

This organisation, which was set up to undertake those activities that needed to be retained within Government, and which is a Trading Fund of the MOD, was Dr Kelly's employer for the remainder of his secondment to MOD

The Terms and Conditions of Dr Kelly's employment

7 At the time of his death Dr Kelly was an employee of Dstl, (and therefore subject to Dstl terms and conditions), and he was appointed on secondment to the MOD through the Dstl/MOD interchange programme. The conditions of employment relating specifically to contact with the press are flagged at A and B which list the disclosure rules for the MOD and for Dstl (at para 8.4.2) respectively. The Civil Service Code is flagged at C. Paragraphs 9 and 10 apply broadly to this case.

Dr Kelly's history of employment with the Government

8 A synopsis of his career is flagged at D.

The Department of State for which Dr Kelly worked

9 He was employed by Dstl, which is a Trading Fund Agency of the Ministry of Defence.

Dr Kelly's salary and grade status

10 At the time of his death Dr Kelly's salary was £63,496 but MOD and Dstl are reviewing whether any further payments are due. He had been awarded merit promotion to Grade 5 in July 1992 (while CBDE was still part of MOD). His substantive grade in the new Dstl "levels" structure was Level 9. Dstl career levels do not read across exactly to the more traditional grade structure used in MOD, but broadly MOD B1 (Grade 6/SPSO) equates to Dstl level 7/8. There is no equivalent of Dstl Level 9 in the MOD but it is not regarded as falling within the Senior Civil Service.

Dr Kelly's holiday entitlement and days taken in the last three years

11. Dr Kelly's holiday entitlement was 30 days plus 10½ days public and privilege holiday. In the leave year 1999/2000 Dr Kelly was unable to take any leave largely because of UNSCOM and UNMOVIC commitments and his 30 days entitlement was paid in lieu. In 2000/01 he took 28 days (carrying 2 days forward). There is no evidence either in his personal file or locally in PACS to indicate how much leave Dr Kelly was able to take in 2001/02 but he did not claim any payment in lieu. In 02/03 he booked leave from 10 August – 4 September (though would have been in New York on UNMOVIC commissioners business for part of that time) and was away from the office over Christmas/New Year and Easter. It seems likely therefore that he took his full entitlement (or close to it) in 02/03. His line manager is currently