

Environmental Standards Scotland
Ìrean Àrainneachdail na h-Alba

Alasdair Dewar
Freedom of Information Officer
foi@environmentalstandards.scot
0808 1964000

ENVIRONMENTAL
Standards Scotland
Ìrean Àrainneachdail na h-Alba

[redacted]

request-939963-4d36e4c4@whatdotheyknow.com

10 February 2023

Our ref: ESS.FOI.006

Dear [redacted]

Thank you for your email of 19 January 2023 to Environmental Standards Scotland requesting information under the Freedom of Information (Scotland) Act 2002. The information which you request is as follows:

Requesting copies of

1. Appointment letters of key persons in the ESS.
2. Any action taken since your creation whereby citizens may have been referred to another organisation rather than ESS.

Requesting details of

3. The specific legislation your organisation covers.

Response

1. Redacted appointment letters of key persons within ESS are attached at Annex A. An exemption under section 38 (1) (b) of FOISA applies to some of the information you have requested. This means we have removed some personal details.

Environmental Standards Scotland
enquiries@environmentalstandards.scot
Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD
0808 1964000

2. Of the 59 cases opened since the creation of ESS, 12 have been closed on account of the concerns falling under the responsibility of another oversight body. In these cases, the applicant was referred to the relevant oversight body.
3. There is no definitive list of the legislation that our organisation covers and our role and interest in relation to matters of environmental law and legislation is determined on a case-by-case basis, by reference to the functions and definitions set out in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 (the Continuity Act).

The functions of Environmental Standards Scotland are set out in section 20 of the Continuity Act and include monitoring and investigating public authorities' compliance with environmental law, and the effectiveness of environmental law and how it is being implemented and applied.

Section 44 of the Continuity Act defines "environmental law" as any legislative provision that is "mainly concerned with environmental protection", and is not concerned with an excluded matter. Excluded matters include: access to information, national defence or civil emergency, and finance or budgets.

Section 45 of the Continuity Act goes on to define "environmental protection", "environmental harm", "the environment" and certain other phrases which determine which legislation falls within our remit.

If you are unhappy with this response to your request under the Freedom of Information (Scotland) Act 2002, you may ask us to carry out an internal review of the response by writing to:

Mark Roberts
Chief Executive Officer
Environmental Standards Scotland
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HD
Email foi@environmentalstandards.scot

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the due date when you received this

Environmental Standards Scotland
enquiries@environmentalstandards.scot
Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD
0808 1964000

letter. We will complete the review and tell you the result within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

[Appeal to the Commissioner | Scottish Information Commissioner \(itspublicknowledge.info\)](https://www.scot.nhs.uk/scotpublicknowledge/info)

Yours sincerely,

[redacted]

Alasdair Dewar
Freedom of Information Officer
Environmental Standards Scotland

ANNEX A - Appointment Letters of Key persons within ESS

Jamie McGrandles
[redacted]

PERSONAL

By Email:
[redacted]

17 January 2022

Our ref: [redacted]

Dear Jamie McGrandles

CONDITIONAL OFFER OF PERMANENT APPOINTMENT

I am pleased to be able to offer you a permanent appointment as a Civil Servant in Environmental Standards Scotland. This offer is conditional upon you satisfying our pre-employment checks and returning your signed acceptance of the terms and conditions of appointment at the end of this letter. A joining letter will then be issued to confirm your appointment.

Additionally, should you wish to access Environmental Standards Scotland's Employee Benefits, you are required to consent to the sharing of data with the Environmental Standards Scotland's Employee Benefits provider.

Full details of Environmental Standards Scotland's Pre-Employment Security and Eligibility Checks and the actions you need to take are attached at Annex A.

This letter, and the attached Schedule, set out the main terms and conditions of your appointment. These may be subject to change from time to time, and you will be notified of any changes.

Posting Details

Job Title: Head of Investigations, Standards and Compliance

Pay Range: C2 range. £64,698 to £74,675 ([From April 2021](#))

Length of posting

This is your initial posting. There are opportunities for permanent employees to move post to develop and progress within Environmental Standards Scotland. However, you are expected to remain in this post for a minimum period of 2 years or minimum period of time to be spent as specified in the advert, unless you are successful in securing a post in a higher pay range.

Location

You will be located in Thistle House, 91 Haymarket Terrace, Edinburgh, Scotland, EH12 5HE. Hybrid working arrangements also remain in place.

As a UK civil servant you can be expected to transfer to a post within reasonable travelling distance of your home.

Probation

You will be on probation for 9 months and expected to remain in the same post for that period from your start date. Your appointment will be confirmed at the end of this period if you have shown that you can meet the normal requirements of the job to an effective standard, and that your attendance and conduct have been satisfactory. Your attendance is likely to give cause for concern if you have more than 7 working days of sick absence, or there are concerns about any pattern of absences, during the probationary period.

If you do not reach the required standard, or your attendance or conduct has been unsatisfactory, your probation period may be extended or your appointment terminated at any time during the probationary period. Full details of probation can be found on the intranet.

Pay

You will be paid monthly in arrears, normally on the last working day of the month, by Bank Credit Transfer. Your salary will be £64,698 per annum.

All payments will be subject to tax, national insurance contributions and other statutory deductions as appropriate and any other authorised deduction.

Pay is reviewed annually. Any changes for colleagues in Bands A-C take effect from 1 April. Details of the pay structure, arrangements and qualifying criteria can be found in our staff handbook and on our intranet.

UK Home Office Visa

If you hold a UK Home Office Visa, Scottish Government will periodically request evidence from you of your entitlement to live and work in the UK, as it is an offence under the Immigration, Asylum and Nationality Act 2006 for an employer to employ an individual who does not have the right to undertake the work for which they are employed.

You must advise the Business Manager immediately if there is any change to your visa circumstances during the course of your employment. If you no longer have a legal right to live and work within the UK beyond your visa expiry date, or cannot evidence that you do, your appointment will be terminated.

Nationality requirements

This job is broadly open to the following groups:

- UK nationals
- nationals of Commonwealth countries who have the right to work in the UKs
- nationals of the Republic of Ireland
- nationals from the EU, EEA or Switzerland with (or eligible for) status under the European Union Settlement Scheme (EUSS)
- relevant EU, EEA, Swiss or Turkish nationals working in the Civil Service
- relevant EU, EEA, Swiss or Turkish nationals who have built up the right to work in the Civil Service
- certain family members of the relevant EU, EEA, Swiss or Turkish nationals

Terms and conditions of service

The terms of your appointment to Environmental Standards Scotland are set out in this letter and the attached Schedule with further information available on the intranet and in our staff handbook.

Accepting the conditional offer of permanent appointment

If you are willing to accept the conditional offer of permanent appointment on the basis of the terms contained, or referred to, in this letter and the attached Schedule, please sign the statement below.

You must print and return the complete, signed letter and attached Schedule to me within 7 days of receipt of this letter. Failure to do so may result in the offer being withdrawn. You should retain this for future reference. If you have difficulties printing and require a hard copy to be issued then please let me know.

Joining Letter

Following completion of satisfactory pre-employment checks and return of your signed acceptance, a joining letter will be issued which will also contain details of your annual leave entitlement for the remainder of the year and any changes which have been agreed, for example, in relation to your working pattern.

Further Information

Effectively consulting and engaging employees is important to Environmental Standards Scotland and we work in partnership with our recognised Trade Unions. It is a matter of individual choice whether you join one of those Trade Unions; however, we encourage all of our employees to do so, and to play an active part within it to ensure your views are represented. Information on the recognised Trade Unions and how to join is available in our staff handbook.

Yours sincerely

Rebecca Peppiette
For and on behalf of Environmental Standards Scotland

CONDITIONAL OFFER OF PERMANENT APPOINTMENT

ACCEPTANCE

I Jamie McGrandles of [redacted]
accept the conditional offer of permanent appointment on the basis of the terms and
conditions of service contained, or referred to, in this letter and the attached Schedule.
[redacted]

Signed: Jamie McGrandles

Date: 25 January 2022

EMPLOYEE BENEFITS

To enable the provision of an employee benefits service, we will share your name, surname, pay reference number and work email address with our service provider. If you are content for us to share this information, then please sign and return the acceptance below.

ACCEPTANCE

I Jamie McGrandles of [redacted] consent to
Environmental Standards Scotland sharing the specified data with the employee benefits
service provider. [redacted]

Signed: Jamie McGrandles

Date: 25 January 2022

The employee benefits service is optional and you can opt out of this at any time. If you wish to opt out, the specified data noted above will be removed from the system. To do so please contact HR help.

SCHEDULE OF THE PRINCIPAL TERMS AND CONDITIONS OF APPOINTMENT

1. PERMANENT APPOINTMENT

In addition to the terms contained in your letter of appointment, the following paragraphs summarise, or refer to, your main terms and conditions of service as they apply at present. Your employer is Environmental Standards Scotland, as agent of, and acting on behalf of, the Crown. As a Crown employee you are part of the UK Civil Service. Although governed by the national arrangements that apply to the Civil service, Environmental Standards Scotland has statutory discretion to determine, with the approval of the Scottish Ministers, the terms and conditions of your employment. Additional information relating to your employment is provided on the intranet.

2. CONTINUITY OF EMPLOYMENT

No employment with a previous employer will count towards your period of continuous service for the purposes of employment protection legislation.

3. HOURS

Full-Time

You will work a 5 day week of 37 hours excluding meal breaks. Hours will be worked Monday to Friday within the bandwidth hours of 07:00 to 19:00.

The Environmental Standards Scotland Flexible Working Hours (FWH) policy will apply to your attendance and, subject to business requirements being met and the approval of your manager, your hours of attendance may be flexible within the bandwidth hours. If due to the nature of your role it is not possible for you to work flexibly within the bandwidth hours, your manager will notify you of your required attendance times which will be within bandwidth hours. If after being subject to a corporate process it is determined that the FWH policy will not or will no longer apply to you, you will be notified of your required attendance times which will be within bandwidth hours.

Changes to Work Patterns

Any Environmental Standards Scotland employee can make a request to work flexibly. Any informal agreement made between an employee and their line manager to amend a work pattern which does not result in a contractual change will be kept under review and may be amended from time to time, including for business reasons or transfer to another post. Any changes to work patterns requested by management will be discussed with the individual and where relevant, the trade unions.

4. LEAVE

You are entitled to 5 weeks paid annual leave (pro-rata for part time employees) in each leave year, which runs from 1 February to 31 January. You will be entitled to 6 weeks paid annual leave (pro-rata for part time employees) after completing 4 years of reckonable service. Full details are available on the intranet.

In addition, Environmental Standards Scotland usually observes 11½ days public and privilege holiday per annum (pro-rata for part time employees). Information on public and privilege holiday dates is available on the Intranet.

Your allowance remaining for this year will be calculated and included within your joining letter.

Should you leave Environmental Standards Scotland or transfer to another Government Department, your leave entitlement will be pro-rated to the actual period worked. Before you leave you should make every effort to take any outstanding annual leave prior to your departure. **Payment will only be made for any remaining balance which you have been specifically prevented from taking for business reasons.** If you have exceeded your annual leave entitlement for the year at the time of your departure, your final salary will be reduced accordingly.

5. OVERTIME

If overtime is necessary, you will be invited to volunteer. If there are insufficient volunteers, you may be required to work overtime. If so, Environmental Standards Scotland will try to give you at least 48 hours notice. Information on the rules relating to overtime, including rates of payment, is available on the Intranet.

6. OVERPAYMENTS

Whilst every effort is made to ensure that payments made to employees are accurate, overpayments can occur. Where an overpayment occurs, it is Environmental Standards Scotland's policy to recover the overpayment. The procedure for recovery is set out in the Scottish Public Finance Manual which is available on the Intranet.

If you voluntarily participate in any of the Environmental Standards Scotland non-pay benefit schemes and then cease to be an employee, you must comply with the agreed final payment arrangements. If you fail to comply, any outstanding monies will be regarded as an overpayment and treated accordingly.

You are responsible for checking your payslips and reporting any errors or overpayments to the pay team immediately.

7. SICK ABSENCE

You must inform your manager by 10.00 am on the first working day on which you are unable to work because of illness or incapacity. Full details of your obligations are contained within the Attendance Management Policy which can be found on the intranet.

You may be allowed sick absence on full pay (less any social security benefits received) for up to 6 months in any rolling period of 12 months. Then, after that, on half pay up to a maximum of 6 months, up to a total of 12 months of paid sick absence in any rolling period of 4 years or less. Any Statutory Sick Pay due will be paid within the maximum of full pay.

If you have received (or claimed, but not received) any benefit from the Department for Work and Pensions (DWP) during the period beginning 57 days before your entry to Environmental Standards Scotland you will have received a letter from the DWP about this. **If you have not already sent this letter to our Office Manager you should do so immediately.**

If your attendance is unsatisfactory because you have frequent or long term sick absence, your suitability for continued employment will be reviewed in accordance with the Attendance Management Policy, which can be found on the intranet.

8. FAMILY FRIENDLY POLICIES

Environmental Standards Scotland operate various family friendly policies including maternity, paternity, adoption, shared parental leave, parental leave, flexible working hours and alternative working patterns. Full details of all these arrangements can be found on the intranet.

9. MOBILITY

As a UK civil servant you can be expected to transfer to a post within reasonable travelling distance of your home. You can be required to serve away from home for temporary periods of detached duty. Further information about detached duty can be found on the intranet.

In addition to the minimum mobility requirement detailed, for all full time staff in Band B and above the following is also applicable;

You can be required to transfer to anywhere in the United Kingdom or abroad.

10. NOTICE

As a Crown employee, appointments are held at the pleasure of the crown and a period of notice cannot be demanded as a right when appointments are terminated. Unless you are dismissed on disciplinary grounds, the following minimum periods of notice will apply:

- staff with less than 4 years continuous service - 5 weeks notice
- staff with 4 years or more continuous service - not less than one week for each year of continuous employment plus one week, to a maximum of 13 weeks notice

If the minimum period of notice cannot be given for any reason other than in relation to a disciplinary dismissal, you will receive compensation in lieu of the unexpired period of notice.

If you are retired for certain reasons prior to the date on which you would expect to receive your state pension you may be subject to a longer period of notice. Details are available on the Intranet.

For staff in Band B and below:

If you decide to leave Environmental Standards Scotland you are required to give not less than one month's notice, which Environmental Standards Scotland can insist is worked.

For staff in Band C:

If you decide to leave Environmental Standards Scotland you are required to give not less than 3 months' notice, which Environmental Standards Scotland can insist is worked.

11. PENSION ARRANGEMENTS

All employees are eligible to join the Civil Service Pension arrangements. Your pension questionnaire should be completed and returned. A pension choices pack will then be issued which will contain full details of the pension options available. Further information on pension schemes and benefits can be found at www.civilservicepensionscheme.org.uk.

12. RETIREMENT/PENSION AGE

Environmental Standards Scotland has a "no retirement age" policy for staff in Bands A-C. This means that you are free to continue in employment for as long as you wish, subject to the rules on effective performance, and satisfactory conduct and attendance which are available on the Intranet.

13. ACCEPTANCE OF OUTSIDE APPOINTMENTS

Subject to Business Appointment rules, you may be required to obtain the agreement of Environmental Standards Scotland before accepting any offer of employment outside your Environmental Standards Scotland employment, or which would start within up to two years of leaving Civil Service employment. Details of the Business Appointment and Outside Occupations and Activity rules are available on the Intranet.

14. DATA PROTECTION

Environmental Standards Scotland collects personal information to administer and support staff and to deliver services across the organisation. Environmental Standards Scotland engages A2+B and French Duncan to provide an HR service which means that employment information will be processed by A2+B and French Duncan on our behalf. Processing is necessary for compliance with our legal obligations.

The following information is collected by our HR Records systems:

- Name, date of birth, address, contact telephone numbers, National Insurance (NI) number, bank details, emergency contact/next of kin, payslip data, pensions data and marital status.
- Current job information, employee contract, employment history, disciplinary records and training Information
- Annual leave records, flexi records and sick leave records.
- Disability information, diversity monitoring including ethnicity, nationality, gender, religious beliefs and sexual orientation.

For staff administrative purposes data may be shared with the Department of Work and Pensions (DWP), Her Majesty's Revenue and Customs (HMRC), National Fraud Initiative (NFI) and the Pensions administrator.

Only specific Environmental Standards Scotland staff and line management can access your data held in Environmental Standards Scotland records and systems.

Employees are entitled to review/update their personal information held on HR systems.

If you want to request additional information about your data and our privacy policy please contact the Business Manager. Under current data protection laws, you are entitled to request a copy of your HR records (known as a Subject Access Request (SAR)). You can do so by contacting the Chief Executive of Environmental Standards Scotland. Further details, including the contact details of our data controller, can be found on the intranet.

15. CONDUCT AND DISCIPLINE

Civil servants are required to act in accordance with the terms of the Civil Service Code at all times. As a civil servant, you are expected to adhere to the Civil Service core values and behaviours, as set out in the Civil Service Code, and must be, and be seen to be, honest, impartial, objective and to act with integrity in the exercise of your duties.

There is a UK-wide version of the Civil Service code as well as a Scottish-specific version, as Environmental Standards Scotland is a Non-Ministerial department, the UK version applies and obligations under the code are owed to the office holders of Environmental Standards Scotland. A summary of the current version of the Code is attached at Annex B. You must familiarise yourself with this and all Environmental Standards Scotland conduct and discipline policies, including the separate rules which apply during your probationary period only. Copies of these policies, together with the current Civil Service Code are available on the intranet.

The standards of behaviour expected of Environmental Standards Scotland employees are contained in the Guide to Standards of Behaviour. You are also required to familiarise yourself with and to comply with the Guide, which is available on the intranet.

16. GRIEVANCES

Environmental Standards Scotland, has a Fairness at Work policy which you should familiarise yourself with if you have a grievance relating to your employment. The policy is available on the intranet.

17. USE OF OFFICIAL INFORMATION

All civil servants are subject to the Official Secrets Acts. The provisions of the Acts as they affect civil servants are summarised in Annex C attached. You should read it carefully. All civil servants owe duties of confidentiality and loyal service to the Crown. These require civil servants to exercise care in the use of information which they acquire in the course of their official duties and to protect information which is held in confidence. The rules governing the use of official information and related activities are available on the intranet and you are required to familiarise yourself with them. Any breach of these rules may result in disciplinary action and, in certain circumstances, criminal or civil proceedings.

18. TERMS AND CONDITIONS

Collective agreements are in place which directly affect your terms and conditions of service. Full details are available on the Intranet.

We reserve the right to vary the terms of your appointment from time to time.

Arrangements are in place with our recognised Trade Unions and any changes to the terms of your appointment or policies relevant to your appointment will be made in consultation with the recognised Civil Service Trade Unions where applicable.

You will be notified of any changes to your terms of appointment.

Annex A

Environmental Standards Scotland Pre-Employment Security and Eligibility Checks

Full details on these checks and the actions you will need to take can be obtained by downloading the attachment below. Please read this document as soon as you are able.

Environmental Standards Scotland Pre-Employment Security and Eligibility Checks:
<https://applications.work-for-scotland.org/files.axd?id=289820c4-54f8-4ac7-8169-2205809ea28b>

We expect these checks to be completed within four weeks of the date of this email. If you foresee any difficulties in providing the information then please contact me. Failure to provide the information may result in the offer being withdrawn.

PRINCIPLES OF THE CIVIL SERVICE CODE (UK WIDE SUMMARY)

The Civil Service Code (the Code) is made under the Constitutional Reform and Governance Act 2010 and is incorporated into the employment contracts of civil servants. The Code's terms apply at all times, including when a civil servant is not at work.

Civil servants are expected to carry out their role with dedication and a commitment to the Civil Service and its core values to support good government and ensure the achievement of the highest possible standards.

Civil Service Core Values

Integrity - Putting the obligations of public service above your own personal interests.

Honesty – Being truthful and open.

Objectivity – Basing your advice and decisions on rigorous analysis of the evidence.

Impartiality- Acting solely according to the merits of the case and serving equally well Governments of different political persuasions.

Civil Service Standards of Behaviour

Integrity – including fulfilling your duties and obligations responsibly and always acting professionally. Civil servants must not misuse their official position or disclose official information without authority.

Honesty – including setting out facts and relevant issues truthfully and only using resources for the authorised public purpose for which they were provided. Civil servants must not deceive or mislead Ministers or be influenced by improper pressures.

Objectivity – including providing information and advice based on evidence and taking decisions on the merits of each case. Civil servants must not ignore inconvenient facts or frustrate the implementation of policies once decisions are taken.

Impartiality - including carrying out responsibilities in a way that is fair, just and equitable and which reflects the Civil Service commitment to equality and diversity. Civil servants must not act in a way which unjustifiably favours or discriminates against particular individuals or interests.

Political Impartiality – including serving the Government, whatever its political composition, to the best of your ability and complying with any restrictions that have been laid down on your political activities. Civil servants must not act in a way which is determined by party political considerations or allow advice to be determined by personal political views.

The core values set out the standards of behaviour expected of all civil servants. More information in relation to your obligations under the Code together with and a copy of the Code is available on the intranet.

Annex C

A BASIC GUIDE TO THE OFFICIAL SECRETS ACTS 1911 and 1989

This basic guide provides answers to some questions about how the Official Secrets Acts 1911 and 1989 might affect you. It does not cover everything in the Acts. Further information on the Acts can be obtained from the intranet.

The 1989 Act amends section 2 of the Official Secrets Act 1911 to create a number of new offences, including in relation to the unauthorised disclosure of information without lawful authority and making damaging disclosures. For the purpose of the 1989 Act, “information” includes any information, document or article in the possession of a Crown servant or government contractor.

The Acts apply to:

- Crown servants, including a Minister of the Crown, member of the Scottish Government or junior Scottish Ministers; civil servants; members of the armed forces, and the police force.
- Government contractors, including any person who is not a Crown servant, but who provides, or is employed in the provision of goods and services, for the purpose of any Minister or any office holder in the Scottish Administration.
- Members of the public who have, or have had, information in their possession.

Disclosures of the following types of information are protected by the 1989 Act-

- Security and intelligence (section 1)
- Defence (section 2)
- International relations (section 3)
- Crime and special investigation powers (section 4)
- Information resulting from unauthorised disclosures or entrusted in confidence (section 5)
- Information entrusted in confidence to other States or international organisations (section 6)

Crown servants may only disclose information with lawful authority and where the disclosure is made in accordance with their official duties. A disclosure by a government contractor is made with lawful authority if it is made in accordance with an official authorisation or it is for the purposes of their functions as a government contractor and it does not contravene an official restriction.

It is an offence for a Crown servant or government contractor to fail to take such care to prevent the unauthorised disclosure of information in their possession which should not be disclosed without lawful authority.

Offences under the 1989 Act may be tried either on indictment or summarily, and anyone guilty of an offence is liable to imprisonment, a fine or both.

Thistle House
91 Haymarket Terrace
Edinburgh
EH6 6QQ

ENVIRONMENTAL
Standards Scotland

E: enquiries@environmentalstandards.scot

PERSONAL

Jamie McGrandles
[redacted]

15/2/2022

Sent to: [redacted]

Our ref: [redacted]

Dear Jamie McGrandles,

NEW ENTRANT - JOINING LETTER

Welcome to Environmental Standards Scotland. Following successful completion of security and records checks and receipt of signed acceptance of terms and conditions of appointment, I am pleased to be able to confirm your permanent appointment as a Civil Servant in Environmental Standards Scotland commencing on 14 March 2022.

Terms and Conditions

Your terms and conditions are as set out in the schedule accompanying the conditional offer of employment issued to you earlier this year, which you have signed and accepted. These may be subject to change from time to time, and you will be notified of any changes.

Annual Leave entitlement

Leave allowance runs from 1 February to 31 January each year. You are entitled to five weeks' annual leave on joining and six weeks' annual leave after four years' reckonable service

Yours sincerely

Rebecca Peppiette
Head of Secretariat

ACCEPTANCE

I Jamie McGrandles of [redacted] accept the variation as narrated above to the terms and conditions of service contained, or referred to, in the conditional offer letter and the attached Schedule.

SignedJamie McGrandles..... [redacted]

Date15 February 2022.....

Rebecca Peppiette
Interim Head of Comms and Corporate
Services
T: 0808 196 4000

ENVIRONMENTAL
Standards Scotland
Ìrean Àrainneachdail na h-Alba

PERSONAL

By Email:
[redacted]

Date 29 April 2022

Our ref: [redacted]

Dear Neil,

FORMAL OFFER OF PERMANENT APPOINTMENT

I am pleased to be able to offer you a permanent appointment as a Civil Servant in Environmental Standards Scotland. This offer is conditional upon you returning your signed acceptance of the terms and conditions of appointment at the end of this letter. A joining letter will then be issued to confirm your appointment.

Additionally, should you wish to access Environmental Standards Scotland's Employee Benefits, you are required to consent to the sharing of data with the Environmental Standards Scotland's Employee Benefits provider.

Full details of Environmental Standards Scotland's Pre-Employment Security and Eligibility Checks and the actions you need to take are attached at Annex A.

This letter, and the attached Schedule, set out the main terms and conditions of your appointment. These may be subject to change from time to time, and you will be notified of any changes.

Posting Details

Job Title: Head of Strategy and Analysis

Pay Range: £65,275 - £75,341

Length of posting

This is your initial posting with ESS. There are opportunities for permanent employees to move post to develop and progress within Environmental Standards Scotland. However, you are expected to remain in this post for a minimum period of 2 years (or the minimum period of time to be spent as specified in the recruitment advert), unless you are successful in securing a post in a higher pay range.

Location

You will be located in Thistle House, 91 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. Hybrid working arrangements also remain in place.

As a UK civil servant you can be expected to transfer to a post within reasonable travelling distance of your home.

Pay

You will be paid monthly in arrears, normally on the last working day of the month, by Bank Credit Transfer. Your salary will be £65,275 per annum, which will be calculated pro-rata for part time hours.

All payments will be subject to tax, national insurance contributions and other statutory deductions as appropriate and any other authorised deduction.

Pay is reviewed annually. Any changes for colleagues in Bands A-C take effect from 1 April. Details of the pay structure, arrangements and qualifying criteria can be found in our staff handbook and on our intranet.

UK Home Office Visa

If you hold a UK Home Office Visa, Scottish Government will periodically request evidence from you of your entitlement to live and work in the UK, as it is an offence under the Immigration, Asylum and Nationality Act 2006 for an employer to employ an individual who does not have the right to undertake the work for which they are employed.

You must advise the Business Manager immediately if there is any change to your visa circumstances during the course of your employment. If you no longer have a legal right to live and work within the UK beyond your visa expiry date, or cannot evidence that you do, your appointment will be terminated.

Nationality requirements

This job is broadly open to the following groups:

- UK nationals

- nationals of Commonwealth countries who have the right to work in the UKs
- nationals of the Republic of Ireland
- nationals from the EU, EEA or Switzerland with (or eligible for) status under the European Union Settlement Scheme (EUSS)
- relevant EU, EEA, Swiss or Turkish nationals working in the Civil Service
- relevant EU, EEA, Swiss or Turkish nationals who have built up the right to work in the Civil Service
- certain family members of the relevant EU, EEA, Swiss or Turkish nationals

Terms and conditions of service

The terms of your appointment to Environmental Standards Scotland are set out in this letter and the attached Schedule with further information available on the intranet and in our staff handbook.

Accepting the conditional offer of permanent appointment

If you are willing to accept the conditional offer of permanent appointment on the basis of the terms contained, or referred to, in this letter and the attached Schedule, please sign the statement below.

You must print and return the complete, signed letter and attached Schedule to me within 7 days of receipt of this letter. Failure to do so may result in the offer being withdrawn. You should retain this for future reference. If you have difficulties printing and require a hard copy to be issued then please let me know.

Joining Letter

Following completion of satisfactory pre-employment checks and return of your signed acceptance, a joining letter will be issued which will also contain details of your annual leave entitlement for the remainder of the year and any changes which have been agreed, for example, in relation to your working pattern.

Further Information

Effectively consulting and engaging employees is important to Environmental Standards Scotland and we work in partnership with our recognised Trade Unions. It is a matter of individual choice whether you join one of those Trade Unions; however, we encourage all of our employees to do so, and to play an active part within it to ensure your views are represented. Information on the recognised Trade Unions and how to join is available in our staff handbook.

Yours sincerely [redacted]

Rebecca Peppiette
For and on behalf of Environmental Standards Scotland

CONDITIONAL OFFER OF PERMANENT APPOINTMENT

ACCEPTANCE

I Neil Langhorn of [redacted] accept the conditional offer of permanent appointment on the basis of the terms and conditions of service contained, or referred to, in this letter and the attached Schedule.

[redacted]

SignedNeil Langhorn.....

Date09/05/2022.....

EMPLOYEE BENEFITS

To enable the provision of an employee benefits service, we will share your name, surname, pay reference number and work email address with our service provider. If you are content for us to share this information, then please sign and return the acceptance below.

ACCEPTANCE

I Neil Langhorn of [redacted] consent to Environmental Standards Scotland sharing the specified data with the employee benefits service provider.

[redacted]

SignedNeil Langhorn.....

Date09/05/2022.....

The employee benefits service is optional and you can opt out of this at any time. If you wish to opt out, the specified data noted above will be removed from the system. To do so please contact HR help.

SCHEDULE OF THE PRINCIPAL TERMS AND CONDITIONS OF APPOINTMENT

1. PERMANENT APPOINTMENT

In addition to the terms contained in your letter of appointment, the following paragraphs summarise, or refer to, your main terms and conditions of service as they apply at present. Your employer is Environmental Standards Scotland, as agent of, and acting on behalf of, the Crown. As a Crown employee you are part of the UK Civil Service. Although governed by the national arrangements that apply to the Civil service, Environmental Standards Scotland has statutory discretion to determine, with the approval of the Scottish Ministers, the terms and conditions of your employment. Additional information relating to your employment is provided on the intranet.

2. CONTINUITY OF EMPLOYMENT

No employment with a previous employer will count towards your period of continuous service for the purposes of employment protection legislation.

3. HOURS

Part Time

You will work a 4 day week of 30 hours excluding meal breaks. Hours will be worked Monday and Wednesday to Friday within the bandwidth hours of 07:00 to 19:00.

The Environmental Standards Scotland Flexible Working Hours (FWH) policy will apply to your attendance and, subject to business requirements being met and the approval of your manager, your hours of attendance may be flexible within the bandwidth hours. If due to the nature of your role it is not possible for you to work flexibly within the bandwidth hours, your manager will notify you of your required attendance times which will be within bandwidth hours. If after being subject to a corporate process it is determined that the FWH policy will not or will no longer apply to you, you will be notified of your required attendance times which will be within bandwidth hours.

Changes to Work Patterns

Any Environmental Standards Scotland employee can make a request to work flexibly. Any informal agreement made between an employee and their line manager to amend a work pattern which does not result in a contractual change will be kept under review and may be amended from time to time, including for business reasons or transfer to another post. Any changes to work patterns requested by management will be discussed with the individual and where relevant, the trade unions.

4. LEAVE

You are entitled to 5 weeks paid annual leave (pro-rata for part time employees) in each leave year, which runs from 1 February to 31 January. You will be entitled to 6 weeks paid annual leave (pro-rata for part time employees) after completing 4 years of reckonable service. Full details are available on the intranet.

In addition, Environmental Standards Scotland usually observes 11½ days public and privilege holiday per annum (pro-rata for part time employees). Information on public and privilege holiday dates is available on the Intranet.

Your allowance remaining for this year will be calculated and included within your joining letter.

Should you leave Environmental Standards Scotland or transfer to another Government Department, your leave entitlement will be pro-rated to the actual period worked. Before you leave you should make every effort to take any outstanding annual leave prior to your departure. **Payment will only be made for any remaining balance which you have been specifically prevented from taking for business reasons.** If you have exceeded your annual leave entitlement for the year at the time of your departure, your final salary will be reduced accordingly.

5. OVERTIME

If overtime is necessary, you will be invited to volunteer. If there are insufficient volunteers, you may be required to work overtime. If so, Environmental Standards Scotland will try to give you at least 48 hours notice. Information on the rules relating to overtime, including rates of payment, is available on the Intranet.

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If you voluntarily participate in any of the Environmental Standards Scotland non-pay benefit schemes and then cease to be an employee, you must comply with the agreed final payment arrangements. If you fail to comply, any outstanding monies will be regarded as an overpayment and treated accordingly.

You are responsible for checking your payslips and reporting any errors or overpayments to the pay team immediately.

7. SICK ABSENCE

You must inform your manager by 10.00 am on the first working day on which you are unable to work because of illness or incapacity. Full details of your obligations are contained within the Attendance Management Policy which can be found on the intranet.

You may be allowed sick absence on full pay (less any social security benefits received) for up to 6 months in any rolling period of 12 months. Then, after that, on half pay up to a maximum of 6 months, up to a total of 12 months of paid sick absence in any rolling period of 4 years or less. Any Statutory Sick Pay due will be paid within the maximum of full pay.

If you have received (or claimed, but not received) any benefit from the Department for Work and Pensions (DWP) during the period beginning 57 days before your entry to Environmental Standards Scotland you will have received a letter from the DWP about this. **If you have not already sent this letter to our Office Manager you should do so immediately.**

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You can be required to transfer to anywhere in the United Kingdom or abroad.

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As a Crown employee, appointments are held at the pleasure of the crown and a period of notice cannot be demanded as a right when appointments are terminated. Unless you are dismissed on disciplinary grounds, the following minimum periods of notice will apply:

- staff with less than 4 years continuous service - 5 weeks notice
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If the minimum period of notice cannot be given for any reason other than in relation to a disciplinary dismissal, you will receive compensation in lieu of the unexpired period of notice.

If you are retired for certain reasons prior to the date on which you would expect to receive your state pension you may be subject to a longer period of notice. Details are available on the Intranet.

For staff in Band B and below:

If you decide to leave Environmental Standards Scotland you are required to give not less than one month's notice, which Environmental Standards Scotland can insist is worked.

For staff in Band C:

If you decide to leave Environmental Standards Scotland you are required to give not less than 3 months' notice, which Environmental Standards Scotland can insist is worked.

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All employees are eligible to join the Civil Service Pension arrangements. Your pension questionnaire should be completed and returned. A pension choices pack will then be issued which will contain full details of the pension options available. Further information on pension schemes and benefits can be found at www.civilservicepensionscheme.org.uk.

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Subject to Business Appointment rules, you may be required to obtain the agreement of Environmental Standards Scotland before accepting any offer of employment outside your Environmental Standards Scotland employment, or which would start within up to two years of leaving Civil Service employment. Details of the Business Appointment and Outside Occupations and Activity rules are available on the Intranet.

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Environmental Standards Scotland collects personal information to administer and support staff and to deliver services across the organisation. Environmental Standards Scotland engages A2+B and French Duncan to provide an HR service which means that employment information will be processed by A2+B and French Duncan on our behalf. Processing is necessary for compliance with our legal obligations.

The following information is collected by our HR Records systems:

- Name, date of birth, address, contact telephone numbers, National Insurance (NI) number, bank details, emergency contact/next of kin, payslip data, pensions data and marital status.
- Current job information, employee contract, employment history, disciplinary records and training Information
- Annual leave records, flexi records and sick leave records.
- Disability information, diversity monitoring including ethnicity, nationality, gender, religious beliefs and sexual orientation.

For staff administrative purposes data may be shared with the Department of Work and Pensions (DWP), Her Majesty's Revenue and Customs (HMRC), National Fraud Initiative (NFI) and the Pensions administrator.

Only specific Environmental Standards Scotland staff and line management can access your data held in Environmental Standards Scotland records and systems.

Employees are entitled to review/update their personal information held on HR systems.

If you want to request additional information about your data and our privacy policy please contact the Business Manager. Under current data protection laws, you are entitled to request a copy of your HR records (known as a Subject Access Request (SAR)). You can do so by contacting the Chief Executive of Environmental Standards Scotland. Further details, including the contact details of our data controller, can be found on the intranet.

15. CONDUCT AND DISCIPLINE

Civil servants are required to act in accordance with the terms of the Civil Service Code at all times. As a civil servant, you are expected to adhere to the Civil Service core values and behaviours, as set out in the Civil Service Code, and must be, and be seen to be, honest, impartial, objective and to act with integrity in the exercise of your duties.

There is a UK-wide version of the Civil Service code as well as a Scottish-specific version, as Environmental Standards Scotland is a Non-Ministerial department, the UK version applies and obligations under the code are owed to the office holders of Environmental Standards Scotland. A summary of the current version of the Code is attached at Annex B. You must familiarise yourself with this and all Environmental Standards Scotland conduct and discipline policies, including the separate rules which apply during your probationary period only. Copies of these policies, together with the current Civil Service Code are available on the intranet.

The standards of behaviour expected of Environmental Standards Scotland employees are contained in the Guide to Standards of Behaviour. You are also required to familiarise yourself with and to comply with the Guide, which is available on the intranet.

16. GRIEVANCES

Environmental Standards Scotland, has a Fairness at Work policy which you should familiarise yourself with if you have a grievance relating to your employment. The policy is available on the intranet.

17. USE OF OFFICIAL INFORMATION

All civil servants are subject to the Official Secrets Acts. The provisions of the Acts as they affect civil servants are summarised in Annex C attached. You should read it carefully. All civil servants owe duties of confidentiality and loyal service to the Crown. These require civil servants to exercise care in the use of information which they acquire in the course of their official duties and to protect information which is held in confidence. The rules governing the use of official information and related activities are available on the intranet and you are required to familiarise yourself with them. Any breach of these rules may result in disciplinary action and, in certain circumstances, criminal or civil proceedings.

18. TERMS AND CONDITIONS

Collective agreements are in place which directly affect your terms and conditions of service. Full details are available on the Intranet.

We reserve the right to vary the terms of your appointment from time to time.

Arrangements are in place with our recognised Trade Unions and any changes to the terms of your appointment or policies relevant to your appointment will be made in consultation with the recognised Civil Service Trade Unions where applicable.

You will be notified of any changes to your terms of appointment.

Annex A

Environmental Standards Scotland Pre-Employment Security and Eligibility Checks

Full details on these checks and the actions you will need to take can be obtained by downloading the attachment below. Please read this document as soon as you are able.

Environmental Standards Scotland Pre-Employment Security and Eligibility Checks:
<https://applications.work-for-scotland.org/files.axd?id=289820c4-54f8-4ac7-8169-2205809ea28b>

We expect these checks to be completed within four weeks of the date of this email. If you foresee any difficulties in providing the information then please contact me. Failure to provide the information may result in the offer being withdrawn.

PRINCIPLES OF THE CIVIL SERVICE CODE (UK WIDE SUMMARY)

The Civil Service Code (the Code) is made under the Constitutional Reform and Governance Act 2010 and is incorporated into the employment contracts of civil servants. The Code's terms apply at all times, including when a civil servant is not at work.

Civil servants are expected to carry out their role with dedication and a commitment to the Civil Service and its core values to support good government and ensure the achievement of the highest possible standards.

Civil Service Core Values

Integrity - Putting the obligations of public service above your own personal interests.

Honesty – Being truthful and open.

Objectivity – Basing your advice and decisions on rigorous analysis of the evidence.

Impartiality- Acting solely according to the merits of the case and serving equally well Governments of different political persuasions.

Civil Service Standards of Behaviour

Integrity – including fulfilling your duties and obligations responsibly and always acting professionally. Civil servants must not misuse their official position or disclose official information without authority.

Honesty – including setting out facts and relevant issues truthfully and only using resources for the authorised public purpose for which they were provided. Civil servants must not deceive or mislead Ministers or be influenced by improper pressures.

Objectivity – including providing information and advice based on evidence and taking decisions on the merits of each case. Civil servants must not ignore inconvenient facts or frustrate the implementation of policies once decisions are taken.

Impartiality - including carrying out responsibilities in a way that is fair, just and equitable and which reflects the Civil Service commitment to equality and diversity. Civil servants must not act in a way which unjustifiably favours or discriminates against particular individuals or interests.

Political Impartiality – including serving the Government, whatever its political composition, to the best of your ability and complying with any restrictions that have been laid down on your political activities. Civil servants must not act in a way which is determined by party political considerations or allow advice to be determined by personal political views.

The core values set out the standards of behaviour expected of all civil servants. More information in relation to your obligations under the Code together with a copy of the Code is available on the intranet.

A BASIC GUIDE TO THE OFFICIAL SECRETS ACTS 1911 and 1989

This basic guide provides answers to some questions about how the Official Secrets Acts 1911 and 1989 might affect you. It does not cover everything in the Acts. Further information on the Acts can be obtained from the intranet.

The 1989 Act amends section 2 of the Official Secrets Act 1911 to create a number of new offences, including in relation to the unauthorised disclosure of information without lawful authority and making damaging disclosures. For the purpose of the 1989 Act, "information" includes any information, document or article in the possession of a Crown servant or government contractor.

The Acts apply to:

- Crown servants, including a Minister of the Crown, member of the Scottish Government or junior Scottish Ministers; civil servants; members of the armed forces, and the police force.
- Government contractors, including any person who is not a Crown servant, but who provides, or is employed in the provision of goods and services, for the purpose of any Minister or any office holder in the Scottish Administration.
- Members of the public who have, or have had, information in their possession.

Disclosures of the following types of information are protected by the 1989 Act-

- Security and intelligence (section 1)
- Defence (section 2)
- International relations (section 3)
- Crime and special investigation powers (section 4)
- Information resulting from unauthorised disclosures or entrusted in confidence (section 5)
- Information entrusted in confidence to other States or international organisations (section 6)

Crown servants may only disclose information with lawful authority and where the disclosure is made in accordance with their official duties. A disclosure by a government contractor is made with lawful authority if it is made in accordance with an official authorisation or it is for the purposes of their functions as a government contractor and it does not contravene an official restriction.

It is an offence for a Crown servant or government contractor to fail to take such care to prevent the unauthorised disclosure of information in their possession which should not be disclosed without lawful authority.

Offences under the 1989 Act may be tried either on indictment or summarily, and anyone guilty of an offence is liable to imprisonment, a fine or both.

Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HD



E: enquiries@environmentalstandards.scot

PERSONAL

Neil Langhorn
[redacted]

29 April 2022

Sent to: [redacted]

Our ref: [redacted]

Dear Neil,

NEW ENTRANT - JOINING LETTER

Welcome to Environmental Standards Scotland. Following successful completion of security and records checks and receipt of signed acceptance of terms and conditions of appointment, I am pleased to be able to confirm your permanent appointment as a Civil Servant in Environmental Standards Scotland commencing on 1 June 2022.

Terms and Conditions

Your terms and conditions of appointment were set out in the schedule accompanying the conditional offer of employment issued to you, which you have signed and accepted.

Further to this, you have requested to work a flexible working pattern (as set out below) and these terms and conditions are therefore varied in respect of your hours of work and working pattern as follows:

Hours of work

You will work 30 hours per week, excluding meal breaks. Your pay and leave entitlements are calculated on a pro-rata basis in comparison with the full time equivalent.

This variation represents a permanent change to your terms and conditions of appointment. You may make further requests in future to change your working pattern / hours, details of which can be obtained from and authorised by your line manager.

Annual Leave entitlement

Your leave entitlement from your start date to 01 June 2022 will be 120.5 hours.
From 31 January 2023 this will increase to 180 hours.

Public and Privilege Holiday entitlement

From the start of the next leave year your Public and Privilege entitlement will be the equivalent of 11.5 days per annum pro-rata.

Yours sincerely

[redacted]

Rebecca Peppiette
Head of Secretariat

ACCEPTANCE

I Neil Langhorn of [redacted] accept the variation as
narrated above to the terms and conditions of service contained, or referred to, in the
conditional offer letter and the attached Schedule.
[redacted]

SignedNeil Langhorn.....

Date09/05/2022.....

Mark Roberts
CEO
T: 0808 196 4000

ENVIRONMENTAL Standards Scotland Ìrean Àrainneachdail na h-Alba

Mark Roberts
Environmental Standards Scotland
Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HD

PERSONAL

By Email:
[redacted]

Date 28 June 2022

Our ref: [redacted]

Dear Rebecca,

FORMAL OFFER OF PERMANENT APPOINTMENT

I am pleased to be able to offer you a permanent appointment as a Civil Servant in Environmental Standards Scotland. This offer is conditional upon you returning your signed acceptance of the terms and conditions of appointment at the end of this letter. A joining letter will then be issued to confirm your appointment.

Additionally, should you wish to access Environmental Standards Scotland's Employee Benefits, you are required to consent to the sharing of data with the Environmental Standards Scotland's Employee Benefits provider.

Full details of Environmental Standards Scotland's Pre-Employment Security and Eligibility Checks and the actions you need to take are attached at Annex A.

This letter, and the attached Schedule, set out the main terms and conditions of your appointment. These may be subject to change from time to time, and you will be notified of any changes.

Posting Details

Job Title: Head of Corporate Services and Communications

Pay Range: £65275 - £75341

Length of posting

This is your initial posting. There are opportunities for permanent employees to move post to develop and progress within Environmental Standards Scotland. However, you are expected to remain in this post for a minimum period of 2 years or minimum period of time to be spent as specified in the advert, unless you are successful in securing a post in a higher pay range.

Location

You will be located in Thistle House, 91 Haymarket Terrace, Edinburgh, Scotland, EH12 5HE. Hybrid working arrangements also remain in place.

As a UK civil servant you can be expected to transfer to a post within reasonable travelling distance of your home.

Probation

You will be on probation for 9 months and expected to remain in the same post for that period from your start date. Your appointment will be confirmed at the end of this period if you have shown that you can meet the normal requirements of the job to an effective standard, and that your attendance and conduct have been satisfactory. Your attendance is likely to give cause for concern if you have more than 7 working days of sick absence, or there are concerns about any pattern of absences, during the probationary period.

If you do not reach the required standard, or your attendance or conduct has been unsatisfactory, your probation period may be extended or your appointment terminated at any time during the probationary period. Full details of probation can be found on the intranet.

Pay

You will be paid monthly in arrears, normally on the last working day of the month, by Bank Credit Transfer. Your salary will be £65275 per annum, which will be calculated pro-rata for part time hours.

All payments will be subject to tax, national insurance contributions and other statutory deductions as appropriate and any other authorised deduction.

Pay is reviewed annually. Any changes for colleagues in Bands A-C take effect from 1 April. Details of the pay structure, arrangements and qualifying criteria can be found in our staff handbook and on our intranet.

UK Home Office Visa

If you hold a UK Home Office Visa, Scottish Government will periodically request evidence from you of your entitlement to live and work in the UK, as it is an offence under the

Immigration, Asylum and Nationality Act 2006 for an employer to employ an individual who does not have the right to undertake the work for which they are employed.

You must advise the Business Manager immediately if there is any change to your visa circumstances during the course of your employment. If you no longer have a legal right to live and work within the UK beyond your visa expiry date, or cannot evidence that you do, your appointment will be terminated.

Nationality requirements

This job is broadly open to the following groups:

- UK nationals
- nationals of Commonwealth countries who have the right to work in the UKs
- nationals of the Republic of Ireland
- nationals from the EU, EEA or Switzerland with (or eligible for) status under the European Union Settlement Scheme (EUSS)
- relevant EU, EEA, Swiss or Turkish nationals working in the Civil Service
- relevant EU, EEA, Swiss or Turkish nationals who have built up the right to work in the Civil Service
- certain family members of the relevant EU, EEA, Swiss or Turkish nationals

Terms and conditions of service

The terms of your appointment to Environmental Standards Scotland are set out in this letter and the attached Schedule with further information available on the intranet and in our staff handbook.

Accepting the conditional offer of permanent appointment

If you are willing to accept the conditional offer of permanent appointment on the basis of the terms contained, or referred to, in this letter and the attached Schedule, please sign the statement below.

You must print and return the complete, signed letter and attached Schedule to me within 7 days of receipt of this letter. Failure to do so may result in the offer being withdrawn. You should retain this for future reference. If you have difficulties printing and require a hard copy to be issued then please let me know.

Joining Letter

Following completion of satisfactory pre-employment checks and return of your signed acceptance, a joining letter will be issued which will also contain details of your annual leave entitlement for the remainder of the year and any changes which have been agreed, for example, in relation to your working pattern.

Further Information

Effectively consulting and engaging employees is important to Environmental Standards Scotland and we work in partnership with our recognised Trade Unions. It is a matter of individual choice whether you join one of those Trade Unions; however, we encourage all of our employees to do so, and to play an active part within it to ensure your views are

represented. Information on the recognised Trade Unions and how to join is available in our staff handbook.

Yours sincerely [redacted]

Mark Roberts
For and on behalf of Environmental Standards Scotland

CONDITIONAL OFFER OF PERMANENT APPOINTMENT

ACCEPTANCE

I Rebecca Peppiette of [redacted] accept the conditional offer of permanent appointment on the basis of the terms and conditions of service contained, or referred to, in this letter and the attached Schedule.
[redacted]

Signed Rebecca Peppiette

Date 6/7/2022

EMPLOYEE BENEFITS

To enable the provision of an employee benefits service, we will share your name, surname, pay reference number and work email address with our service provider. If you are content for us to share this information, then please sign and return the acceptance below.

ACCEPTANCE

I Rebecca Peppiette of [redacted] consent to Environmental Standards Scotland sharing the specified data with the employee benefits service provider.
[redacted]

Signed Rebecca Peppiette

Date 6/7/2022

The employee benefits service is optional and you can opt out of this at any time. If you wish to opt out, the specified data noted above will be removed from the system. To do so please contact HR help.

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2. CONTINUITY OF EMPLOYMENT

No employment with a previous employer will count towards your period of continuous service for the purposes of employment protection legislation.

3. HOURS

Full Time

You will work a 5 day week of 37 hours excluding meal breaks. Hours will be worked Monday to Friday within the bandwidth hours of 07:00 to 19:00.

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If the minimum period of notice cannot be given for any reason other than in relation to a disciplinary dismissal, you will receive compensation in lieu of the unexpired period of notice.

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The following information is collected by our HR Records systems:

- Name, date of birth, address, contact telephone numbers, National Insurance (NI) number, bank details, emergency contact/next of kin, payslip data, pensions data and marital status.
- Current job information, employee contract, employment history, disciplinary records and training Information
- Annual leave records, flexi records and sick leave records.
- Disability information, diversity monitoring including ethnicity, nationality, gender, religious beliefs and sexual orientation.

For staff administrative purposes data may be shared with the Department of Work and Pensions (DWP), Her Majesty's Revenue and Customs (HMRC), National Fraud Initiative (NFI) and the Pensions administrator.

Only specific Environmental Standards Scotland staff and line management can access your data held in Environmental Standards Scotland records and systems.

Employees are entitled to review/update their personal information held on HR systems.

If you want to request additional information about your data and our privacy policy please contact the Business Manager. Under current data protection laws, you are entitled to request a copy of your HR records (known as a Subject Access Request (SAR)). You can do so by contacting the Chief Executive of Environmental Standards Scotland. Further details, including the contact details of our data controller, can be found on the intranet.

15. CONDUCT AND DISCIPLINE

Civil servants are required to act in accordance with the terms of the Civil Service Code at all times. As a civil servant, you are expected to adhere to the Civil Service core values and behaviours, as set out in the Civil Service Code, and must be, and be seen to be, honest, impartial, objective and to act with integrity in the exercise of your duties.

There is a UK-wide version of the Civil Service code as well as a Scottish-specific version, as Environmental Standards Scotland is a Non-Ministerial department, the UK version applies and obligations under the code are owed to the office holders of Environmental Standards Scotland. A summary of the current version of the Code is attached at Annex B. You must familiarise yourself with this and all Environmental Standards Scotland conduct and discipline policies, including the separate rules which apply during your probationary period only. Copies of these policies, together with the current Civil Service Code are available on the intranet.

The standards of behaviour expected of Environmental Standards Scotland employees are contained in the Guide to Standards of Behaviour. You are also required to familiarise yourself with and to comply with the Guide, which is available on the intranet.

16. GRIEVANCES

Environmental Standards Scotland, has a Fairness at Work policy which you should familiarise yourself with if you have a grievance relating to your employment. The policy is available on the intranet.

17. USE OF OFFICIAL INFORMATION

All civil servants are subject to the Official Secrets Acts. The provisions of the Acts as they affect civil servants are summarised in Annex C attached. You should read it carefully. All civil servants owe duties of confidentiality and loyal service to the Crown. These require civil servants to exercise care in the use of information which they acquire in the course of their official duties and to protect information which is held in confidence. The rules governing the use of official information and related activities are available on the intranet and you are required to familiarise yourself with them. Any breach of these rules may result in disciplinary action and, in certain circumstances, criminal or civil proceedings.

18. TERMS AND CONDITIONS

Collective agreements are in place which directly affect your terms and conditions of service. Full details are available on the Intranet.

We reserve the right to vary the terms of your appointment from time to time.

Arrangements are in place with our recognised Trade Unions and any changes to the terms of your appointment or policies relevant to your appointment will be made in consultation with the recognised Civil Service Trade Unions where applicable.

You will be notified of any changes to your terms of appointment.

Annex A

Environmental Standards Scotland Pre-Employment Security and Eligibility Checks

Full details on these checks and the actions you will need to take can be obtained by downloading the attachment below. Please read this document as soon as you are able.

Environmental Standards Scotland Pre-Employment Security and Eligibility Checks:
<https://applications.work-for-scotland.org/files.axd?id=289820c4-54f8-4ac7-8169-2205809ea28b>

We expect these checks to be completed within four weeks of the date of this email. If you foresee any difficulties in providing the information then please contact me. Failure to provide the information may result in the offer being withdrawn.

PRINCIPLES OF THE CIVIL SERVICE CODE (UK WIDE SUMMARY)

The Civil Service Code (the Code) is made under the Constitutional Reform and Governance Act 2010 and is incorporated into the employment contracts of civil servants. The Code's terms apply at all times, including when a civil servant is not at work.

Civil servants are expected to carry out their role with dedication and a commitment to the Civil Service and its core values to support good government and ensure the achievement of the highest possible standards.

Civil Service Core Values

Integrity - Putting the obligations of public service above your own personal interests.

Honesty – Being truthful and open.

Objectivity – Basing your advice and decisions on rigorous analysis of the evidence.

Impartiality- Acting solely according to the merits of the case and serving equally well Governments of different political persuasions.

Civil Service Standards of Behaviour

Integrity – including fulfilling your duties and obligations responsibly and always acting professionally. Civil servants must not misuse their official position or disclose official information without authority.

Honesty – including setting out facts and relevant issues truthfully and only using resources for the authorised public purpose for which they were provided. Civil servants must not deceive or mislead Ministers or be influenced by improper pressures.

Objectivity – including providing information and advice based on evidence and taking decisions on the merits of each case. Civil servants must not ignore inconvenient facts or frustrate the implementation of policies once decisions are taken.

Impartiality - including carrying out responsibilities in a way that is fair, just and equitable and which reflects the Civil Service commitment to equality and diversity. Civil servants must not act in a way which unjustifiably favours or discriminates against particular individuals or interests.

Political Impartiality – including serving the Government, whatever its political composition, to the best of your ability and complying with any restrictions that have been laid down on your political activities. Civil servants must not act in a way which is determined by party political considerations or allow advice to be determined by personal political views.

The core values set out the standards of behaviour expected of all civil servants. More information in relation to your obligations under the Code together with and a copy of the Code is available on the intranet.

A BASIC GUIDE TO THE OFFICIAL SECRETS ACTS 1911 and 1989

This basic guide provides answers to some questions about how the Official Secrets Acts 1911 and 1989 might affect you. It does not cover everything in the Acts. Further information on the Acts can be obtained from the intranet.

The 1989 Act amends section 2 of the Official Secrets Act 1911 to create a number of new offences, including in relation to the unauthorised disclosure of information without lawful authority and making damaging disclosures. For the purpose of the 1989 Act, "information" includes any information, document or article in the possession of a Crown servant or government contractor.

The Acts apply to:

- Crown servants, including a Minister of the Crown, member of the Scottish Government or junior Scottish Ministers; civil servants; members of the armed forces, and the police force.
- Government contractors, including any person who is not a Crown servant, but who provides, or is employed in the provision of goods and services, for the purpose of any Minister or any office holder in the Scottish Administration.
- Members of the public who have, or have had, information in their possession.

Disclosures of the following types of information are protected by the 1989 Act-

- Security and intelligence (section 1)
- Defence (section 2)
- International relations (section 3)
- Crime and special investigation powers (section 4)
- Information resulting from unauthorised disclosures or entrusted in confidence (section 5)
- Information entrusted in confidence to other States or international organisations (section 6)

Crown servants may only disclose information with lawful authority and where the disclosure is made in accordance with their official duties. A disclosure by a government contractor is made with lawful authority if it is made in accordance with an official authorisation or it is for the purposes of their functions as a government contractor and it does not contravene an official restriction.

It is an offence for a Crown servant or government contractor to fail to take such care to prevent the unauthorised disclosure of information in their possession which should not be disclosed without lawful authority.

Offences under the 1989 Act may be tried either on indictment or summarily, and anyone guilty of an offence is liable to imprisonment, a fine or both.

Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HD
E: enquiries@environmentalstandards.scot

ENVIRONMENTAL
Standards Scotland
Ìrean Àrainneachdail na h-Alba

PERSONAL

Rebecca Peppiette
[redacted]

3 August 2022

Sent to: [redacted]

Our ref: [redacted]

Dear Rebecca,

NEW ENTRANT - JOINING LETTER

Welcome to Environmental Standards Scotland. Following the successful completion of security and records checks and receipt of the signed acceptance of terms and conditions of appointment, I am pleased to be able to confirm your permanent appointment as a Civil Servant in Environmental Standards Scotland commencing on 1 September 2022.

Terms and Conditions

Your terms and conditions of appointment were set out in the schedule accompanying the conditional offer of employment issued to you, which you have signed and accepted.

Hours of work

You will work a 5 day week of 37 hours excluding meal breaks. Hours will be worked Monday to Friday within the bandwidth hours of 07:00 to 19:00.

Annual Leave entitlement

Your leave entitlement from 1 September 2022 to 31 January 2023 will be 12.5 days. From 31 January 2023 this will increase to 30 days.

Public and Privilege Holiday entitlement

From the start of the next leave year your Public and Privilege entitlement will be the equivalent of 11.5 days per annum pro-rata.

Yours sincerely,

[redacted]

Mark Roberts
CEO

ACCEPTANCE

I, Rebecca Peppiette, of [redacted] accept the terms and conditions of service contained, or referred to, in the conditional offer letter and the attached Schedule.

[redacted]

Signed:

Date: 03/08/2022



T: 0131-244 4595
E: Shonagh.eadie@gov.scot

PERSONAL BY EMAIL
[redacted]

Mark Roberts

SENIOR CIVIL SERVICE: CONTRACT OF EMPLOYMENT: INDEFINITE PERIOD

This document sets out your principal terms and conditions of employment. It is conditional on receipt of a satisfactory reference and Disclosure Scotland certificate. It incorporates the written particulars required by the Employment Rights Act 1996 and, together with the additional information provided [here](#) in the My Workplace section of Saltire, the Scottish Government intranet system (as amended from time to time), constitutes your contract of employment with the Crown. Please sign the conditional contract and return to me at the above address.

Names of parties

Mark Roberts (**the employee**)

The Scottish Ministers as the appointing authority for the Crown.

1. Commencement of Employment

Your employment will begin on 13 June 2022.

Probation

You will be on probation for 9 months. At the end of this period your appointment will be confirmed provided you have shown that you can meet the normal requirements of the job, and your attendance and conduct have been satisfactory. If you do not reach the required standard your appointment will normally be terminated. Under certain circumstances the probationary period may be extended. Your appointment may be terminated at any time during the probationary period for misconduct or if your service or performance is unsatisfactory and it is clear that you will not be able to reach the required standard before the end of the probationary period. You are expected to remain in the same post during your probationary period. Further information on probation is available on Saltire [here](#).

2. Job Title

You are appointed as a member of the Senior Civil Service in the Scottish Government. Your current job title is detailed in [Schedule 1](#) and may be amended from time to time. Any changes will be discussed with you fully and notified to you in writing.

3. Scottish Government Intranet: Saltire

The details of your terms and conditions are set out [here](#) in the My Workplace section of Saltire, the Scottish Government intranet system. The home page of the Intranet will tell you about any significant changes to your terms and conditions of employment. The Scottish Government may also amend the policies and procedures in the My Workplace section [here](#) in Saltire from time to time.

4. Salary

4.1 Your basic salary is £81,760 a year, payable monthly in arrears by credit transfer to your bank or building society. On your first day of service you should bring, if available, your P45.

4.2 Your salary will be reviewed annually on 1 April (beginning in April 2023). Pay increases are based on performance and achievement of objectives, including those relating to corporate and personal development. Any salary increase is at the discretion of the Scottish Government and there is therefore no guarantee of a salary increase even if performance and achievement of objectives are met.

4.3 You are not entitled to the payment of any overtime.

5. Disclosure

HM Treasury's Resource Accounting Manual requires the disclosure of the salary (including any taxable benefits in kind) and pension details of certain posts within the Senior Civil Service. An appointment to a post to which this applies will be on condition that there is acceptance of disclosure.

6. Performance Management and Appraisal

Your employment requires performance consistent with the high standards expected of members of the Senior Civil Service. Your performance will therefore be subject to regular appraisal and review, with an opportunity to discuss that performance with your line manager.

7. Hours of Work

7.1 You are required to work a minimum (over a 5 day week) of 37 hours.

7.2 Your normal daily hours of work are 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.30pm on Friday.

7.3 As a senior civil servant, you will be required to work such additional hours as may from time to time be reasonable and necessary for the efficient performance of your duties.

7.4 You are entitled to apply for part-time or flexible working arrangements.

8. Annual Leave

Your annual leave allowance will be 30 days, with pay. The leave year is from 1 February to 31 January and your leave allowance for the current year will be 19 days.

For those working part-time hours, the annual leave allowance is calculated in proportion to the number of hours worked. The detailed rules relating to annual leave are set out in the attached Schedule 2.

9. Public and Privilege Holidays

Subject to the detailed rules in Saltire [here](#), you are entitled to all public holidays and to three and a half privilege days in addition to your annual leave allowance and you will be paid for each day. Further details are set out in the attached [Schedule 2](#).

10. Sickness

The rules relating to sickness and injury are to be found in Saltire [here](#). These provide for absence on full pay and on half pay, depending on the length of absence and subject to a ceiling on total paid absence within a given period.

11. Pension Arrangements

All employees are eligible to join the Civil Service Pension arrangements. Following receipt of your completed pension questionnaire a pension choices pack will be issued which will contain full details of the pension options available. Further information on pension schemes and benefits can be found [here](#).

Please be aware that an increase in salary can increase your risk of breaching the Annual Allowance (AA) of tax relief on your pension savings. The AA covers pension savings that benefit from tax relief, across all registered pension arrangements, in any year. If your pension savings exceed the AA, you may be liable to pay tax on the amount over the allowance.

If you have breached the annual allowance, our pension administrator My Civil Service Pension (MyCSP) will send you a Pensions Saving Statement.

Tax is your individual responsibility and we cannot complete or assist you with any tax liability calculations. We recommend that you seek an independent financial adviser if you are concerned about how tax may affect your pension benefits. The Financial Conduct Authority (FCA) website [here](#) has information on finding a local adviser.

For further information on AA and its impact, you can contact the scheme compliance unit within MyCSP via this link scu@mycsp.co.uk

12. Family Friendly Policies

The Scottish Government operate various family friendly policies including maternity, paternity, adoption, shared parental leave, flexible working hours and alternative working

patterns. Full details of all these arrangements can be found on Saltire or by contacting the HR Shared Service Centre.

13. Place of Work/Mobility

13.1 Your current place of employment is Edinburgh.

13.2 All senior civil servants have a minimum mobility requirement as derived from here in the [Civil Service Management Code](#). This provides that all staff can be expected to transfer to a post within reasonable travelling distance of your home. Full-time SCS are subject to the enhanced mobility requirement and can be required to transfer to a post anywhere in the United Kingdom or abroad - see chapter 10. Unless wholly exceptional emergency circumstances exist which make it impossible, you will be given reasonable notice of any such change. Reasonable expenses will be paid for any relocation or travel costs incurred as a result of the transfer. Details of such expenses are to be found [here](#).

14. Notice

Because of the power of the Crown to dismiss at will, you are not entitled to a period of notice terminating your employment. However, unless your employment is terminated by agreement, in practice, you will normally be given the following periods of notice in writing terminating your employment:

14.1.1 if you are dismissed on efficiency grounds or if your dismissal is the result of disciplinary proceedings in circumstances where summary dismissal is not justified:

Continuous Service for:

Up to 4 years - 5 weeks

4 Years and Over - 1 week plus 1 week for every year of continuous service up to a maximum of 13 weeks.

14.1.2 if you are retired on medical grounds, the period of notice in 14.1.1 above or, if longer, 9 weeks unless a shorter period is agreed.

14.1.3 if your employment is terminated compulsorily on any other grounds, unless such grounds justify summary dismissal at common law or summary dismissal is the result of disciplinary proceedings – 3 months.

On the expiration of such notice, your employment will terminate.

You will receive no notice where the date of termination is mutually agreed, except where the termination is on Voluntary Exit or Voluntary Redundancy terms, in which case you will receive three months' notice.

14.2 If your employment is terminated without the notice which it is stated above would in practice normally be given, having regard to the reason for such termination,

compensation will be paid to you in accordance with the relevant provisions of the Civil Service Compensation Scheme.

14.3 Unless otherwise agreed, you are required to give a minimum period of three months **written** notice if you wish to terminate your employment. This should be addressed to the Director of People and sent to the Senior Staff Team, People Directorate.

15. Retirement Age

There is no mandatory retirement age in the Civil Service. You are required to give a minimum of three months' written notice when you wish to retire from your employment.

16. Other Compensation for Compulsory Early Termination of Contract

16.1 You may be eligible to receive benefits under any Civil Service schemes in force and as amended from time to time, such as the Civil Service Compensation Scheme and the Injury Benefit Scheme.

16.2 If your performance is so unsatisfactory as to warrant the use of efficiency procedures as set out [here](#) in Saltire, and you are dismissed on efficiency grounds, the Scottish Government has discretion, in certain circumstances, to award compensation under the Civil Service Compensation Scheme.

16.3 **Medical Retirement:** If you are a member of the Civil Service pension arrangements, you may be retired on medical grounds with payment of ill health retirement benefits. This will be subject to the medical adviser to the Civil Service pension arrangements being satisfied that the breakdown in your health is such that it prevents you from carrying out your own or comparable duties and that the ill health is likely to continue until you reach pension age. Further information is available from the Civil Service pensions website [here](#).

17. Conduct

17.1 As a civil servant you are a servant of the Crown and you owe a duty of loyal service to the Crown as your employer. An account of the constitutional position is given [here](#) in Saltire.

17.2 As a member of the Senior Civil Service, you are not permitted to take part in national political activities. You are required to seek permission to take part in local political activities and you must comply with any conditions laid down by the Scottish Government. Further details are set out [here](#) in Saltire.

17.3 As a civil servant you are required to conduct yourself in accordance with the provisions of the Civil Service Code. A summary is attached at [Annex B](#) and the full version is available [here](#) in Saltire. It is essential that you are, and are seen to be, honest and impartial in the exercise of your duties. You must not allow your judgement or integrity to be compromised in fact or by reasonable implication.

The detailed requirements on:

- the avoidance of conflicts of interest can be found [here](#)

- the receipt of gifts and hospitality can be found [here](#)
- the standards of conduct expected of you can be found [here](#),

Your attention is drawn to the requirement for members of the SCS to record information relating to gifts, hospitality and interests on the eHR system.

17.4 If you believe you are being required to act in a way which:

is illegal, improper, or unethical;

is in breach of constitutional convention or a professional code;

may involve possible maladministration; or

is otherwise inconsistent with the Civil Service Code;

you should report the matter in accordance with the procedures set out [here](#) in Saltire. You should also report to the appropriate authorities evidence of criminal or unlawful activity by others and you may also report in accordance with the above procedures if you become aware of other breaches of the Civil Service Code or are required to act in a way which, for you, raises a fundamental issue of conscience. If you do not believe the response you receive to any such report represents a reasonable response to the grounds of your concern you may report the matter in writing to the Civil Service Commissioners. You must also comply with the IT Code of Conduct which is available [here](#) in Saltire.

18. Disciplinary and Grievance Procedures

18.1 Disciplinary matters are dealt with in accordance with the Scottish Government's disciplinary procedures, which are set out [here](#) in Saltire.

18.2 If you have any grievances relating to your employment, or if you wish to appeal against any decisions or actions which affect you adversely you should, where possible, seek to resolve it with the party who is the source of the grievance. This initial approach should be made informally but it can, if necessary, be followed up in writing. If it is not possible to resolve the grievance at that stage you can raise the matter with a line manager who is at least one management level higher than the officer responsible for the decision or action which is the subject of the grievance. The officer considering the grievance should not have been party to the decision or action which is the source of the disagreement. If still dissatisfied you can raise the matter with the Senior Staff Team, or you are free to raise it with your trade union. Details of the steps to be taken if you consider that the cause for complaint has not been dealt with satisfactorily, in spite of the approaches to the above officers, are [here](#) in Saltire.

19. Confidentiality/Use of Official Information

19.1 As a civil servant you owe duties of confidentiality to the Crown. These require you to exercise care in the use of information which you acquire in the course of your official duties and to protect information which is held in confidence. The rules governing confidentiality and the use of official information are set out [here](#) in Saltire.

19.2 You are also subject to the Official Secrets Act 1989 (copy attached at [Annex C](#)) available [here](#) in Saltire.

20. Acceptance of Outside Appointments

In certain circumstances you are required to obtain the agreement of the Crown before accepting any offer of employment outside the Civil Service which would start within 2 years of leaving Crown employment. The rules on the acceptance of outside appointments, and the circumstances in which they apply, are set out [here](#) in Saltire.

21. Overseas Employment

Currently it is not foreseen that you will be required to work outside the United Kingdom for more than one month on any one occasion.

22. Data Protection

22.1 The Scottish Government collects personal information to administer data and support staff and to deliver services across the organisation. Processing is necessary for compliance with our legal obligations.

The following information is collected by our eHR, eOvertime, Flexi and Records systems:

- Name, date of birth, address, contact telephone numbers, National Insurance (NI) number, bank details, emergency contact/next of kin, payslip data, pensions data and marital status.
- Current job information, employee contract, employment history, disciplinary records and training Information
- Annual leave records, flexi records and sick leave records.
- Disability information, diversity monitoring including ethnicity, nationality, gender, religious beliefs and sexual orientation.

For staff administrative purposes data may be shared with the Department of Work and Pensions (DWP), Her Majesty's Revenue and Customs (HMRC), National Fraud Initiative (NFI) and the Pensions administrator.

Only specific Human Resources staff and line management can access your data held in Scottish Government records and systems.

Employees are entitled to review/update their personal information held on HR systems.

If you want to request additional information about your data and our privacy policy please contact HR Shared Services. Under current data protection laws, you are entitled to request a copy of your HR records (known as a Subject Access Request (SAR)). You can do so by contacting the Data Protection Team or email dpa@gov.scot. Further details, including the contact details of our data controller, can be found [here](#) on Saltire.

22.2 Additionally, should you wish to access the Scottish Government Employee Benefits, you are required to consent to the sharing of data with the Scottish Government Employee Benefits provider (see below).

23. The further particulars of terms of employment not contained in the body of this contract which must be given to you in compliance with Part 1 of the Employment Rights Act 1996 are given in the attached [Schedule 2](#).

[redacted]

Signed

3rd May 2022

(Date)

On behalf of the Scottish Ministers

[redacted]

Signed

3 May 2022

(Employee)

(Date)

EMPLOYEE BENEFITS

To enable the provision of an employee benefits service, we will share your name, surname, pay reference number and work email address with our service provider. If you are content for us to share this information, then please sign and return the acceptance below.

ACCEPTANCE

I Mark Roberts consent to the Scottish Government sharing the specified data with the Scottish Government employee benefits service provider.

[redacted]

Signed

Print name MARK STEPHEN ROBERTS (Block capitals)

Date 3 MAY 2022

The employee benefits service is optional and you can opt out of this at any time. If you wish to opt out, the specified data noted above will be removed from the system. To do so please contact the Senior Staff Team.

SCHEDULE 1

JOB TITLE

CHIEF EXECUTIVE, ENVIRONMENTAL STANDARDS SCOTLAND (SCS1)

SCHEDULE 2

EMPLOYMENT RIGHTS ACT 1996 - PART 1

The following information is given to supplement the information given in the body of the contract in order to comply with the requirements of Part 1 of the Act.

1. Continuous employment

Your period of continuous employment began on 13 June 2022.

2. Annual leave

The annual leave allowance for full-time staff is 30 days for which payment will be made. In addition you are entitled to 11½ days paid public and privilege holidays. For part-time staff the same applies but on a proportionate basis and a conversion is required. Further details can be provided by the Senior Staff Team on request.

The annual leave year runs from 1 February to 31 January each year. Up to 10 days untaken annual leave may be carried forward into the next annual leave year and noted on eHR.

Staff wishing to take annual leave should submit their proposals to line management on eHR at least 2 days in advance.

Detailed guidance on annual leave is available [here](#) in Saltire.

3. Sick Absence

You are required to inform your line manager by 10.00 am on the first working day on which you are unable to work because of illness or incapacity. Detailed guidance on the rules regarding sick absence is available [here](#) in Saltire.

4. Sick Absence and Annual Leave

Contractual annual leave continues to accrue during periods of paid and unpaid sick absence and during sick absence at pension rate of pay.

Where an illness occurs immediately prior to a pre-booked period of annual leave or immediately following a period of annual leave you must follow the normal absence management procedures and inform your manager on your first day of illness, or where this is not practicable, as soon as possible thereafter.

Where an illness occurs during a period of annual leave, you can choose whether the period of illness should be treated as sick absence or as annual leave. If you wish the period of illness to be treated as sick absence you must follow the normal absence management

procedures and inform your manager on your first day of illness, or where that is not practicable, as soon as possible thereafter.

Detailed guidance on sick absence and annual leave is available [here](#) in Saltire.

5. Public and Privilege Holidays

a. The following are the public and privilege holidays generally observed in Scottish Government.

Public Holidays

Good Friday
Easter Monday

May Day Holiday
Spring Holiday Monday
Autumn Holiday Monday
Christmas Day
New Year's Day
Day following New Year's Day

Privilege Holidays

Queen's Official Birthday
Friday (pm only) preceding the
Autumn Holiday
St Andrew's Day Holiday
Boxing Day

The dates on which these holidays are to be observed will be notified at the beginning of each leave year in Saltire. Further information is available [here](#) in Saltire.

b. You may be required to work on a public holiday or privilege day. If so, you will be entitled to time off in lieu.

6. Resignations or Terminations of Appointments

When an officer is resigning or terminating appointment the Senior Staff Team should be informed of the number of days annual leave already taken by the officer in that leave year. Wherever possible management should make every effort to allow staff, if they so wish and wherever practicable, to fix their last day of service to enable them to take all outstanding leave due to them. However if this is not possible, payment for untaken leave may be made in certain circumstances.

7. National Collective Agreements

There are no National Agreements which affect your terms and conditions of service.

Local Agreements

- Scottish Government Main Management and Trade Union Partnership Agreement 1999 as amended
- Scottish Government and Associated Departments Agreement on Redundancy Principles and Procedures 1994

These local agreements are set out on the Scottish Government intranet system.

Civil Service Pensions employee contribution rates Scheme Year 1 April 2021 to 31 March 2022

There is now a single set of contribution rates across Civil Service Pensions, regardless of whether members are in classic, classic plus, premium, nuvos or alpha.

Annualised rate of pensionable earnings		Employee contribution rate
From	To	
£0	£23,100	4.60%
£22,601	£56,000	5.45%
£54,901	£150,000	7.35%
£150,001	-	8.05%

PRINCIPLES OF THE CIVIL SERVICE CODE

The Civil Service Code (the Code) is made under the Constitutional Reform and Governance Act 2010 and is incorporated into the employment contracts of civil servants working for the Scottish Government and its agencies, etc. The Code's terms apply at all times, including when a civil servant is not at work.

Civil servants are accountable to the Scottish Ministers and are expected to carry out their role with dedication and a commitment to them, the Civil Service and its core values to support good government and ensure the achievement of the highest possible standards.

Civil Service Core Values

Integrity - Putting the obligations of public service above your own personal interests.

Honesty – Being truthful and open.

Objectivity – Basing your advice and decisions on rigorous analysis of the evidence.

Impartiality- Acting solely according to the merits of the case and serving equally well Governments of different political persuasions.

Civil Service Standards of Behaviour

Integrity – including fulfilling your duties and obligations responsibly and always acting professionally. Civil servants must not misuse their official position or disclose official information without authority.

Honesty – including setting out facts and relevant issues truthfully and only using resources for the authorised public purpose for which they were provided. Civil servants must not deceive or mislead Ministers or be influenced by improper pressures.

Objectivity – including providing information and advice based on evidence and taking decisions on the merits of each case. Civil servants must not ignore inconvenient facts or frustrate the implementation of policies once decisions are taken.

Impartiality - including carrying out responsibilities in a way that is fair, just and equitable and which reflects the Civil Service commitment to equality and diversity. Civil servants must not act in a way which unjustifiably favours or discriminates against particular individuals or interests.

Political Impartiality – including serving the Government, whatever its political composition, to the best of your ability and complying with any restrictions that have been laid down on your political activities. Civil servants must not act in a way which is determined by party political considerations or allow advice to be determined by personal political views.

The core values set out the standards of behaviour expected of all civil servants. More information in relation to your obligations under the Code together with and a copy of the Code is available on the Scottish Government intranet.

A BASIC GUIDE TO THE OFFICIAL SECRETS ACTS 1911 and 1989

This basic guide provides answers to some questions about how the Official Secrets Acts 1911 and 1989 might affect you. It does not cover everything in the Acts. Further information on the Acts can be obtained from HR Shared Service Centre, Saughton House or on the Scottish Government intranet.

The 1989 Act amends section 2 of the Official Secrets Act 1911 to create a number of new offences, including in relation to the unauthorised disclosure of information without lawful authority and making damaging disclosures. For the purpose of the 1989 Act, “information” includes any information, document or article in the possession of a Crown servant or government contractor.

The Acts apply to:

- Crown servants, including a Minister of the Crown, member of the Scottish Government or junior Scottish Ministers; civil servants; members of the armed forces, and the police force.
- Government contractors, including any person who is not a Crown servant, but who provides, or is employed in the provision of goods and services, for the purpose of any Minister or any office holder in the Scottish Administration.
- Members of the public who have, or have had, information in their possession.

Disclosures of the following types of information are protected by the 1989 Act:

- Security and intelligence (section 1)
- Defence (section 2)
- International relations (section 3)
- Crime and special investigation powers (section 4)
- Information resulting from unauthorised disclosures or entrusted in confidence (section 5)
- Information entrusted in confidence to other States or international organisations (section 6)

Crown servants may only disclose information with lawful authority and where the disclosure is made in accordance with their official duties. A disclosure by a government contractor is made with lawful authority if it is made in accordance with an official authorisation or it is for the purposes of their functions as a government contractor and it does not contravene an official restriction.

It is an offence for a Crown servant or government contractor to fail to take such care to prevent the unauthorised disclosure of information in their possession which should not be disclosed without lawful authority.

Offences under the 1989 Act may be tried either on indictment or summarily, and anyone guilty of an offence is liable to imprisonment, a fine or both.



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PERSONAL BY EMAIL
[redacted]

Mark Roberts

11 May 2022

Dear Mark

SENIOR CIVIL SERVICE ASSIGNMENT

I am writing to confirm that the pre-employment checks for your appointment as Chief Executive, Environmental Standards Scotland with effect from 13 June 2022 have now concluded.

Your Senior Civil Service contract is no longer conditional, this letter now constitutes an amendment to that contract which you signed on 3rd May 2022 and should be kept with it.

Yours sincerely

[redacted]

SHONAGH EADIE
Senior Resourcing & Staffing Team

