

## **Employment & Appeals Committee – Meeting held on Monday, 6th April, 2009.**

**Present:-** Councillors Mann (Chair), Buchanan, A S Dhaliwal, Grewal, Hewitt and Qureshi.

**Apologies for Absence:-** Councillor Bains, Long and Stokes.

### **PART 1**

#### **25. Minutes**

The Minutes of the meeting held on Thursday, 29th January, 2009 were approved as a correct record.

#### **26. Declarations of Interest**

None.

#### **27. HR Policies & Procedures – Probationary Policy & Procedure**

The Assistant Director, Human Resources, presented a report to the Committee detailing the proposed revised probationary policy and procedure. Amendments had been made to clarify several areas of the existing policy to ensure that Managers and Staff had a clear framework to assist in the monitoring of employee probationary periods. In particular, the policy clarified the manner in which it applied to existing Slough Borough Council employees who were appointed to new posts within the Council, employees who joined the Council from other local authorities and employees on fixed term contracts. The policy had been circulated in draft form for formal consultation with the Corporate Management Team, the recognised Trade Unions and the special interest groups – BAME and the Disability Forum. Stakeholders had been engaged via Focus Groups held with Town Hall staff, managers, Trade Unions and Human Resources.

In the subsequent discussion Members raised several issues including:

- Referring to section 5.4 of the report, which stated that existing employees appointed to new posts within the Council would have their performance monitored closely during their first six months (or proportionate period where on a fixed term contract), a Member queried whether the probationary period to which new employees on fixed term contracts were subject should also be proportionate. In addition, the Member suggested that the sentence explaining this should be rephrased to replace the word “if” with “where”. The Human Resources Business Partner (G&B and Resources) informed the Committee that the Council were following the guidance of ACAS (Advisory, Conciliation and Arbitration Service) and South East Employers with regard to the application of a three month probationary period for employees on a fixed term contract of less than 12 months.

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- A Member enquired as to how staff who were not found to be performing at the level required by their position by the end of their probationary period were supported and whether they were given the opportunity to have any form of representation. The Assistant Director confirmed that support procedures were in place and as detailed in the policy in paragraph 31, employees in these circumstances would be given 5 working days notice of the final assessment meeting to ensure that they could be accompanied by Trade Union representative or work colleague.
- A Member queried whether many people failed to meet the standards required during their probationary period and was informed that the number was minimal. Further, the meeting was advised that the procedure aimed to support employee development and therefore a form template was supplied for reviewing performance requiring that training and support needs be identified throughout the process.
- A Member queried whether specific procedures were in place for dealing with disabled employees in this position. The Human Resources, Business Partner (G&B and Resources) advised that the employee would be assessed by Occupational Health during the recruitment process and that managers would then receive suitable guidance to ensure that the employee was supported as necessary. Section 7 of the policy outlines the support processes to which Managers would be expected to adhere.
- A Member queried what the induction procedure was for new employees, how soon it was initiated and whether a departmental induction was provided to employees moving to a different post within the Council. The Assistant Director advised that departmental inductions following a standard checklist were given to all new employees and for existing employees where it was deemed necessary. Additionally, all new employees, regardless of the length of their contract, were expected to attend a week long corporate induction course. This course was run on a monthly basis, excluding the summer months. A Member enquired as to whether senior staff were required to attend the corporate induction course. The Committee was advised that as senior staff would, in most cases, already have an understanding of local government a condensed version of the induction course was offered where appropriate.

**Resolved** – That the revised Probationary Policy & Procedure be approved.

### **28. HR Policies & Procedures – Criminal Records Bureau Policies, Procedure and Practice**

The Assistant Director presented a report to the Committee detailing the proposed Criminal Records Bureau Policies, Procedure and Practice. These policies had been created in accordance with the Criminal Record Bureau's (CRB) Code of Practice which required Slough Borough Council, as a registered body to have written policies and guidelines to assist with the assessment of the suitability of applicants for positions of trust. In addition,

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the policies were also created / amended in recognition of the Council's safeguarding responsibilities. These policies would provide a clear framework for managers and staff in the management of the CRB disclosure process. The policies had been circulated in draft form for formal consultation with the Corporate Management Team, the recognised Trade Unions and the special interest group – BAME and the Disability Forum.

Members raised several issues in the following discussion, including:-

- Referring to Section 4.8 of the report, a Member queried whether there would be any costs to the Council. The Assistant Director advised that there would be no additional financial cost to the Council but that it costs £36 per enhanced CRB check.
- A Member enquired as to whether any staff were required to provide their own CRB check. The Officer informed the meeting that staff were not required to do so as the CRB check formed part of the Council's pre-employment clearances related to the recruitment process. A small administration fee was charged to external bodies allied to the Council, although this did not apply to Slough schools. The Council processed approximately 130 CRB checks per month. [This has now been checked and it is confirmed that it is on average 300 per month.]
- A Member enquired as to what action would be taken where a prospective employee failed to disclose a minor offence. The Assistant Director advised the Committee that a risk assessment would be carried out based on the offence in relation to the nature of the job and that a list of the rehabilitation period after which sentences could be discounted, was included within the recruitment of rehabilitation of offenders policy. The risk assessment would be carried out by the line manager and the final decision regarding the offer of employment would be made via consultation with HR and the line manager.
- A Member enquired as to how long it took for the CRB check to be processed and whether the employee could work in a position of trust during this time. The HR Business Partner (E&CS) informed the Committee that it took an average of 6-8 weeks for the CRB to be completed. A risk assessment would have to be carried out and signed off by the relevant Assistant Director and Strategic Director to enable a member of staff to work in an unsupervised capacity during this period. For example, if a teacher were to transfer from one school within the Borough to another, they would have a valid CRB check already in place; however, in most cases new members of staff would be supervised during this period and the induction process would allow sufficient time for the CRB check to be completed.
- Referring to Section 5.8 of the report regarding the development of the council's safeguarding commitments, a Member sought further information about the external bodies involved. Several organisations and developments effecting the national direction of these commitments were listed to the Committee; these included the Commission of Social Care Inspection (CSCI), the Office for Standards in Education (OFSTED), the Adult Learning Inspectorates (ALI) and the

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new Laming Report. The Council was also made aware of the West Berkshire Safer Recruitment Guidelines.

- Further information was sought in relation to the storage of the CRB forms. The Human Resources, Business Partner (E&CS) informed the meeting that the CRB had strict storage guidelines. Currently, the forms were kept in a single locked filing cabinet, with one set of keys and restricted access for the team.
- A concern regarding the possibility of employees working in sensitive positions before having been cleared by CRB was raised and a suggestion made that it should be best practice to ensure that this does not occur. The Committee was advised that posts that required CRB checks were often also posts which were hard to recruit to and, as a result, tended to be in pressured front-line services / areas. Delaying recruitment to these posts would be to the detriment of these services, however, all checks are undertaken as quickly as possible and appropriate risk assessments taken if a new employee started before receipt of relevant checks.

**Resolved** – That the revised Criminal Records Bureau Policies, Procedure and Practice be approved.

### **29. Date of Next Meeting - 17th June 2009**

The date of the next meeting, Wednesday 17<sup>th</sup> June, 2009, was noted.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.15 pm)