



Summary of Terms and Conditions (for information only)

Freedom of Information Officer (Enforcement Team) Grade 4 (Full Time equivalent – 37 hours per week)

Introduction

This document is for information only and has no contractual effect.

This document provides a summary of some of the terms and conditions which apply to a member of staff employed by the Scottish Information Commissioner (the Commissioner). The full terms and conditions will be provided when an offer of employment (conditional or unconditional) is made to a successful applicant.

Employer

The Commissioner employs all staff directly and the terms and conditions of employment are modelled on those offered to staff of the Scottish Parliamentary Corporate Body (SPCB). However, the staff that the Commissioner employs are not contractually entitled to the SPCB terms and conditions of employment except where expressly agreed by the Commissioner. There are no collective agreements which directly affect the terms of employment. Employment by the Commissioner is not considered as continuous service for the purposes of the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999.

Place of Work

The usual place of work will be at the Commissioner's office premises at Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS. The Commissioner reserves the right to vary this arrangement. Staff are not ordinarily required to work outside the United Kingdom.

Hybrid working is possible however, the ability to attend the office premises will be a contractual requirement and this means that any member of the Commissioner's staff who chooses to live some distance from their contractual work location will need to be able to travel to their contractual work location, in their own time and at their own expense, as commuting costs cannot be paid by the Commissioner.

We are unable to support remote working abroad, unless there is a genuine requirement to do so in the role. Specific examples of a genuine role requirement would be official business travel overseas for colleagues to attend conferences, meetings and networking / relationship building

opportunities. This position takes account of significant issues of compliance related to employing a person resident in another country including immigration requirements/ right to work in that country, security, taxation, pensions, social security, employment law and, also, IT security requirements.

Pay

The current salary scale for the post is attached at Appendix A. The starting salary for this post is £42,000 (gross p.a. FTE) and a member of staff is usually appointed on the first point of the applicable salary scale. Normally, a member of staff will progress at the rate of 1 scale point each year on the anniversary of their appointment.

The full grade structure for the office is at Appendix B.

Salary is payable, in arrears, by bank credit transfer on the last working day of each month.

Hours of Work

Full time hours are 37 hours per week, exclusive of meal and refreshments breaks. There is a flexi time system in place. Generally, there are no core hours during which you are obliged to work, however, there is a bandwidth during which a member of staff can work and record flexi hours without requiring the express permission of their line manager. The current bandwidth of hours is 0700-2000.

Annual Holidays

The holiday year runs from 1 September to 31 August. Unless otherwise specified in their contract of employment, if a member of staff is employed on a full-time basis they are entitled to paid leave of 30 days each year, with a further 11.5 days for public and privilege holidays. If a member of staff works less than 37 hours per week, the annual leave entitlement and public and privilege holiday entitlement is allocated on a pro rata basis.

Pension

The Commissioner and their staff are eligible to participate in the Civil Service pension arrangements. Employees can also opt for a partnership pension with a private sector pension scheme into which the Commissioner makes an employer contribution. All appointments are pensionable from the start of employment.

Details of the pension arrangements that are available can be provided on request.

Notice

Unless otherwise specified in their contract of employment, a member of staff will be required to give two months' notice in writing of their intention to leave their employment with the Commissioner.

Conduct

The Commissioner and his staff are committed to the highest standards of conduct in carrying out their work. There is a Code of Conduct which applies to all members of staff and this requires an employee to be and, be seen to be, professional, honest and impartial in the exercise of their

duties and not allow their judgement or integrity to be compromised in fact or by reasonable implication. Full details of the Code of Conduct are available on request.

Confidentiality

The Commissioner is committed to being open, accountable and transparent. The Commissioner's Publication Scheme provides a list of all available information about the Commissioner and how to get it. Wherever possible, information will be published on the Commissioner's website.

The Commissioner and his staff will also make available information about their contacts in accordance with FOISA and the EIRs and data protection legislation.

The Commissioner has a duty under FOISA and the EIRs to make decisions as to whether public authorities have complied with the legislation. This involves accessing information held by public authorities which public authorities consider to be exempt or excepted from disclosure. Section 45 of FOISA and regulation 18(5) of the EIRs make it a criminal offence for the Commissioner and the Commissioner's staff to disclose, without lawful authority, information which has been obtained by or furnished to the Commissioner for the purposes of FOISA and the EIRs and which is not, or has not been, otherwise publicly available. An employee must not, therefore, knowingly or deliberately take part in activities or make public statements which might involve the disclosure of such information or in any other way disclose it contrary to section 45 of FOISA.

A member of staff also has a legal duty not to misuse information that they acquire in the course of their work or disclose information that is received in confidence from others or disclose information in contravention of data protection law. This also applies after an employee leaves the Commissioner's employment.

Political Neutrality

A member of staff has the right to hold their own political views and to be active members of political parties, however, they cannot take part in any political or public activity (including campaigning) that compromises their professional impartiality and work, with all members of the public and with public authorities, in a politically neutral way. This means that a member of staff should not take part in any surveys or research projects if they deal with attitudes or opinions on political matters or matters of policy.

Performance Management System

A performance management system is in place under which a member of staff agrees annual objectives with their line manager, takes part in regular progress reviews and is subject to an annual performance appraisal.

Appendix A

Salary Scale for Freedom of Information Officer (Enforcement), Grade 4 (gross p.a., Full Time Equivalent) (2022-23)

Grade	Point	Value
1	1	
2	2 – 3	
3	4 – 6	
4	7	£42,000
4	8	£46,091
4	9	£50,079
5	10 – 13	
6	14 – 18	

Salary scales are reviewed annually and a review may not result in an increase in salary.

Appendix B

Organisational Chart

