered into a relationship with the Council where they are employed on an as and when required basis to cover absences or specific peaks in workload demand.

PART 2

2.1 INTRODUCTION

This policy provides information to managers, workers and support staff on the management of casual employment.

2.2 SCOPE

This Policy applies to all casual appointments within the Council with the exception of casual teaching appointments which are covered by the Short-term Supply/Fixed Term Employment Policy for Teachers.

2.3 DEFINITION

Work is “casual” where there is no mutuality of obligation. This means that the Council is not obliged to offer work to an individual on the casual list. Equally the individual is not obliged to take work. Where the work does not fall into the above definition then consideration should be given to a temporary appointment in line with the Council’s normal recruitment & selection procedures. For example where there is a requirement to provide cover for maternity leave, or where casual employment will exceed 8 weeks, a temporary fixed term appointment is appropriate which should be managed in line with the Council’s Temporary Employment Policy.

2.4 ASSESSING APPROPRIATENESS OF CASUAL EMPLOYMENT

Casual workers should only be used when cover cannot be provided utilising existing resources to maintain Service provision (see Appendix A).

Casual workers should not be employed for continuous periods of employment of 8 weeks or more irrespective of the purpose or location of period(s) of casual employment. Continuous employment is only broken by a break in service of 7 complete days (running Sunday to Saturday).

Given the different employment rights which may become available to casual workers, depending on their length of continuous service, regular patterns or continuous work should not occur. It is not appropriate, for example, to employ a casual employee for a period of 8 weeks, break their employment for a week and recommence the casual
employment thereafter. It should also be noted that breaks such as sick leave (if entitled to SSP) or annual leave (in accordance with the Working Time Directive) may be regarded as temporary cessations of work and may not break continuity of service. Service Co-ordinators are therefore responsible for ensuring that periods of casual work are reviewed on an 8 week cycle.

Where known at the start of the period of cover required that the vacancy is likely to be for 8 weeks or more on a regular basis during the period, consideration should be given to filling the vacancy on a temporary basis.

2.5 FINANCIAL CONTROL

Services must identify in conjunction with their Service Accountant, at the start of each financial year, the estimated cost of casual workers over the coming year. Service Accountants will then provide Service Co-ordinators with information relating to costs of casual employment per area of the service.

2.6 APPOINTING CASUAL WORKERS

Casual workers will be recruited through the recruitment and selection process and will be subject to employment checks, e.g. interview, references and pre-employment health screening and where appropriate a Disclosure/PVG check. The preferred candidate at interview should be issued with a recommendation for inclusion on casual list letter (Appendix B) pending successful pre-employment checks. Applicants for casual posts will be responsible for all fees relating to criminal conviction checks. A mandate, agreeing to Payroll deductions, must be signed by any applicant in advance of their application being submitted to Disclosure Scotland.

Casual workers will normally be placed on the minimum spinal column point (SCP) of the grade of the post being covered. Overtime does not apply to casual workers.

Workers required to travel to and from places of work as part of their duties will be reimbursed in accordance with the Council’s car allowance rate or relevant public transport costs subject to the provision of relevant receipts.

Once the recruitment process is complete, a statement of working arrangements will be sent to the casual worker to confirm their inclusion on the casual list and the relevant conditions associated with being offered casual work (Appendix C). **Note:** This is not a contract of employment.

The Service Co-ordinator should complete a Notification of New Appointment via HR Forms Online when a worker is first added to the Casual Employment Database. Thereafter any periods of employment will be paid through the submission of an authorised time sheet (Appendix D).

Casual workers should receive appropriate induction and training to avoid unnecessary service delivery failures or risks arising e.g. first use vehicle check training where they may be required to drive a Council vehicle.
2.7 USING CASUAL WORKERS

Allocation of shifts/available hours should be made, where appropriate, on a rotational basis. In exceptional circumstances, however, a worker may be specifically selected from the casual employment database to provide a period of cover because, for example, specific skills are required or to maintain continuity of care.

The individual(s) considered most appropriate will be contacted to confirm availability during the period required. There is no obligation for any individual to accept any offer of casual employment.

Annual leave will accrue against working time in accordance with the Working Time Directive to a maximum of 28 days pro-rata per annum. Payment will be made, on a monthly basis, for accrued annual leave based on casual hours worked in the previous month. This additional payment will be automatically calculated and will be displayed separately on payslips.

Casual workers are eligible to opt into Falkirk Council’s Pension Scheme.

2.8 CASUAL WORKERS DATABASE

The Service Co-ordinator will be responsible for the administration of a Service-based Casual Workers database. However, in Services where casual cover is often required at short notice, it is recommended that appropriate managers are able to access this database directly in order to arrange cover out with normal working hours.

It is important that the casual worker’s database is reviewed on an annual basis. Service Co-ordinators are responsible for writing to casual workers (Appendix E) on an annual basis to establish availability for work during the next 12 months.

At this review stage, previous work patterns should be checked. If any casual worker listed has not worked for the Council within the previous 6 month period, they should be automatically removed from the casual list. If an individual has lived overseas for a period of 3 months or more relevant checks as per the Overseas Criminal Record Checks Policy, must be undertaken.

Given that all relevant information relating to casual workers will be contained on this database/list, it may not be considered necessary for Service Co-ordinators to retain personal files for such workers, however appointment letters should be retained. The database must be kept up to date with the relevant details by the Service (as per Appendix F).

2.9 TERMINATING CASUAL EMPLOYMENT

Where Casual work is no longer available

The Service Co-ordinator should confirm with the worker that casual cover is no longer required and confirm whether or not they wish to be contacted for future work should it arise.
Where casual status has been terminated

Any casual worker who has not undertaken a period of employment with the Council in the previous 6 months period, should be removed from the casual database.

In all other circumstances, unless removal is requested by the individual, Service Co-ordinators must contact Human Resources before removing a casual worker from the casual database. Human Resources will be able to advise regarding continuity of employment and the appropriate procedure to follow.

A Notification of Termination Form or Employee Leaving Post Form should be submitted through HR Forms Online where a worker is to be removed from the Casual Workers database.

Where a casual worker is transferred to a temporary post, the Service Co-ordinator must complete a Notification of Appointment form through HR Forms Online confirming the period of temporary appointment. When the need for temporary cover ceases, a Notification of Termination Form/ Employee Leaving Post Form must be completed confirming that the worker has transferred back to casual status. Where appropriate/practicable, normal recruitment and selection procedures should be applied.

2.10 ROLES AND RESPONSIBILITIES

Line Manager

○ Ensure that the correct appointment is made in respect of casual worker/ or temporary contract.

○ To recruit and appoint casual workers in accordance with the Council’s Recruitment and Selection Policy including appropriate checks.

○ To ensure relevant induction and training is provided as appropriate.

○ To ensure sufficient budget provisions are available to pay for casual workers before arranging cover.

○ To ensure Service Co-ordinator is kept informed of the requirement for casual workers and any changes to requirements.

○ Authorisation of timesheets for casual worker.

Service Co-ordinator

Each Service should nominate one or more Service Co-ordinator(s) who will be responsible for managing casual workers. The responsibilities of the nominated co-ordinator(s) are:

○ To recruit and appoint casual workers in accordance with the Council’s Recruitment and Selection Policy including appropriate checks in conjunction with managers.
○ To ensure that qualifications, training, registration, disclosure/PVG and health checks needed to meet the requirements of the post are in place and reviewed in line with statutory and legislative requirements. In relation to the review process, in term of PVG/ Disclosure checks, this means that a PVG/ Disclosure check requires to be undertaken where any individual on the casual list has lived overseas for a period of 3 months or more in the past year. Otherwise, repeat checks for both PVG and Disclosure should be conducted every five years, the cost of which will be payable by the individual.

○ To ensure all relevant paperwork is completed including offer letters, new start/transfer/termination forms etc and completed forms are sent to Payroll and Human Resources.

○ To maintain the casual worker’s database as outlined in paragraph 2.8.

○ To ensure that casual workers are appropriately inducted and trained for the post being covered as for all other workers. In some instances this may be in conjunction with the appropriate manager.

○ To monitor hours worked by casual workers to ensure that they are not offered periods of casual employment which would be contrary to the Working Time Regulations in relation to rest periods.

○ To monitor periods of casual/supply employment to ensure that periods of continuous employment do not exceed 8 weeks duration. Payroll will provide Services with the relevant report to assist monitoring.

○ Liaise with manager to ensure sufficient budget provisions are available to pay for casual employment before arranging cover.

**Casual Worker**

○ Complete their timesheet and submit this to an authorised signatory for authorisation and transmission to the Payroll Services in time to meet the payroll processing deadline for payment by BACS.

○ Comply with all policies and procedures and undertake the necessary training required to perform their duties. This includes the Code of Conduct, Drug and Alcohol, Equal Opportunities, Dignity at Work and Health and Safety Policies.

○ Comply with the Working Time Regulations including work undertaken with other employers.

○ Notify the Service Co-ordinator, in writing, if they no longer wish to be considered for casual employment.
PART 3

3.1 IMPLEMENTATION & REVIEW

The Head of Human Resources & Business Transformation in conjunction with Service Directors/Heads of Services and Trade Unions will monitor and review the policy as necessary.
APPENDIX A

CASUAL EMPLOYMENT
PROCESS CHART

SERVICE PROVIDER – MANAGER
REQUIRES CASUAL COVER
(for less than 8 weeks)

Casual
Worker
Available

No suitable
candidate
available

Add A Worker
To Casual List/Pool

Service reviews casual list on a regular basis.
Where Casual requires to be added to the Pool.
- Recruit through Council’s Recruitment & Selection Vacancy Management procedure.
- Obtain appropriate references pre employment checks, health screening.
- PVG/Disclosure check if appropriate
- Successful candidates: Managers must provide letter with terms & conditions which will apply during any periods of employment (up to 31st March).
- Complete HRFOL appointment form

Payroll/HR

New Addition to Casual List

Payroll/HR need to receive:-
HR1 Notification of New Start Form via HRFOL

Casual Workers Pool

Service Co-ordinator

- Refer to casual list, make contact for appointment.
- Maintain Service specific casual lists.
- Offer periods of casual employment on a rotational basis.
- Where location of Casual employment changes, identify change on timesheet – no need for change form.
- Monitor length of Casual appointment to ensure continuous 8 week blocks do not run concurrently.

To administer Casual List

- Submit Casual timesheet (to payroll only.)
- Change from Casual to Temporary status – Notification of appointment form
- Return from Temporary to Casual status – Notification of termination/ employee leaving post form
- Removal from Casual List
- Notification of Termination Form.
Dear Name,

Post: {Job Title}

Following your successful interview, I am pleased to advise you that the panel has recommended your appointment to the list of potential workers who are prepared to undertake {Job Title} duties within {Service} on an as and when required basis. Please be aware however that the recommendation will be subject to satisfactory completion of various pre-employment checks.

As part of the pre-employment checking process you are required to complete a pre-employment health questionnaire. An invitation to complete this questionnaire will be emailed to you as part of the process. If you use a web based email service (such as hotmail or yahoo) then this email may appear in your junk mail folder due to your software settings. Please ensure you check all mail folders for this invitation. Please complete this questionnaire as soon as you are able to. Any delay in completing this may lead to a delay in a formal offer being made to you. If you require a paper copy of the form then please contact me on the number above.

References will now also be taken up.

*For posts requiring Disclosure check please insert paragraph (a) here

*For posts requiring PVG check please insert paragraph (b) here

It is important that you note that this letter is a conditional offer, and will only be confirmed after consideration of such pre-employment checks as may be conducted and considered necessary by the Council. The Council reserves the right not to proceed with an appointment to the casual list for any reason.

In the meantime, please do not hesitate to contact me should you wish to discuss this further and I would hope to be able to contact you regarding this post shortly.

Yours sincerely

SERVICE MANAGER

Enc
### Additional Paragraphs

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<tr>
<th>Paragraph</th>
<th>Purpose</th>
<th>Wording</th>
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<tr>
<td>(a)</td>
<td>Posts requiring Disclosure checks</td>
<td>This post requires a Disclosure Scotland check. Disclosure Scotland provides a system of disclosing criminal history information to individuals and organisations for employment purposes. Disclosure Scotland will issue Disclosure Certificates, which will give details of criminal convictions or state that there are no convictions. The cost of the Disclosure (£25) must be met in full by you. Falkirk Council will pay the fee initially and will reclaim this through regular salary deductions. Please complete and return the enclosed Disclosure Scotland Application to the address below at your earliest convenience.</td>
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<tr>
<td>(b)</td>
<td>Posts requiring PVG checks</td>
<td>This post is exempt from the provisions of The Rehabilitation of Offenders Act 1974 and requires that post holders declare all previous criminal convictions. Disclosure Scotland provides a system of disclosing criminal history information to individuals and organisations for employment purposes, including PVG Scheme Records. You will be required to gain and maintain PVG Scheme membership. Falkirk Council will pay the fee initially and will reclaim this through regular salary deductions. Please complete and return the enclosed Application to Join the PVG Scheme/Existing PVG Scheme Member application and Payroll Deduction Mandate to the address below at your earliest convenience.</td>
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Enquiries to: Chair of Interview Panel
Direct Dial: Extn, No.
Date:

CONFIDENTIAL
Name
Address
Town
Postcode

Dear Name,

CASUAL OFFER LETTER

I am pleased to confirm that you have been appointed to the list of potential workers who are prepared to undertake ……………….(add designation) duties within …………………..Service on an as and when required basis with effect from ……………………..

You will be paid at a rate of …………… per hour for all hours worked.

You may be contacted should any period of employment appropriate to your skills/ experience become available and will be advised of the hours of work on offer and the work location. There will be no obligation on Falkirk Council to offer you employment and there will be no requirement on you to accept.

In order to be reimbursed for all hours worked, you must complete a time sheet for each period of employment and submit this to ……………….(Authorised Manager) for authorisation. A supply of time sheets will be available from …………………(designated individual within Service). You will be paid monthly for any hours worked on the 28th of each relevant month. Payment will be made directly into your bank account through BACs and your pay will be subject to appropriate National Insurance and Income Tax deductions.

In line with the Working Time Regulations, the full time leave entitlement is 28 days per annum. Your entitlement to leave will be calculated pro rata to the hours you work with accrued leave paid on a monthly basis for casual hours worked in the previous month.

This post qualifies for Statutory Sick Pay only, should you meet the qualifying conditions.

Note: Where PVG Membership is required, insert the following text: As previously notified, employment in this post requires you to maintain PVG Scheme Membership.

As a casual worker, if you are under age 75, you will be eligible to opt into Falkirk Council’s Pension Scheme (i.e. the Local Government Pension Scheme) with effect from (insert start date on casual list). Should you wish to join the Scheme, you can obtain an Opting In form from the Payroll Section or download it from the Forms and Publications section at www.falkirkpensionfund.org.

For further information, you can contact the Pensions Section on 01324 506329 or e-mail them at pensions@falkirk.gov.uk.
You must conform to Service requirements in relation to Code of Conduct; Drug & Alcohol Policy; Dignity at Work Policy; Equal Opportunities Policy; Health & Safety (& any other Specified Service Rules e.g. confidentiality, data protection).

No other conditions of employment will apply.

You should be aware that the list of casual workers is reviewed on an annual basis. If you have not undertaken a period of casual employment with the Council in the previous 6 month period, you will be automatically removed from the casual employment list.

Please confirm your acceptance of this offer of appointment by signing the enclosed copy of this letter and returning it to .................................................................

May I take this opportunity to wish you every success if you are required to work within Falkirk Council.

**Service Manager**

I acknowledge and accept my inclusion on the list of potential workers on the conditions outlined above.

Signed ................................................................. Date .............................................
### CASUAL WORKER TIMESHEET

**WEEK ENDING – * Wed/Fri _____/____/____**

*Delete as appropriate*

**Employing Service:** ______________________________

### PERSONAL INFORMATION

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<th>Surname:</th>
<th>Forename:</th>
<th>Worker No:</th>
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### RECORD OF HOURS WORKED

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<th>OR W/E FRIDAY</th>
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<th>WORK LOCATION</th>
<th>JOB TITLE</th>
<th>COST CENTRE</th>
<th>Managers Signature</th>
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<td>Remarks -</td>
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**RETURN TO PAYROLL SECTION, MUNICIPAL BUILDINGS, FALKIRK FK1 5RS**
Dear 

I write to enquire whether or not you wish to remain on the list of potential workers who are prepared to undertake (designation) duties on a casual as and when required basis with effect from 1 April …… until 31 March ………….

Where individual has lived overseas for a period of 3 months or more in the last year, or has had their check more than 5 years ago include the following:

Continued inclusion on this casual list is subject to satisfactory employment checks as follows:-

- For posts requiring Disclosure checks

  The post of Casual requires that post holders declare all previous criminal convictions. Disclosure Scotland provides a system of disclosing criminal history information to individuals and organisations for employment purposes. Disclosure Scotland will issue Disclosure Certificates, which will give details of criminal convictions or state that there are no convictions. Please complete and return the enclosed Disclosure Scotland Application to the address below at your earliest convenience.

- Posts requiring PVG checks – applicant is not PVG member

  The post of Casual is exempt from the provisions of The Rehabilitation of Offenders Act 1974 and requires that post holders declare all previous criminal convictions. Disclosure Scotland provides a system of disclosing criminal history information to individuals and organisations for employment purposes, including PVG Scheme Records.

  As previously notified, Falkirk Council will pay the initial PVG Scheme membership fees however this will be reclaimed from you in regular instalments over a maximum of six months depending on earnings. Please complete and return the enclosed Application to Join the PVG Scheme and Payroll Deduction Mandate to the address below at your earliest convenience.

- Posts requiring PVG checks – applicant is already PVG member

  The post of Casual is exempt from the provisions of The Rehabilitation of Offenders Act 1974 and requires that post holders declare all previous criminal convictions. Disclosure Scotland provides a system of disclosing criminal history information to individuals and organisations for employment purposes, including PVG Scheme Records. Please complete and return the enclosed Existing PVG Scheme Member Application to the address below at your earliest convenience.

The grade for any periods of employment will be ……………… and you will be paid pro rata to SCP <**> of that grade of all hours worked.
You may be contacted should any period of work be appropriate to your skills/ experience become available and will be advised of the hours of work on offer and the work location. Notwithstanding, there will be no obligation on the part of Falkirk Council to offer you work and there will be no obligation on your part to accept a particular offer of work.

In order to be reimbursed for all hours worked, you must complete a time sheet for each period of employment and submit this to ...........................................(Authorised Manager) for authorisation. A supply of time sheets will be available from .................................(designated individual within Service). You will be paid directly into your bank account through BACs on a monthly basis and your pay will be subject to appropriate National Insurance and Income Tax deductions.

In line with Working Time Regulations, the full time leave entitlement is 28 days per annum. Your entitlement to leave will be calculated pro rata to the hours you work with accrued leave paid on a monthly basis for casual hours worked in the previous month.

This post qualifies for Statutory Sick Pay only, should you meet the qualifying conditions.

Note: Where PVG Membership is required, insert the following text: As previously notified, employment in this post required you to maintain PVG Scheme Membership.

You must conform to Service requirements in relation to Code of Conduct, Drug and Alcohol Policy, Smoking at Work Policy, Driving at Work Policy, Equal Opportunities Policy and Health and Safety (& any other Specified Service Rules e.g. confidentiality, data protection). No other conditions of employment will apply.

Please confirm whether you wish to continue to be included on the list of potential workers by signing the enclosed copy of this letter and returning it to <NAME>. Where relevant, no periods of employment will be offered until satisfactory completion of the above checks.

As you are aware, the list of casual workers is subject to annual review. If you have not undertaken a period of casual employment with the Council in the previous 6 month period, you will be automatically removed from the casual employment list.

May I take this opportunity to wish you every success if you are required to work within Falkirk Council.

Service Manager

I confirm that I wish my continued inclusion on the list of potential workers on the conditions outlined above.

Signed  ................................................. Date  ........................................
Casual Workers Database – Details List

Information contained within the Casual Workers Database include:

- Worker’s name and contact details
- Employment checks undertaken prior to employment e.g. employment dates, references; pre-employment health screening and, where appropriate, Disclosure Scotland/PVG checks;
- Type of work the worker was recruited to undertake;
- Specific skills/knowledge/training etc;
- Specified geographical limits or locations where the worker is willing to undertake employment;
- Availability to work;
- Periods of casual employment undertaken (including location and, where known, reason for cover being required);
- Paperwork/documentation completed in relation to appointment, including whether a Notification of Employment Form has been issued to Payroll Services;
- Offers of casual employment rejected by worker and reason for rejection;
- Whether the worker has been sent/responded to annual review letter;
- Registration and qualification checks where appropriate.