

How to... Extend a Fixed Term Contract

Key activities for managers to consider and undertake before extending a fixed term contract:

- To extend a fixed term contract beyond 12 months from the original start date in the post, an employee must have been appointed to the post following the Council's [Recruitment and Selection Policy and process](#) (ie a competitive selection process). In addition, the post requirements should **not have changed** from when it was created and filled. This only applies to posts which have been fixed term from the onset and not to posts which have been filled with a casual worker who has had their contract amended to a fixed term contract for a maximum of 12 months.
- If more than one fixed term post is coming to an end at the same time and one vacancy is to continue **in the same business area**, the vacancy should be advertised. The vacancy can be ring-fenced to the fixed term employees and suitability meetings held.

Original objective business reason(s) continue to apply/covering another temporary vacancy in the same role within the same team.

Where the original reason(s) for a post being temporary continues to exist, or the individual on a fixed term contract can cover another temporary vacancy in the same role within the same team (eg an HR Assistant), a request can be made to extend the fixed term contract.

Obtain prior authorisation from the budget holder and complete a submission for consideration through [MyPKC Staff Portal](#). Examples for continuing a fixed term contract may include:

- a delay in the permanent employee returning to their substantive post
- the completion date of a project being extended

Where an extension to a temporary post is approved for the **same** business reason(s), the fixed term employee's contract will normally be extended.

Change of Objective Business Reason(s)

Where the original reason(s) for a fixed term post ceases to exist but a new reason(s) has arisen in the **same business area at the same time**, a request to extend the fixed term contract can be made.

Obtain prior authorisation from the budget holder and complete a submission on [MyPKC Staff Portal](#), documenting the new objective business reason(s). An example of when a fixed term contract could be extended to cover for a **different** business objective is:

A fixed term contract was created to cover for maternity leave. The employee has returned from maternity leave. However, a secondment opportunity has arisen outwith the team and a team member has been successful in securing it. The fixed term contract could be extended to cover for the secondment providing it is in the **same business area**, ie the current fixed term contract and the secondment cover posts are both HR Assistants at TAS4 within HR Services.

Where an extension to a fixed term appointment is approved for a **different** reason(s) but in the **same business area**, the fixed term contract will normally be extended. Where the reason for the post being temporary has changed and the post has become permanent, the vacancy can be advertised (subject to EAP approval) and the fixed term contract brought to an end, in accordance with the notice period for the fixed term contract.

Teachers

The Council undertakes an annual staffing exercise for teaching staff to address contracting and resourcing issues. Fixed term contracts will be reviewed at least annually through the annual staffing exercise to ensure that the need for fixed term continues. One of the objectives of the annual staffing exercise is to limit the number of staff on fixed term contracts to those that can be objectively justified. Each case will be considered on an individual basis as part of the teachers' staffing exercise.