

CONDITIONS OF SERVICE FOR RESEARCH ASSISTANTS

This document is designed to provide an overview of some of the most important aspects of the conditions of employment and should be read in conjunction with Statute 7 and Ordinances 36-39 which can be found on the Governance website at: <http://www.kent.ac.uk/governance/about/constitutionandmanagement.html>

All staff are expected to adhere to the University's Code of Conduct which can be found on the Human Resources website at:

<http://www.kent.ac.uk/hr-staffinformation/policies/codeofconduct.html>

1 SALARY

Salaries and conditions of service, where these are not determined locally by the University, are as negotiated centrally by the Universities and Colleges Employers' Association and adopted by the Council of the University.

Current salary scales can be found on the HR website at: <http://www.kent.ac.uk/hr-staffinformation/salary/index.html>

All salaries will be paid in 12 equal monthly instalments, in arrears, direct to the member of staff's bank account, on the last working day of each month. Members of staff who work part year will receive their annual salary by 12 monthly payments. The University reserves the right to make any required adjustments to salaries on leaving the University's employment. This may include making arrangements for any overpayments of salary to be paid back to the University or the University making adjustments in final salary to balance any underpayments.

Annual Increments

Annual increments, where appropriate, will be due on 1 October. Where a member of staff takes up a new post on or after 1 May no increment will normally be payable in the year of appointment.

2 HOURS OF WORK

The standard working week for a full time employee is 35 hours per week.

Normal working hours are 35 per week*. Staff work flexibly to complete their duties and this may include the occasional requirement for weekend work. There are no overtime payments.

Teaching and other on-campus activities normally take place between 9.00am and 6.00pm Monday to Friday* and staff are expected to be available if required during these hours**, exclusive of a break for lunch each day. The University reserves the right to alter these hours as necessary.

Working practices should be in accordance with Work-life/Home-life Balance guidance and, in accordance with the Working Time Regulations 1998, work should not exceed a maximum of 48 hours per week.

** Or as determined in the contract of employment if the appointment is part-time.*

*** The University has various policies, e.g. Teaching Constraints policy, that can be used by staff with particular needs to request suitable adjustments.*

3 ANNUAL LEAVE

The annual leave entitlement for a full-time member of staff is 43 days. This is made up of the following elements:

Contractual Leave

30 days

Designated Leave

8 Public Holidays: Christmas Day and Boxing Day
 New Year's Day
 Good Friday and Easter Monday
 May Day
 Spring Bank Holiday
 Late Summer Bank Holiday

5 Customary Days: to be fixed at the discretion of the University. These days are taken when the University is closed at Christmas.

Those members of staff who have to work on the May Day or Spring Bank Holiday because of work schedules shall be entitled to one day in lieu (*pro rata* for part-time staff).

If the University elects for a 6-day closure period, the additional day of leave would also be fully paid.

Part-time Staff

Part-time staff are entitled to a *pro rata* proportion of the total annual leave entitlement (i.e. 43 days). Part-time members of staff will be notified of their leave entitlement in their individual contract of employment. To see a breakdown of how this leave is calculated contact Human Resources.

Holiday Year

The Holiday Year will start on 1 August. In the holiday year in which a member of staff is appointed or resigns, he/she shall be entitled to a *pro rata* proportion of the annual leave entitlement.

The annual leave entitlement may be taken at any time within the 'holiday year', subject to the exigencies of each person's job and local arrangements in the department in which he/she works.

In exceptional circumstances, up to five days of holiday entitlement (*pro rata* for part-time staff) may be carried over from one year to the next, with the agreement of the responsible officer. Such agreement must be obtained before the end of the holiday year in which the entitlement has been accrued.

When a member of staff leaves the University's service, their annual leave entitlement in the final year will be calculated *pro rata* for the period of completed service. If more leave has been accrued than taken, the University will make a payment in lieu of holiday in the final salary payment. If the leave taken exceeds the leave accrued the University will deduct the value of the over-taken leave in the final salary payment.

There is no entitlement to payment in lieu of holiday not taken except at the University's discretion when a member of staff leaves the University's service.

Calculation of Annual Leave Entitlement

Each time you take annual leave, whether it is $\frac{1}{2}$ day or 1 week, the number of days that you would otherwise have worked during the period must be deducted from your annual leave entitlement. Staff are normally required to book leave in either full or half days.

Likewise, when a designated leave day falls on a day when you would normally work, then the relevant day/ $\frac{1}{2}$ day that you would otherwise have worked must be deducted from your annual leave entitlement.

If you work part-time, it may be that a designated leave day falls on a day when you would not normally work. In this case no deduction from your annual leave entitlement is necessary.

If you are not required to work during designated leave periods you must remember to take these days into account when planning and booking your leave. It is not acceptable to overbook annual leave because designated days have not been accounted for. Departmental administrators are responsible for keeping annual leave records in this regard.

The University will honour the shortfall in any case where a member of staff (full or part-time) starts part way through the year has not accrued sufficient annual leave to cover designated leave days which fall within the **first year of service only**.

4 PENSION SCHEME

Upon appointment all eligible (as defined by the scheme rules) members of staff will be deemed to be members of the Universities Superannuation Scheme (USS), which is the occupational pension scheme for academic and research staff. USS is a contributory scheme and appropriate contributions will be deducted from the member of staff's salary. Full details of the scheme can be found at: <https://www.uss.co.uk/members/members-home>.

Staff who join USS will automatically become a member of PensionsPlus, a salary exchange arrangement offered by the University. Members agree to give up the part of their gross basic salary that they would otherwise contribute to the pension scheme and in exchange, the University will make the same level of pension contribution on their behalf. Take-home pay is therefore increased due to a reduction in payment of National Insurance contributions. Full details of PensionsPlus can be found at: www.kent.ac.uk/human-resources/pensions/Pensionsplus

Please note that under the rules of the pension scheme, members who anticipate obtaining a refund of pension contributions during the first two years' of membership may wish to opt out of PensionsPlus in order to retain this flexibility. To remain a member of the pension scheme but opt out of PensionsPlus, visit: <https://staffconnect.kent.ac.uk/>

If you are in receipt of a pension from USS, you are not eligible to join USS and will be enrolled into SAUL, if you are aged under SAUL's Normal Pension Age, or NEST. Please contact the Pensions Office for further information if the above affects you.

5 PROBATION

All Research Staff who are new to the University, including those on part-time and fixed-term contracts, undergo a probationary period of 6 months, which may be extended in exceptional circumstances. The University's Probation Scheme for Professional, Managerial, Support and Research Staff sets out the procedures that will apply during the probationary period, details of which are available on the HR website: <http://www.kent.ac.uk/human-resources/probation/>

6 RESIDENCE

Within six months from the date of their appointment, members of staff are required to take up permanent residence within 25 miles, or one hour's travelling time of their normal place of work.

The relevant PVC or Head of Professional Service, as appropriate, is authorised to exempt members of staff from the residence requirement on either a permanent or a temporary basis, and that temporary exemptions be for renewable periods of six months. Exemptions might reasonably be given for

- (a) short-term contract staff;
- (b) staff who were experiencing temporary or short-term difficulties in relocating; or
- (c) where it is judged that equal opportunities considerations, for example, family or caring commitments, are relevant.

7 SICK PAY

For full details of the payments made due to ill health please see appendix 1. For details of the University's sickness absence policy and procedure please see the HR website: <http://www.kent.ac.uk/hr-staffinformation>

Employees absent from duty owing to illness shall be entitled to payment in accordance with the following scale:

During First Three Months' Service	2 weeks full pay	2 weeks half pay
Three Months to One Year	2 months full pay	2 months half pay
Second and Third Year of Service	3 months full pay	3 months half pay
Fourth and Fifth Year of Service	5 months full pay	5 months half pay
After Fifth Year of Service	6 months full pay	6 months half pay

8 INJURY

An employee who is absent from duty due to injury sustained in the actual discharge of his/her duty and without his/her own default shall be entitled to sick pay in accordance with Paragraph 7. The period of such absence shall not, however, be taken into account in calculating the sick leave allowance referred to in that paragraph.

An employee who is absent as a result of an accident shall not be entitled to his/her salary if damages for loss of earnings may be receivable from a third party in respect of such an accident. In this event, the University may advance a sum not exceeding the salary which would otherwise have been earned, subject to the member of staff undertaking to refund to the University the total amount of the advance or the proportion represented by the amount of the damages.

9 FAMILY FRIENDLY AND FLEXIBLE WORKING POLICIES

Full details of the University's family friendly and flexible working policies, which include information on Maternity, Paternity, Adoption and Parental Leave, are available on the Human Resources website: <http://www.kent.ac.uk/hr-staffinformation>

10 ANNUAL REVIEW

The University recognises the importance of developing its staff and providing them with a framework in which past performance can be reviewed, plans for the future can be made and personal development opportunities can be explored. The Reflect, Plan, Develop (RPD) Scheme is the University of Kent appraisal process which provides all University staff the opportunity to do this.

All staff are required to have a minimum of one RPD conversation per year and will be supported through this process by trained reviewers.

11 LEARNING AND DEVELOPMENT

The [University of Kent's 2025 Strategy](#) states our collective commitment to fostering a learning culture by maximising cultural and developmental opportunities for our staff and ensuring staff have the appropriate skills to do their jobs. All new members of staff will be invited to, and should attend, the central staff induction programme during their first few months of employment. The induction events are designed to ensure that new members of staff are provided with essential information, including information on a range of learning and development opportunities. Further information can be accessed via the Learning and Development web pages at:

<http://www.kent.ac.uk/hr-learninganddevelopment/index.html>

12 EQUALITY, DIVERSITY AND INCLUSIVITY (EDI)

All University staff are expected to read, comply with, and support the University's policies with regards to ensuring and promoting equality, diversity and inclusivity. Relevant training and development should be undertaken, as required. Further information about EDI is available from the University's website at: <http://www.kent.ac.uk/hr-equalityanddiversity/>

13 UNIVERSITY REGULATIONS AND USE OF FACILITIES

All University staff should read and be aware of the important regulations which govern health and safety, information technology and the use of facilities.

Staff are bound by the *Regulations for IT and Library Use at Kent*. These are available from the Information Services website at: <http://www.kent.ac.uk/is/regulations/> or on paper from Information Services. University staff must not breach the copyright of software provided by the University for use on University-owned computers or on computers owned by staff. All University staff are also expected to follow good practice guidelines published by Information Services and available from their website.

Staff are also bound by the regulations which relate to car parking. Parking at the University is limited and is operated on a permit system. Alternatively staff may like to take advantage of discounts for bicycles or bus passes and support the University's [Travel Plan](#) to encourage sustainable transport.

14 ASSURANCE AND DATA PROTECTION

Personal data stored in University systems is held subject to the provisions of the Freedom of Information Act 2000, the UK GDPR and the Data Protection Act 2018. Data may only be accessed and stored as needed for the normal function of the University, and must not be disclosed to unauthorised third parties. University staff must agree, as a condition of access to data, that they will not release information of any kind to unauthorised third parties either within or outside the University.

University staff must be aware of and comply with the requirements of the relevant legislation. Information is available from the University's website at: <https://www.kent.ac.uk/about/assurance-and-data-protection>

15 RESIGNATION

Members of staff may resign from their appointment by giving notice in writing of their intention so to do. The notice of resignation should be addressed to the Line Manager/Head of School, with a copy to Human Resources.

During the first three months of the probationary period, appointments are subject to a notice period of one week on either side; after three months' service, and until the completion of the probationary period, appointments are subject to a notice period of one calendar month on either side.

Following completion of probation all Research Staff appointments are subject to three calendar months' notice on either side.

In circumstances where the University is terminating a member of staff's employment with notice, the notice period referred to above will apply.

The notice period may be varied (either way) by mutual agreement with the Head of School.

16 RETIREMENT

The University does not stipulate an age by which staff must retire. As and when members of staff wish to retire, the normal contractual notice period will apply. For members of USS, it is helpful to contact the Pensions Office at least three months before the planned retirement date so that pension arrangements can be processed in good time.

17 UNIVERSITY PROPERTY

A member of staff in possession of any University property must return all such property before the end of their notice period, or at any other time when asked to do so. The University reserves the right to deduct the replacement cost of any unreturned property from the individual's final salary payment.

APPENDIX 1

(A) SICKNESS

For information about reporting procedures and the appropriate documentation/certification which needs to be provided please see the Managing Sickness Absence Procedure which is available on the HR website: <http://www.kent.ac.uk/hr-staffinformation>

Failure to provide appropriate certificates may result in pay being withheld.

(B) SICK PAY

Employees absent from duty owing to illness shall be entitled to payment in accordance with the scale outlined in paragraph 7.

Explanatory Notes

- (a) The rate of allowance and the period for which it shall be paid in respect of any absence due to illness shall be ascertained by deducting from the period of benefit appropriate to his/her service on the first day of absence the aggregate of the periods of absence due to illness during the twelve months immediately preceding the first day of absence. In aggregating the periods of absence no account shall be taken of any unpaid absence on sick leave.
- (b) The allowance shall not exceed the sum (if any) by which the total amount of benefits, allowances and payments referred to below falls short of full pay, subject to the amount of service set out under the Scale of Allowances above.

Accordingly the following deductions shall be made from an allowance equal to full pay:

- (i) The amount of sickness benefit receivable under Statutory Sick Pay during the first twenty eight weeks of absence, and under the National Insurance Acts and Regulations for the period thereafter. Details concerning Statutory Sick Pay are set out at (C);
- (ii) The amount of injury benefit receivable under the National Insurance (Industrial Injuries) Acts and Regulations made there under.

The following deductions shall be made from an allowance equal to half pay:

- (iii) The amount by which the total of the allowances receivable under (i) and (ii) above plus half pay exceeds full pay except that –
- (iv) Married women and widows exercising their right to be excepted from the payment of flat rate National Insurance contributions shall be deemed, in regard to the scheme for sickness payments, to be insured in their own right, and in their case deductions will be made from full and half pay (in accordance with (i) to (iii) above) of an amount equal to the benefit that would have been receivable had full National Insurance contributions been paid. This provision is distinct from any obligations arising from Employers' Statutory Sick Pay where separate rules apply.

(C) STATUTORY SICK PAY

Since April 1983 employers have had a statutory obligation to pay Statutory Sick Pay to their employees.

Entitlement to **Statutory Sick Pay** can arise only - during a Period of Incapacity for Work (PIW) **and** during Period of Entitlement (PE) **and** on a Qualifying Day (QD).

A Period of Incapacity for Work (PIW) is a period of **at least** four days of incapacity.

A day of incapacity can be any day of the week (for example, Sunday and Public Holidays count); it does not have to be a normal working day. For SSP purposes, a member of staff will be deemed incapable of work if by reason of some specific physical or mental illness or disablement he/she is unable to do the work which he/she would reasonably be expected to do under the contract of service. Periods of incapacity for work which are separated by 56 calendar days or less are linked together to form a single PIW.

A Period of Entitlement (PE) for SSP begins with the commencement of a PIW and ends when the member of staff: returns to work; exhausts his/her total entitlement of 28 weeks' SSP in one PIW or linked PIWs. or a series of linked PIWs which have run for three years; leaves the University's employment; ceases to be incapable of work or becomes ineligible for some other reason. A member of staff will be ineligible to receive SSP if he/she earns below the lower earnings limit for National Insurance contributions purposes; has been entitled to certain State Benefits in the previous 8 weeks; is pregnant or has recently been pregnant; has a contract of 3 calendar months or less.

Qualifying Days (QD) are agreed between the University and the member of staff and will normally be those days of the week on which he/she is required by his/her contract of service to be available for work or which are chosen to reflect the terms of that contract. There must be at least one QD in each week. The QDs cannot be agreed as the days of sickness. SSP can only be paid for sickness on a Qualifying Day and the first three Qualifying Days in any period of incapacity for work (except in a linked period) do not count for payment purposes. These are called Waiting Days.

When payments of SSP are made to a member staff this will be reflected in the Pay Slip. Employers are obliged to count all payments of SSP as earnings for income tax and national insurance purposes.

When a member of staff is receiving SSP but is about to reach the end of his/her entitlement, he/she will be informed by the University so that appropriate steps can be taken to transfer liability for further statutory sickness payments to the Department of Work and Pensions.

When a member of staff's employment ends the University must issue a leaver's statement if the employee has had a PIW during the eight weeks ending with the date on which employment ceases and if SSP was payable for at least one week. The actual decision as to whether or not SSP is payable rests with the employer. Should the University decide not to pay SSP for a Qualifying Day it has a duty to explain the decision to the member of staff concerned. If a member of staff does not agree with the explanation, he/she may ask for a written statement of all the relevant facts and if still dissatisfied may ask for guidance as to obtaining an independent adjudication.