

From: Edinburgh College Freedom of Information

Sent: 08 February 2018 17:00

To: [REDACTED]

Subject: RE: Freedom Of Information Request

Dear [REDACTED]

Our Ref: 001/18

As of 1 October 2012, Edinburgh's Telford College, Jewel & Esk College and Stevenson College merged to create a single college called Edinburgh College.

We refer to your request for information dated 11 January 2018. The College has considered your request as a request for information under section 1 of the Freedom of Information (Scotland) Act 2002 ("FOISA"):

001/18 (1): How many individuals does the Institution have holding a zero hours contract (as an academic) on 10 January 2018?

0

If answer is nil, please go to Section 2 & 3

Section 2

001/18 (2): According to our records, at least one previous FOI response has indicated that your Institution had zero hours contracts according to the ACAS definition in the past. How has your Institution stopped using zero hours contracts (according to the ACAS definition)?

We have moved to fixed term / fixed hours contracts.

Section 3

001/18 (3): How many academic staff are employed by the Institution? (Not FTEs)

631

001/18 (4): Has the Institution made efforts to reduce the number of zero hours contracts in the last 5 years? If so, how?

Yes, we now use fixed term / fixed hours contracts.

001/18 (5): Does the Institution use annualised hours contracts with academic staff, or any other form of contract that guarantees a specified number of hours for a specified period of time?

The college does not actively use annualised hours contracts but does regularly use fixed term contracts which specify number of hours to be worked.

001/18 (6): What is the minimum number of hours specified per week, term/semester or year in such contracts?

There is no minimum, it depends on business need.

001/18 (7): Are such contract holders considered as workers or employees by the Institution?

Employees for the duration of their fixed term contract.

001/18 (8): Does the Institution have a procedure to notify such contract holders when they are not to be offered work in the future?

Yes.

001/18 (9): Does the Institution offer redundancy consultation or compensation to such contract holders when it knows that no further work will be offered or when no work has been offered for a set period?

Yes.

001/18 (10): Does the Institution offer the same pension to such contract holders as permanent staff doing like work?

Yes.

001/18 (11): Does your institution pay occupational sick pay to such contract holders?

Yes.

001/18 (12): Does your Institution pay occupational maternity pay or paternity pay to such contract holders?

Yes.

001/18 (13): Has the Institution carried out an Equality Impact Assessment into the use of such contracts at the Institution? If so, when was the last one carried out?

No.

001/18 (14): Does your institution give paid leave or payment in lieu of holidays to a such contract holders?

It depends on the duration of the fixed contract. If leave balance is due to the employee at the end of their contract then this is paid in lieu.

001/18 (15): Does the Institution have a formal procedure in place to determine if such a contract is used and who applies it?

Yes.

001/18 (16): Further, do HR advisors have a role to play in this process?

Yes.

001/18 (17): Does the Institution have a procedure for deciding which individual is awarded hours or work under such a contract?

This is an individual manager's responsibility.

001/18 (18): Is there an appeal mechanism for such a contract holder to appeal any potential unfairness or discrimination in the way that such work is allocated?

Yes.

001/18 (19): Does the Institution have a procedure for allowing such a contract holder relationship to crystallise into an open-ended contract with a set number of regular hours?

Yes.

Edinburgh College is subject to the provisions of the Freedom of Information (Scotland) Act (FOISA) 2002. If you are dissatisfied with this response, you may ask the college to review this decision. To do this, please contact the Head of Corporate Development at the postal address below or e-mail the Head of Corporate Development at governance@edinburghcollege.ac.uk describing your original request and explaining your grounds for dissatisfaction. (Please include in your review request, your name and home address for correspondence).

You have 40 working days from receipt of this letter to submit a review request to:

Head of Corporate Development

4th Floor

Edinburgh College (Milton Road Campus)

24 Milton Road East

Edinburgh

EH15 2PP

When the review process has been completed and if you are still dissatisfied, you may ask the Scottish Information Commissioner to intervene.

The Commissioner's online appeal service is available from their website:
www.itspublicknowledge.info/Appeal

The online appeal service is available 24/7 and offers you real time help and advice about your appeal.

You must appeal to the Commissioner within six months of receiving the review decision.

You also have the right to appeal to the Court of Session on a point of law following a decision of the Commissioner.

Regards

FOI Team