



“Other” and Outside Work Policy

1. The Aim of this Policy

This Policy provides a framework for considering employee requests to undertake outside work – either paid or unpaid, in addition to their substantive role at Southend on Sea Borough Council. This includes “other” work with the Council or with another organisation.

2. Principles

- You will be required to devote your whole-time service to the work of the Council and shall not engage in any other paid or unpaid outside work or take up any other additional appointment without the express written consent of the Council.
- Any proposed “other” or outside work should not conflict or interfere with an employee’s Council employment
- The Council will not attempt to preclude employees from undertaking additional employment but any such employment must not, in the view of the Council, conflict with, or react detrimentally to, the Council’s business.
- Any “other” or outside work must not breach the Working Time Regulations which governs the total number of hours that can be safely worked.
- Where taking a second paid job could cause an employee to exceed the 48 hour maximum average working week, an opt out form must be signed.
- Managers will consider requests and will document discussions with the employee.
- Permission to undertake paid or unpaid “other” or outside work may be withdrawn if it later conflicts with the Council’s interests or affects an employee’s performance.
- Undertaking “other” or outside work without permission may be regarded as a disciplinary offence.

3. Definition of “Other” or Outside Work

“Other” or outside work is defined as any paid or unpaid work, including voluntary work, undertaken in addition to an employee’s substantive role with the Council.

4. Obtaining Permission

If an employee wants to undertake “other” or outside work, they should discuss the request with their line manager. The manager will need to consider whether there is a potential conflict of interest with their Council role, or any implications under the Working Time Regulations which define the maximum number of hours an employee should work as 48 hours a week.

If the employee’s main work is with the Council and taking additional paid work (e.g. a second job) causes an employee to exceed the average 48 hour working week in total, the employee must sign the “opt out” form. This must be held on the employee’s personal file. The manager must review the impact of the additional job on the employee and their performance. The “opt out” cannot be exercised by anyone under 18.

In the first instance, the employee should complete the “permission to undertake outside work” form, and attach the “opt out” form if necessary. These forms can be downloaded from the “Declarations” area of the “My Employment” section of the Intranet. Once completed, these should be given to the relevant manager.

The manager will consider the request and the implications of the “other” or outside work in question, and will decide whether to grant or refuse permission to undertake the work. The manager will confirm the decision in writing to the employee in the relevant section in the “permission to undertake outside work” form, submitted by the employee.

5. Appealing against a Decision

If the request to undertake the “other” or outside work is not agreed, the employee can appeal in writing, to the Head of Service, outlining the reason for their appeal.

The Head of Service will review the request and make a final decision. There is no further right of appeal.

6. Giving Temporary Permission

If a manager is unsure of the likely impact of an employee’s request, temporary permission may be given to the employee to undertake the “other” or outside work with a review period, where any impact on the employee’s substantive role at the Council can be assessed.

7. Where permission is given and subsequent problems arise

If issues arise which give the manager cause for concern, these should be discussed with the employee, and consideration given as to whether it is appropriate to revoke permission to continue with the “other” or outside work.

8. Requests to share knowledge with other public bodies or organisations

The Council may receive requests from other public bodies and organisations to share knowledge and good practice. These should be considered to be part of an employee's duties. The preparation and delivery time will be counted against normal working hours, and any fee will be paid to the Council.

9. Where an employee is engaged to provide "other" services to the Council outside of their substantive post

If the services provided are carried out during paid time off, then no additional payment should be made.

If the services provided are carried out in the employee's own time e.g. on non-working days, then either:

- (a) Additional hours payments should be made for the additional hours worked at a job evaluated hourly rate; or
- (b) If the work has been commissioned through procurement exercise and a "contract for service" has been established, a HRMC on-line check should be undertaken to establish the status of the individual in relation to the additional services provided. This will determine the appropriate method of payment and avoid a possible claim on the Council for tax and NI at a later date.

10. More information and help

For more information and help please contact HR Services on 215662 or via email on hrenquiries@southend.gov.uk