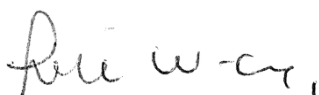


Date of issue: Monday, 14 October 2019

MEETING	EMPLOYMENT & APPEALS COMMITTEE (Councillors Brooker (Chair), Bedi, Bains, Chaudhry, N Holledge, Hulme, Mohammad, Sadiq and Smith)
DATE AND TIME:	TUESDAY, 22ND OCTOBER, 2019 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EJ
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	JANINE JENKINSON 01753 875018

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



JOSIE WRAGG
Chief Executive

AGENDA

PART 1

<u>AGENDA</u> <u>ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
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APOLOGIES FOR ABSENCE

CONSTITUTIONAL MATTERS

- | | | | |
|----|--------------------------|---|---|
| 1. | Declarations of Interest | - | - |
|----|--------------------------|---|---|

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Minutes of the Meeting held on 18th June 2019	1 - 6	-
SERVICE IMPLEMENTATION ISSUES			
3.	Employment Policies and Procedures	7 - 88	All
4.	Temporary Agency Staff	89 - 100	All
5.	Members' Attendance Record 2019/2020	101 - 102	-
6.	Date of Next Meeting - 23rd January 2020	-	-

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Employment & Appeals Committee – Meeting held on Tuesday, 18th June, 2019.

Present:- Councillors Bains (Chair), Bedi (Vice-Chair), Brooker (from 7pm), Chaudhry (from 6.40pm), N Holledge, Akram, Mohammad and Smith

Apologies for Absence:- None

PART 1

1. Declarations of Interest

None were declared.

2. Minutes of the Meeting held on 10th April 2019

Resolved – That the minutes of the meeting held on 10th April 2019 be approved as a correct record.

3. Appointment of Sub-Committees

The Head of Democratic Services presented a report that sought appointments to the Appeals Sub-Committee and the Appointments Sub-Committee.

The allocation of seats to the sub-committees had been calculated to reflect group membership and the political proportionality of the Council.

Resolved –

- (a) That the following Members be appointed to the Appeals Sub-Committee for the 2019/2020 Municipal Year: Councillors Davis, M Holledge, Plenty, Rasib and Smith. Deputies – Councillors Sadiq and Bains.
- (b) That the following Members be appointed to the Appointments Sub-Committee for the 2019/2020 Municipal Year: Councillors Bains, Hussain, Mann, Strutton and Swindlehurst.
- (c) That the Terms of Reference of the sub-committees be approved as set out in Appendix A of the report.
- (d) That Members be appointed to serve on the sub-committees in accordance with the wishes expressed by political groups in respect of seats allocated to them as set out in paragraph 5.2 of the report.

Employment & Appeals Committee - 18.06.19

4. Wellbeing - Update

Note – Upon a request from the Service Lead, People, the Committee agreed to consider agenda Item 6 Wellbeing – Update, as the next item of the meeting, followed by agenda Items 5,4,7 and 8.

The Public Health Programme Officer presented a report detailing the Council's Public Health Active Movement Programme which was an integral part of the Council's Transformation Programme and Wellbeing Initiative.

Members were advised that the underlying causes of obesity and inactivity were complex and reflected wider social factors, such as income, education and access to outdoor space. Active Movement was Public Health's holistic behavioural change programme aimed at reducing levels of sedentary behaviour and tackling inactivity, which were key contributors to obesity and premature mortality. Active Movement had been commissioned in late 2017 as a pilot involving two children's centres, five primary schools and two secondary schools, to explore how the Council could holistically engage with pupils, teachers and families to highlight the importance of physical activity and the negative health consequences of extended periods of sitting.

Following successful integration in the pilot schools, Public Health had re-commissioned Active Movement to deliver the intervention across the majority of Slough's primary schools. Public Health and People Services had also been working together to raise the profile of Active Movement through briefing sessions to the Council's workforce.

(Councillor Chaudhry joined the meeting at 6.40 pm)

There was some discussion in relation to all Members becoming champions of Active Movement. In response, the Public Health Programme Officer agreed to provide an information briefing session to all Members.

Resolved -

- (a) That the report be noted.
- (b) That the Active Movement Programme be endorsed.
- (c) That the Public Health Programme Officer provide a briefing session to all Members regarding the Active Movement Programme.
- (d) That the Employment and Appeals Committee Members act as champions to advocate the Active Movement Programme within the Members community.

Employment & Appeals Committee - 18.06.19

5. The Slough Academy - Update

The Committee considered an update report regarding The Slough Academy project and the progress made since the last report was received in January 2019.

Members were advised that there were currently 12 Council employees undertaking apprenticeships in Adult Social Care, Procurement, Operational Management and Community Sport and Health. Quarter 1 2019 currently showed apprenticeships being planned up to the end of 2024. The number of apprenticeships were expected to peak at 47 in early 2020 and ranged from GCSE to MA levels across Adult Social Care, Early Years, Customer Service, Civil Engineering, Surveying Technician, Town Planning, Regulatory Compliance, Procurement, Human Resources and Accounting. Quarter 2 would extend the roll-out from July 2019 onwards.

The Committee was informed that the recent Schools Forum meeting held in May 2019 had an excellent attendance with over 16 maintained and non-maintained Slough schools attending. Support was provided by Service Leads from People Services, Finance and the Account Manager for apprenticeships from the Education and Skills Funding Agency. Feedback from the schools had been very positive and it was hoped there would be an increase in the number of apprenticeships throughout schools in Slough.

In relation to Phase 2 – Continuous Professional Development, Members were advised that the Council was due to implement a market-leading Talent Management System – ‘Cornerstone’ with two modules for learning management and performance management. The system would provide the Council with the ability to develop a new approach to continuous professional development to build on the foundations established through the apprenticeship roll-out. The system would provide a clearly defined career pathway for all staff with established organisational support through the integration of appraisals and Personal Development Plans.

The implementation of succession planning would ensure that the Council had a pipeline of talent in place to fill the next generation of roles required to support the delivery of future Service Plans. The Cornerstone Performance Management module would assist managers and leaders in the Council to proactively identify potential emerging talent based on formal performance criteria. This would ensure that staff were continually encouraged to develop and progress their careers and this would contribute to retention levels by ensuring the workforce was motivated to support the organisation’s Service Delivery Plans.

Members were keen to support the growth and continuous professional development of the Council’s workforce.

Employment & Appeals Committee - 18.06.19

(Councillor Brooker joined the meeting at 7 pm)

There was some discussion in relation to the Council providing work experience to students. The Director of Finance and Resources reported that there was no government funding available to the Council to provide work experience. In addition, he explained that historically these types of opportunities had not been well structured for the students and involved diverting staff resource to provide supervision. He explained that providing work experience was not a priority of the Council and the organisation was currently unable to support this provision.

Resolved – That the report be noted.

6. Temporary Agency Staff - Progress on Implementation and Baseline Monitoring

The Committee considered a report detailing the Council's spend on temporary agency staff contracts via Matrix.

The Service Lead Governance apologised to the Committee that the information requested at the previous meeting had been omitted from the report. He assured Members that the requested information would be provided in the report presented at the next meeting in October 2019.

Members were advised that the Council's spend on interims, as identified from the Matrix spend report between 1st April and 31st May 2019 was £1,515,343. Spend through the Council's Agresso payments system for the same period was £381,427. There were currently 270 interims employed and this represented an increase of 20 from the figure previously reported to the Committee in April 2019. It was noted that the Full Time Equivalent details had been included in the report, however as this was calculated on hours and timesheets, the data was incomplete. Members were advised that fuller details would be provided in the report at the next meeting.

The OD/HR Business Partner explained that there were two categories of interim: project workers and cover roles. Project workers were often used to provide specialist skills for time limited contracts and tended to be on higher contract rates. Cover role interims were used where there was a resource need and it had proved difficult to attract suitably qualified people to the role. The aim was to convert cover roles to permanent employees.

There was some discussion in relation to spend for both Matrix and 'off contract' spends. The Matrix contract had been successful in controlling and improving governance around departmental engagement of agency staff and in reducing maverick spend. However, the introduction of identified 'off-contract' spend gave a picture of increasing costs. Spend for both Matrix and

Employment & Appeals Committee - 18.06.19

'off-contract' for the financial year (18/19) totalled £13.4 million. Members were advised that work with the Finance department would continue to ensure that coding to agency and consultant cost codes were accurate. Spend outside the Matrix arrangement would continue to be monitored and challenged to ensure placements were in accordance with the Council's Constitution.

Resolved –

(a) That the report be noted.

(b) That the report to the next meeting of the Committee include:

- A breakdown of figures for interims employed to work on special projects as opposed to backfilling vacancies.
- Information on identifying whether sufficiently robust procedures were in place to end contracts once work was completed.
- A cost comparison/consideration between having interims versus employing a member of staff.
- Information on /progress made on establishing a 'pool' of administrators across the Council.
- Figures previously reported to the Committee be provided to allow Members to identify trends.
- The dashboard data and figures presented in Appendix 1 of the report be accompanied by commentary to enable Members to fully understand and scrutinise the information provided.

7. Attendance Record

Resolved – That the Members' Attendance Record 2019/20 be noted.

8. Date of Next Meeting - 22nd October 2019

Chair

(Note: The meeting opened at 6.30 pm and closed at 7.30 pm)

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SLOUGH BOROUGH COUNCIL

REPORT TO: Employment and Appeals Committee

DATE: 22 October, 2019

CONTACT OFFICER: Surjit Nagra, People Service Lead

AUTHORS: Michelle Higgs, HR Policy Manager
Jules Potter, Head of Organisational Development

For all enquiries (01753 875788 ext. 5788)

WARD(S): All

PART I
FOR COMMENT & CONSIDERATION

EMPLOYMENT POLICIES AND PROCEDURES

1. Purpose of Report

This report seeks approval from the Employment and Appeals Committee to the following new, amended and updated HR Policies and Procedures:

- New Capability Policy and Procedure – renamed Managing Performance Policy and Procedure
- Revised Learning and Development Policy

2. Recommendation(s)/Proposed Action

2.1 The Committee is requested to approve the new, revised and updated policies and procedures outlined in this report.

3. Supporting Information

3.1 The People Service has a programme of work relating to undertaking reviews of all employment policies and procedures. This programme of work is to ensure the policies and procedures:

- comply with employment legislation and any changes in statutory provisions
- reflect the council's strategic aims
- continue to reflect best practice
- are user friendly for both managers and employees
- work together cohesively
- incorporate any lessons learnt from casework.

3.2 One of the key drivers for any revisions to policies is to reflect any national changes in statutory provisions and of course, to update and incorporate any lessons learnt from casework.

3.3 A summary of the new policies and the revisions and updates to policies is outlined below.

4. Managing Performance Policy and Procedure

4.1 A summary of the main changes to the Capability Policy and Procedure is outlined below:

- Data Protection Regulations 2018 clause added.
- Renamed “Managing Performance Policy and Procedure” to align with the Performance Review process.
- The formal process has been streamlined. The review stages that exist in the current policy have been removed providing a shorter timescale and a swifter progression in the management of poor performance cases.
- Updated to reflect and work in tandem with the new performance review process (replaced the annual appraisal process from April 2019).
- Further guidance (in appendices) for managers regarding conducting 1:1 review meetings and tackling poor performance. It also provides guidance in respect of coaching an employee and handling difficult conversations.

The new Managing Performance Policy is attached as Appendix 1.

5. Learning and Development Policy

5.1 A summary of the main changes to the Learning and Development Policy is outlined below:

- Additional information about the Slough Academy apprenticeships programme.
- Introduction of volunteers as learners in line with Section 11 requirements.
- Amendments reflecting the transition from appraisals to performance reviews.
- To give greater clarity to how managers can apply for training funds to support development needs within each Directorate. The Head of Organisational Development will be discussing development needs with each Directorate Management Team to inform the Corporate Training Needs Analysis by September 2019 (coupled with Annual Performance Review forms analysis).
- To make the committee and employees aware of the introduction of a new Learning Management System called Cornerstone *after* the policy goes ‘live’ and minor policy amendments will need to be made accordingly.

The revised Learning and Development Policy is attached as Appendix 2 with associated guidance.

7. Consultation

Consultation has taken place with the Trades Unions, SLT including CMT, the Employee Engagement Forum and the Disability Forum. Members of the Corporate Consultation Forum have been informed and consulted.

8. Implementation Process

The implementation process will include various methods of communication including;

- Newsround
- HRBP's to provide update at Senior Management Team Meetings
- HR Policy update briefings

9. Background Papers

None

10. Appendices

Appendix 1 – Managing Performance Policy and Procedure
Appendix 2 – Learning and Development Policy

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MANAGING PERFORMANCE POLICY AND PROCEDURE

Policy Schedule		
Policy owner and lead	People Services: HR Policy Manager	
Consultation	Trade Unions	20/06/19
	Employee engagement forum	28/6/19
	Disability Forum	6/6/19
	CMT/SLT	
	CCF	24/7/19
Approving body		
Date of approval		
Date of implementation		
Version number	Draft V 0.8 Oct 2019	
Superseded version	N/A	
Legal check		
Related documents	Disciplinary Policy and Procedure Managing Sickness Absence Policy and Procedure Probation Policy and Procedure Data Protection and Privacy Policy Apprentices Performance Framework Learning and Development Policy Redeployment Policy	
Review interval	Three yearly (Date tbc)	

Version Control

The first draft of the policy should be labelled '**Draft version 0.1**' and dated. Further draft versions should be labelled '**Draft version 0.2, 0.3**' etc and dated.

The final original version of the policy may be labelled '**Final Version 1.0**' and dated. This version will be submitted for the appropriate approval at EAC.

If amendments are necessary following EAC then subsequent versions of the policy may be labelled '**Draft Version 1.1, 1.2**' whilst being drafted and reviewed and the version re-submitted for approval should be labelled '**Final Version 2.0**' and dated.

If revisions are required subsequently and following implementation of policy, version should be labelled as follows –

Example

Final Version 2.1 – reason for change (e.g. legal update)

Version Control

Version	Author	Date	Changes
0.1	MH	March 19	HR input
0.2	MH	April 19	HR input
0.3	MH	May 19	HR input
0.4	MH	May 19	HR input
0.5	MH	June 19	SN feedback
0.6	MH	June 19	JP feedback
0.7	MH	June 19	SMT feedback
0.8	MH	Oct 19	Record CCF approval
1.0			

Version Control

Document No:

Version No:

Approved by: Employment and Appeals Committee Date approved:

Effective:

Authority: SBC

Authorised by:

Contact Officer:

Revision History

Version No Date

Amended by

Authorised by

Approved by

Change History

Version No Date Change Details

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Appendix A – Flowchart of Process

Appendix B – Guidance to Managing Performance

Appendix C – 1:1/Supervision template

Appendix D – Performance Improvement Plan template

POLICY STATEMENT

Slough Borough Council endeavors to ensure that its employees deliver an acceptable standard of performance for their role. Effective performance is not just *what we do* but also *how we*, as individuals, contribute to service improvements for the benefit of Slough residents. This policy aims to encourage employees to improve performance wherever possible and provide help and support to restore and maintain effective contribution. However poor performance can ultimately result in dismissal.

1. SCOPE

- 1.1 This policy and procedure applies to all employees at Slough Borough Council. It excludes employees who are within their probationary period of service and Apprentices (refer to the Probationary Procedure and Apprentices Performance Framework). It also excludes the Chief Executive, Appointed S151 Officer and the Monitoring Officer and all staff employed under JNC Conditions for Chief Officers, who are covered by separate procedures. This policy does not apply to school-based staff who are under the control of Governing Bodies or to Volunteers and Agency workers.
- 1.2 This policy should be used where an employee's performance is unacceptable. The process provides a fair and consistent framework to improve the employee's performance to a satisfactory level.
- 1.3 In circumstances where there are wilful misconduct issues or a neglect of duty then the Disciplinary Policy and Procedure will be applied. Where poor performance is due to ill health, the Managing Sickness Absence Policy and Procedure will be applied.

2. KEY PRINCIPLES

- 2.1 Confidentiality must be maintained in relation to information about sickness and absence in compliance with the General Data Protection Regulations and Data Protection Act 2018. Inappropriate access or disclosure of employee data constitutes a data breach. Any breach of the Council's Data Protection and Privacy Policy must be reported and may result in action being taken under the Council's Disciplinary Policy and Procedure. Personal data breaches which are likely to risk the rights and freedoms of others will need to be reported to the Information Commissioner's Office without undue delay or within 72 hours of becoming aware of the breach.
- 2.2 Audio or visual recordings at any stage of the managing performance procedure will not be permitted unless requested and agreed as a reasonable adjustment under the Equality Act 2010.

3. CURRENT LEGISLATION

- 3.1 ACAS Code for Disciplinary and Dismissal procedures and the Equality Act 2010.

4. FITNESS TO PRACTICE

- 4.1 Where a post requires registration with a Professional Body, for example Health & Care Professions Council (HCPC), Slough Borough Council are required to comply with the rules relating to fitness to practice proceedings in respect of those workers in scope. Managers should refer to the relevant Professional Body for details.

5. ROLES AND RESPONSIBILITIES

Employees' responsibilities

- 5.1 Employees are expected to deliver the performance standards required from them as outlined in their job descriptions and performance objectives in a timely and professional manner in order to fulfil their role and to ensure the needs of the service are met. Performance objectives are agreed at annual Performance Review meetings and reviewed every 4-6 weeks as a minimum at 1:1/supervision review meetings.
- 5.2 Employees will identify and discuss with their manager any support they require in order to meet the performance standards/objectives.
- 5.3 They will make themselves available for meetings with management to discuss their performance and performance concerns and any improvements that are required.
- 5.4 Employees are encouraged to share with their manager any domestic, personal or work-related problems that may be impacting on their performance so that this can be taken into account and appropriate support provided and action taken. Where appropriate the employee should be reminded of the Employee Assistance Service <http://insite/people/health-and-wellbeing/employee-assistance-programme/>. Any information discussed will be treated in strictest confidence by the manager.

Line managers' responsibilities

- 5.5 Managers will ensure their employees are aware of the performance standards and behaviours expected of them and the consequences of failing to meet these standards. This will be through local and corporate inductions, the Annual Performance Review process and in regular 1:1/supervision review meetings. See Appendix D, template for 1:1 and supervisions.
- 5.6 Performance issues must be dealt with promptly and in accordance with this policy and procedure. An employee's performance issues will usually be addressed

through informal action in the first instance within 1:1 performance review/supervision meetings. However, in cases of serious under performance the matter may be progressed to the formal stages of this procedure.

5.7 Evidence that may be used by the manager to illustrate performance concerns includes:-

- examples of the employees' work
- statements or complaints from other managers/colleagues/customers/service users
- performance targets that have not been met.

5.8 Managers will ensure there are sound and demonstrable reasons to progress through the informal and formal stages of this procedure.

5.9 Managers will investigate possible reasons for the employees' inadequate/poor performance. They will deal sensitively with situations where an employee has disclosed personal problems that may be contributing to their performance and seek advice from the Human Resources Business Partnering Team and/or Occupational Health as appropriate. They will ensure any information provided by the employee is treated in strictest confidence.

5.10 The Equality Act 2010 requires organisations to make reasonable adjustments for disabled employees where those reasonable adjustments would enable the employee to fulfil their role. A disabled person for these purposes is defined as "One who has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities" (taken from the ACAS website). Reasonable adjustments may be many and varied and could include changes to terms and conditions (such as hours, location, etc), re-deployment, making changes to physical environment, the provision of specialist equipment and tools, etc.

5.11 Occupational health will be able to advise in specific cases what reasonable adjustments are required.

6. RIGHT TO BE ACCOMPANIED

6.1 The employee may be accompanied by a work colleague or trade union representative at any formal meetings held under this policy and procedure. The Council will consider a request from an employee to be accompanied by a person other than a Trade Union official or work colleague, for example if they have a disability they may be permitted to be accompanied by their support worker. Only one representative may attend the meeting.

6.2 In the event of a representative being unable to attend on the original date proposed, a convenient date for all parties will be arranged within five working days. The representative must make all reasonable attempts to attend the second date

confirmed as any further postponement may not be agreed depending on the circumstances and reason for postponement.

- 6.3 The representative may address the formal meeting and confer with the employee, but not answer questions on their behalf. Reasonable time will be allowed, if required, for the employee and their representative to confer privately, either within the formal meeting or outside.

7. MANAGING PERFORMANCE PROCEDURE **INFORMAL ACTION**

- 7.1 Every reasonable effort will be made to support the employee to improve their performance before formal action under this procedure is taken. Please refer to Appendix A Flowchart for Managing Performance and Appendix B Guidance to Managing Performance.
- 7.2 The manager should meet with the employee as promptly as possible after identifying performance issues and implement a performance improvement plan (PIP), see Appendix D, that covers the following:-
- confirm the details of the performance issues
 - confirm the performance standards required
 - set performance improvement targets
 - agree any learning and support required
 - the timeframe for the improvements to be evidenced (providing sufficient enough time for the improvements to be made)
 - a record should be kept of what is discussed and agreed.
- 7.3 The employee should be advised that if their performance does not improve within the agreed timeframe the matter will be progressed to the formal stages of this procedure.

8. FORMAL ACTION

There are three stages under the formal procedure. These stages are detailed below. The formal procedure will be used for cases of serious under performance or where the informal procedure has not resulted in improvement. In exceptional cases (for example relating to safeguarding or where poor performance is resulting in our services to customers being placed in jeopardy) managers will be able to progress the matter to the third and final stage of this procedure.

8.1 Stage One – Performance Review Meeting

The employee will be asked in writing by their line manager to attend a Stage One Performance Review Meeting with them and will be;

- given a minimum of five working days' notice (or less by mutual consent)
- informed of their right to be accompanied

- advised of the purpose of the meeting
- given a copy of this policy and procedure

These timeframes are subject to reasonable adjustment for an employee with a disability.

- 8.2 The line manager will make copies of all documentation to be relied on in the meeting available to the employee and their representative at least three working days before the meeting. If the employee intends to bring a representative or fellow worker/support worker they must notify the manager. If the employee intends to present any documents, these must be given to the line manager at least three working days before the meeting.
- 8.3 The line manager will present their information and the employee should be allowed to respond, raise points about any documents and information presented and should also be given the opportunity to ask questions.
- 8.4 At the meeting the line manager will;
- set out the required standards that they believe have not been met and go through the evidence of this
 - establish any likely reasons for poor performance including any reasons why any measures taken have not led to the required improvement
 - identify whether there are any further measures such as additional training, which may improve performance
 - discuss targets for improvement and confirm a reasonable timeframe for review (not normally more than 3 months), explaining the consequences of failure to improve
 - confirm that if there is any further deterioration in performance or additional serious concerns during the review period, the matter may be progressed to the second stage.
- 8.5 The line manager must have considered any reasonable adjustments or medical interventions proposed to enable the employee to attain acceptable levels of performance and be able to fully explain their decision making process in respect of this.
- 8.6 The employee and their representative should make every effort to attend the formal meeting. If the employee is unable to attend, the formal meeting will be rearranged. If the employee continues to be unavailable to attend on the further date offered, the line manager will make a decision on the evidence available. The employee's representative may attend the formal meeting in such circumstances and will be allowed the opportunity to present the employee's case in the employee's absence. The employee will also be allowed to make written submissions in such a situation.
- 8.7 At the conclusion of the meeting and within 5 working days following the meeting the line manager will confirm their decision in writing and the actions required to improve the situation. If the manager considers having fully reviewed all the information available that the employees' performance is not satisfactory and/or has not improved sufficiently through informal action then the employee will be given a **First Written Warning**.

- 8.8 The warning will confirm:-
- the performance standards required
 - performance improvement targets
 - any further training and support required
 - the period of review and timeframe for the improvements to be evidenced
 - the consequences of failing to improve
 - confirm that if there is any further deterioration in performance or additional serious concerns during the review period, the matter may be progressed to the second stage.
- 8.9 The written warning will also advise the employee of their right of appeal to their Service Lead within 5 working days of the date of the written warning. The Service Lead will undertake a paper based review of the appeal grounds and basis for the decision to issue a First Written Warning and confirm the outcome of the appeal to the employee in writing within 15 working days.
- 8.10 At the expiry of the review period the line manager will write to the employee to confirm either;
- they are satisfied with the employees' performance and no further action will be taken
 - they are not satisfied that the employees' performance has met the required standards and the matter will be progressed to the Second Performance Review Meeting
 - there has been good improvement but not sufficient progress and therefore the review period is extended to a maximum of 3 months.
- 8.11 The warning will be retained on the employee's personal file but will normally only remain active for 6 months from the end of the review period after which it will be disregarded for the purposes of the future actions taken under this policy. If there are further performance issues in this period then matters can be progressed further under this procedure.

Stage Two – Formal Meeting

- 8.12 A Stage Two Formal Performance Review Meeting will be required when the improvements specified in the Stage One Performance Review Meeting have not been achieved by the employee in the review period. The employee will be asked in writing by their line manager to attend a Stage Two Formal Meeting and will be given a minimum of five working days' notice (or less by mutual consent) and will be informed of their right to be accompanied. These timeframes are subject to reasonable adjustment for an employee with a disability.
- 8.13 The meeting will follow the same format as the Stage One Performance Review Meeting. See 8.1 above. The meeting will be chaired by the line manager.
- 8.14 The employee and their representative should make every effort to attend the formal meeting. If the employee is unable to attend, the formal meeting may be rearranged.

If the employee continues to be unavailable to attend on the further date offered, the line manager may conclude that a decision will be made on the evidence available. The employee's representative may attend the formal meeting in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

- 8.15 At the conclusion of the meeting and within 5 working days following the meeting the line manager will confirm their decision in writing and the actions required to improve the situation. If the manager considers having fully reviewed all the information available that the employees' performance is not satisfactory and/or has not improved sufficiently then the employee will be given a **Final Written Warning**.
- 8.16 The warning will confirm:-
- the performance standards required
 - performance improvement targets
 - any further training and support required
 - the period of review and timeframe for the improvements to be evidenced
 - the consequences of failing to improve
 - confirm that if there is any further deterioration in performance or additional serious concerns during the review period, the matter may be progressed to the final stage.
- 8.17 At the expiry of the review period the line manager will write to the employee to confirm either;
- they are satisfied with the employees' performance and no further action will be taken
 - they are not satisfied that the employees' performance has met the required standards and the matter will be progressed to stage three, Performance Review Hearing
 - there has been good improvement but not sufficient progress and therefore the review period is extended.
- 8.18 The warning will be retained on the employee's personal file but will normally only remain active for 12 months from the end of the review period after which it will be disregarded for the purposes of the future actions taken under this policy.

Stage Three - Performance Review Hearing (Dismissal Stage)

- 8.19 A Stage Three Performance Review Hearing will be required when the improvements specified in the Stage Two Meeting have not been achieved by the employee in the review period. The employee will be asked in writing by their line manager to attend a Stage Three Performance Review Hearing and will be given a minimum of five working days' notice (or less by mutual consent) and will be informed of their right to be accompanied. These timeframes are subject to reasonable adjustment for an employee with a disability.
- 8.20 The employee and their representative should make every effort to attend the formal meeting. If the employee is unable to attend, the formal meeting may be rearranged.

If the employee continues to be unavailable to attend on the further date offered, the manager may conclude that a decision will be made on the evidence available. The employee's representative may attend the formal meeting in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

- 8.21 The Hearing panel will normally consist of three officers;
- Service Lead (Service Director if the employee is a Service Lead)
 - A Manager (level 8 and above)
 - A Human Resources representative
- 8.22 The line manager will present the management case for dismissal to the Hearing Panel.
- 8.23 The employee will be allowed to respond, raise points about any documents and information presented and will also be given reasonable opportunity to ask questions. If the employee intends to present any documents, these must be given to the chair of the panel at least three working days before the meeting. If the employee intends to bring a representative or fellow worker/support worker they must notify the chair of the panel. These timeframes are subject to reasonable adjustment for an employee with a disability.
- 8.24 When all the evidence has been heard and explanations given, parties will withdraw and the panel will decide on the outcome of the formal meeting. The panel should take account of all the information presented, actions taken in any previous similar case, the explanations given by the employee and/or the employee's representative and whether dismissal is reasonable in the circumstances.
- 8.25 The chair may also adjourn the formal meeting where they feel further investigation into the matter is warranted before reaching a decision.
- 8.26 The panel, depending on the circumstances of the case, will decide on one of the following actions:-
- That the desired performance standards have been met and there is no further action
 - Give a further review period specifying the required levels of performance improvement, timescales and supporting actions (which if not met will result in the Hearing being reconvened)
 - Terminate the employee's contract of employment on the grounds of unacceptable performance.
- 8.27 Where it is decided to terminate the employee's contract of employment, the employee will be given notice in accordance with the contract of employment. As the panel have decided that the individual should not remain in their post, they will be paid in lieu of notice.

8.28 The decision of the panel should be communicated to the employee in person at the conclusion of the meeting where possible and confirmed in writing by the chair within five working days of the decision.

9. APPEAL

9.1 Appeals against a final written warning or dismissal must be made in writing to the employee's Service Lead within five working days of written confirmation of the formal meeting outcome. This timescale can be extended by mutual agreement.

9.2 An Appeal Hearing is not a re-hearing but will focus on the grounds for appeal provided by the employee.

9.3 The letter from the employee should state one or more of the following grounds with detail to support:-

- the decision was based on evidence that did not support the conclusion
- a failure to follow procedure had a material effect on the decision
- the action taken was too severe or inconsistent with previous decisions
- new relevant evidence has become available

9.4 Upon receipt of an appeal, an appeal hearing will be convened by the chair of the appeal panel to hear the details of the appeal. The appeal hearing will normally be held within 15 working days following receipt of the written appeal. The employee has a right to be accompanied.

9.5 Appeals will usually be heard by:-

- A Service Lead from a different Directorate (Service Director if appeal is against a dismissal)
- Manager (L8 and above) independent from section or service concerned
- HR representative

9.6 The chair of the appeal hearing will convey their decision to the employee at the conclusion of the hearing where possible. The decision at the appeal is final and will be confirmed in writing, usually within five working days. The decision on appeal is final and there is no further right of appeal.

10. REDEPLOYMENT

10.1 At all stages of the formal procedure the line manager may agree to consider redeployment of the employee. Any possible redeployment will be handled under the Council's Redeployment Policy. The line manager will confirm the timeframe that will apply for the employee to secure redeployment and that failure to find alternative employment may lead to the employee's dismissal under this procedure.

Note - The detailed guidance for managers in respect of conducting 1:1 supervision meetings, tackling poor performance and how to conduct difficult conversation etc will be covered in the Appendices and not main body of this policy.

DRAFT

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Appendix A

Flowchart – to be added

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APPENDIX B

Guidance for Effective Performance Management

Recognising how the working environment can affect individual employees, it is important to regularly hold effective conversations and consider the wider health and well-being of our employees. This is just as important as their overall capability and capacity to fulfil their roles and responsibilities.

This guidance document is intended to provide a set of tips for holding effective conversations along with supplementary questions that managers may wish to consider asking. These can be used to identify any issues to be addressed or any additional support that needs to be given.

Managers should refer to the Council's overall Performance Review process and guidance.

Employees need:-

- To know and understand what is expected of them
- To understand how they are performing against those expectations
- Understand where they need to improve and develop

In addition to holding an annual formal performance review, all line managers are responsible for:-

1. Setting and regularly reviewing meaningful objectives
2. Holding regular 1 to 1 meetings (4-6 weeks as a minimum) and keeping a record
3. Discussing career aspirations and development requirements
4. Agreeing an annual personal development plan to enable employees to deliver their objectives
5. Providing regular feedback on achievements and expectations
6. Discussing and agreeing future targets
7. Discussing and managing health and well being

Why do you need them?

Effective 1 to 1's can really make a difference to individual performance and ultimately team performance, providing the opportunity to find out where work is not being delivered and they can allow you to:-

- Confirm objectives are understood and aligned with organisational priorities
- Establish clarity around the work, the role and performance expectations.
- Provide and receive feedback
- Increase employee engagement and motivation
- Promote health and well-being
- Provide an opportunity to identify any support or development required
- And, may also prevent some undesired failures or surprises.

Ultimately, it is important that both the employee and the manager come prepared for these meetings. What you do and how you set the tone directly impacts upon the quality of what your direct reports will share in these meetings. Here are some tips to consider:-

Focus on coaching in the individual's performance (as that person develops their capabilities, they can realise the rewards in terms of recognition and potential career opportunities and in return can do great things for your team and the organisation)

Ask Open Questions

In these meetings ask open questions which show that you are about the individual and their needs – questions as simple as asking what the person likes and dislikes about their current role or work, or asking what you as a manager can do to help them. It is useful to have a set of favourite questions, these you can use for 1 to 1's, information meetings and any setting which helps start the conversations. A few examples:-

- That is interesting – tell me more
- Why did you feel that way?

- Why do you suppose he/she said that to you?
- Would you give me an example to illustrate what you mean?
- How do you feel about that approach?
- What would you do?

Be a Good Listener

It can be difficult to stop talking, especially with quieter team members. Use active listening to check for understanding, watch for body language and tone of voice. Seek to see or find out if there is something that might not be being said. If you ask tough questions, don't be afraid of some silence – allow your employee to think things through before pressing them for an answer.

Listening

Listening is a skill that is often referenced as a valuable attribute in life and work and comes into play in 121 meetings.

There are 3 levels of listening which many people will work through over time.

1. **Autobiographical listening** – this is when you hear from the perspective of listener (internal dialogue: what does this mean to and for me?)
2. **Collaborative listening** – this is where you demonstrate curiosity (focus on other); empathy, clarification and collaboration
3. **Global Listening** – this is when you have focused attention (as in layers 1 & 2) plus awareness of the environment, body language and emotion.

You know when you achieve the global listening level when you are:

1. totally present, absorb and convey a genuine interest in what the other person is saying
2. aware of not just verbal language but dynamics, so read gestures, take in thoughts, ideas and emotions in a non-judgemental way
3. able to lead the conversation and pace to keep it on target

Another good model for thinking about listening is the listening ladder by Bob Thompson. A good listener will aim for the top of the ladder.

Ladder step 5 - Listening to help the coachee to understand

Ladder step4 - Listening to understand

Ladder step 3 - Listening to disagree

Ladder step2 - Listening, waiting to speak

Ladder step 1 - Not listening or pretend listening

Avoid

Don't just use this time for simple progress updates. Individuals may want to talk about their work objectives and related topics, but are hopefully getting sufficient interaction with you already during the work week to allow this meeting to focus more on the individual versus their work.

Ensure that the meetings are held in a neutral place, and where possible in a meeting room. Ensure that other employees cannot overhear. Avoid disruptions and distractions, do not get drawn into other conversations or telephone calls, and generally give your full, complete and undivided attention to the employee. This demonstrates respect for the individual and will avoid you becoming distracted from the focus of the discussion.

Keep a Record

Records of performance and matters of concern at work are important for managing performance of individuals and the team. If performance becomes a serious concern, the Managing Performance Policy and Procedure needs to be invoked.

A sample template for the 1 to 1 is enclosed at Appendix C.

Questions

1 to 1's are all about your people and building a strong, trusting relationship with them. Asking questions like the ones below and following through on what you talk about will build a strong, lasting relationship for each member of the team.

Asking 2 or 3 of these questions at each 1 to 1 will keep things fresh, while ensuring you are covering important subjects regularly. It also gives you ample time to dive into each question as the employee will often open up into greater detail as long as you ask open and probing questions. (Why, tell me more...)

The questions are organised in categories which you should regularly cover in 1 to 1's so that you can quickly skim through for a question on a topic that you want to cover. The list of questions is a tool to support you, feel free to develop and devise your own suite of questions.

To start the meeting

Many managers like to use the same, unassuming opener at 1 to 1 meetings. It may seem boring, but doing so encourages direct reports to drive the conversation by starting with a topic that they want to talk about (remember, it is their meeting). The answer will also help you to gauge how they are feeling at work that week.

- How is it going this week?
- What is on your mind?
- What would you like to start with?
- What is important for us to discuss at this meeting?

To gauge job satisfaction

Proactive questions about job satisfaction can help you to unearth issues before they become full-blown problems and to lead to unwanted turnover. Some direct reports are more forthcoming than others, so even if the answers to these questions sound positive, listen for clues to deeper issues and ask plenty of follow-up questions.

- How are you feeling about your role?
- Are you happy here? What makes you say that?
- Do you feel like you are growing in your role? What makes you say that?
- What interests you about your work, and why?
- What is your favourite/least favourite things about your work right now?
- What is working well for you in your current job?
- What would you like to see change? (if anything)
- In what ways does your current role allow you to use your skills and talents
- Which areas make you feel like your hands are tied or you are unable to develop your full potential?
- What do you think we/you should consider doing differently?
- If you could work on anything else over the next month, what would it be? Why?
- Which areas would you like more feedback on?

To address career development

Some direct reports may have a career path fully mapped out, including ambitions on when they should get promoted. Others may have no idea how they came to be in the job they are in, nor have a clue on what they would like to do next. No matter where your direct reports are, it is important to have career development discussions to make sure you get the best from your team and keep people happy in the long run. Even if promotion within your team is not possible, highly talented people should be encouraged to stay with the organisation. If you have poor performers, then this also needs to be effectively managed.

- What are you most proud of, and what do you think you might want to do next?
- What are the two or three new skills you would like to develop in this role? What about those skills is of particular interest?
- What other roles could you see your self in further in your career?
- What areas would you like to explore next?
- If you were to create your ideal job, how would it differ from what you are doing at the moment?

- How is your current work helping or hurting your professional development?
- Which career or development goals are you focussing on right now?
- What else can I do to help you grow or advance your career?

Imagine it is two years from now and things have gone well: What has been your role in that?

- Have you given any more thought to your long term goals since our last meeting? What are your latest thoughts?
- Where do you see yourself in 3 or 5 years time?
- What professional goals would you like to accomplish in the next 6 to 12 months?
- To help identify and clarify the goal: what do you want to achieve? Who else will be involved? When is the deadline? Does this fit with your other priorities and workload?
- What is important to you about your goal?

To gauge how they are feeling about the organisation

These type of questions may yield good ideas you want to pass upward, or at least give you an opportunity to explain why decisions have been made the way they have. They will also give you insight into another face of the person's job satisfaction.

- What is the biggest opportunity you or we are missing out on?
- If we could improve in any way as an organisation, how would we do it?
- What would you like to see change here? Why do you say that?
- What is the number 1 problem with our organisation, and what do you think is causing it.
- What are we not doing that we should be doing? What makes you say that?
- How are you feeling about the organisation overall? What makes you say that?

To gauge how they are feeling about the team

You want to be sure that your team is functioning at a high level and here is a chance to uncover problems and opportunities that will benefit everyone.

- How would you describe the personality of the team? What sort of person would be a good fit here? What sort of person would add something that we are currently missing?
- How would you say we are doing at work together as a team? What makes you say that?
- What are some ways that we could improve team work? What makes you say that?
- Who would you like to work more or less often with? Why?
- How would you describe the work division between the team members?
- Do you feel adequately supported by other team members? What makes you say that?
- Is there anything you would like to see change about the team, and if so why?

To check how they are coping with changes

Change is inevitable. And no matter what type it is – change is a process and chain of events over a period of time. Managers should check regularly with their direct reports during times of change.

- How are you feeling about the news? What? Why? How? Etc
- What concerns do you have about the changes that haven't been addressed?
- What is going well and not so well with the new situation/development? Why do you think this might be happening?
- Do you have a clear understanding of the new goals and expectations? What makes you say that?
- How is the new situation or development affecting your work? What could be getting in the way of your being effective?

To learn more about the projects

- How are you feeling about the projects you have been assigned to?
- Are there any particular projects that you are particularly interested in?
- What do you think you are learning at the moment?
- What frustrates you about the work?
- Which areas would you like to spend more time on and why?
- What do you think has gone well? What could be even better? What would you like to do next? Is there anything you need for your development?
- What can I do to make things more manageable?
- How might I make this project more challenging or interesting for you?
- What do you think I should know about the project that I may not?

To learn your direct report's biggest challenges:-

For some discussing a challenge is like admitting a failure. Let your direct report know that you want to hear about his or her concerns because you care about making things better.

- What is the biggest challenge you are currently facing? How can I help that?
- At what point in the past week were you most frustrated with or discouraged by your work? What can I do to help you manage that?
- What are your biggest concerns about your current workload?
- I have noticed that xx is happening ? Can you help me to understand that a bit better? Talk me through your process and challenges?
- Which parts of your role are unclear or confusing?
- How is your workload right now?
- How has your work/life balance been recently?
- What sort of resources will make this project timely, effective and cost efficient?

Workload:

Problems with workload are a frequent topic for 121 discussions. People can sometimes feel overwhelmed with too much to do and find it difficult to prioritise and cope. This is liable to impact on the performance, quality of work and wellbeing. Helping individuals to prioritise can be a helpful approach as can reflecting on how efficient they are at getting work done. Tools such as the importance/urgency matrix can be used to help decide and prioritise tasks <https://www.eisenhower.me/eisenhower-matrix/>

<p style="text-align: center;">1</p> <p style="text-align: center;">Important and Urgent</p> <ul style="list-style-type: none">• Crises• Meaningful deadlines• Emergencies	<p style="text-align: center;">2</p> <p style="text-align: center;">Important not Urgent</p> <ul style="list-style-type: none">• Long-term projects• Process Improvements• Development
<p style="text-align: center;">3</p> <p style="text-align: center;">Not Important but Urgent</p> <ul style="list-style-type: none">• Interruptions• Many emails• Some meetings	<p style="text-align: center;">4</p> <p style="text-align: center;">Not Important and not Urgent</p> <ul style="list-style-type: none">• Trivia• Busy Work• Time-wasters

To draw out an issue

If your direct reports seems to stop short or gives a curt response on a topic where you think there may be important issues that are not being shared, use open-ended questions to encourage them to continue

- Could you tell me a little more about that?
- Can you share some of the details around that particular issue? (Who was involved? Where? When? For how long?)
- What was that experience like for you?
- How did that make you feel?
- If you could change what happened, how would you alter it?
- What do you think caused that to happen?

To coach a direct report on a problem:

Coaching can be a powerful way to encourage, empower, and help direct reports to solve their own problems. Ask questions that help the person establish a good outcome, explore the situation, generate a set of potential solutions, and finally plan the way forward.

- What is your number 1 problem right now? How are you feeling about it?
- What would be the most helpful thing for you to take away from this conversation in order to progress this.
- What have you tried so far to make progress on it?
- In our last 1 to 1 we discussed x – how is that going?
- In our last 1 to 1 we discussed your frustration with xxx and we discussed the solution – how is that going?
- What development areas do you want to work on in the coming weeks?
- What actions will you take before our next meeting?
- What targets do we need to discuss today?
- What actions will you take before our next 1 to 1 to make progress on x/y/z (Also discuss and agree any actions that you as a manager may need to take to support the activities)
- During this meeting you have mentioned that you would like to pursue x. What steps can you take toward that before our next 1 to 1.
- What additional resources can I provide for you between now and the next time we meet?

If you feel like your 1 to 1s are stuck in a rut, or ineffective:

You want a 1 to 1 to be a good use of your time, as well as your direct report's. Sometimes a simple change of scenery can help. Other times, direct and honest questions about issues may be needed and can really open up difficult conversations. If you think the 1 to 1's are not that helpful, chances are your staff member will be thinking the same!

- Would you like to walk around the block whilst we talk for the first 30 minutes?

- I have noticed that our last few 1 to 1's seem to be lacking energy. What are your honest impressions of this meeting? What are your honest impressions of this meeting? What could we be doing differently or better?
- What changes would you like to see about our meetings and discussions? How can we make them more interesting and useful to you?
- What would you be doing right now if we weren't having this meeting? How do you feel about being taken away from that task?
- I am trying to make my 1 to 1s better and would appreciate your honest feedback on this? How did you find this meeting? Please be honest. What could be better?

To address the direct report's personal life

Asking about your direct report's personal life can be a good way to show that you care about him or her as a person. Be sensitive and keep in mind that some people are more private than others. Depending on the individual, personal topics could be informal small talk about the person's family or interests, or more serious matters. It is often a good opportunity to carry out an introductory conversation where you know there are concerns for the individual. Start with a broad question, like these, and be very careful not to make assumptions.

- How are things going for you outside of work?
- How do you feel about your work/life balance?
- What, if anything, did you used to do that you find you don't have time for right now?
- I have noticed that you are a little quieter than is usual for you, is there anything you would like to talk about?
- What could we change about work that would improve the rest of your work life balance?

Remind the employee of support that is available from the Employee Assistance service - <http://insite/people/health-and-wellbeing/employee-assistance-programme/>.

To ask for feedback on the 1 to 1 meetings and on your performance as a manager

Getting feedback from your direct reports can be just as important as giving it. Not only will it help you improve as a manager, it can also build trust and strengthen your relationship with your direct reports.

However, only ask for feedback if you feel confident in your ability to take the feedback well and act on it; asking and then doing nothing could do more harm than good. Plus, given the power dynamic involved, how you ask is critical.

- I am interested in feedback on how I can improve as a manager. In preparing for our next 1 to 1 meeting, would you be willing to think through what you like about how I manage the team (i.e. how I run meetings, how regularly we meet, how you feel about the communications of our time and the wider team etc) and what I could do differently or better?
- I would like to improve as a manager and would be grateful for your help. Next week, would you share one or two things that you think would improve my management skills?
- What can I do to help you enjoy your work more and remove blocks to your progress?
- Which areas would you like more or less direction from me on your work?
- I am trying to make my 1 to 1 meetings better and would appreciate your honest feedback on this one – what did you like about it, and what could be improved.
- What are your impressions of our meetings? What could we improve?

Courageous conversations

Conversations are such an important part of daily life and a key aspect of good communication and strengthening relationships. As David Whyte the poet and organisational psychologist says, “The conversations are not about the work they are the work.”

**Be brave
enough to
start a
conversation
that matters.**

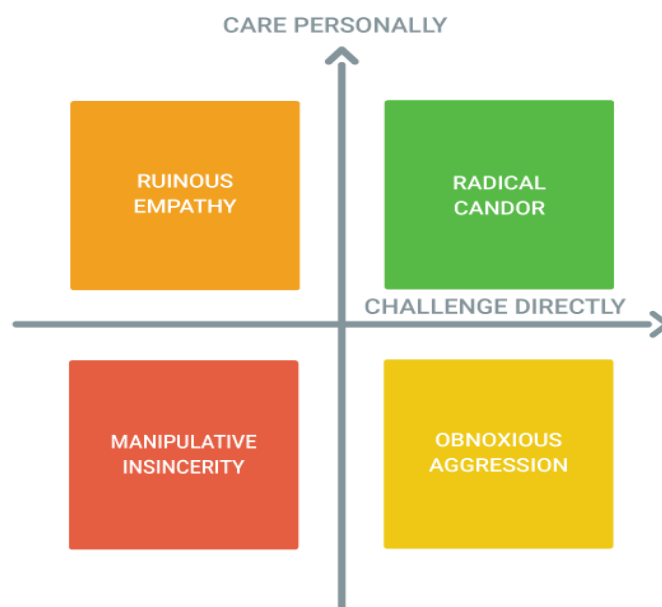
AUTHOR
DAU VOIRE

Courageous conversations, where difficult issues are addressed, can feel overwhelming. It's common for people to prolong taking action in the hope that the issue will be resolved without them having to say something. However, it is much more likely the problem will escalate and become even more difficult to resolve. It is healthier to deal with issues early and avoid them getting any worse. You need to be equipped to work with colleagues in challenging situations to maintain positive and productive relationships. If an individual makes sure they prepare for these conversations, develop the right skills and take the best approach, it is possible to achieve positive outcomes.

Tips for having a courageous conversation

1. **Establish the situation** - be clear about your purpose (why do you need to have the conversation?). Try to understand what may be behind the issue (health, family, work, personal issues) and think about the outcome (what do you want to achieve?). Keep returning to your purpose if difficult moments arise.
2. **Be prepared** - a successful outcome depends on how you are prepared and what you say.
3. **Plan the conversation** - write out a plan to clarify your approach in advance. For example, how are you going to open the conversation? Practise the conversation in your head. Think about how the person might react and how you will respond to their reactions. Carefully choose a place and time and ensure the other person has enough time to prepare too.

4. **Think about your style** – you may need to move out of your comfort zone and adopt a more assertive approach but make sure you have a mature, cooperative style. Think about your posture, body language and don't interrupt them.
5. **Honest conversations** – some people find it more helpful to think of honest rather than courageous or difficult conversations. For some it is easier to think about being honest than it is to be courageous or raise difficult subjects. Moreover, framing the conversation as difficult may end up being a self-fulfilling prophecy.
6. **Present and listen** – ensure you listen to what they are saying, establish the difference between fact and opinion and demonstrate that you are genuinely interested. Practice the skill of Active Listening. Don't assume they can see things from your point of view and don't prejudge the meeting before it's started. This will help to build trust.
7. **Radical Candour** – aim to challenge directly while caring for the other person. Radical Candour is a powerful tool for thinking about how and when to give feedback.



CANDOR

<http://www.radicalcandor.com/>

8. **Acknowledge emotions** – both yours and theirs and direct these towards a useful purpose. Think self-awareness and self-control. If you are mindful of your emotions then you are supporting the other

person to demonstrate a similar mindset. You won't ever be able to guess exactly what will happen but there is likely to be defences, shock, sadness and maybe even tears, so give them space to respond but keep control of your own.

9. **Be positive** – difficult conversations lead to changes in behaviour, so create an optimism that moves the conversation into action by finding a middle ground. Again, consider the language you are using, tone of voice and body language.
10. **Ensure there's action** – think about how you will close the conversation and commit to action.

Here's a short video with guidance on how to handle a courageous conversation:

<https://www.youtube.com/watch?v=WGcl6RWCohk>

Informal Action – Tackling performance concerns in 1 to 1 Supervision meetings

Document specific incidents of an employee's poor performance

It's not enough to simply tell your employee that they need to improve. You need be ready to provide specific examples and evidence of their poor performance. Make sure they have a copy of the Managing Performance Policy and Procedure.

Put yourself in the right frame of mind

Remember that you're talking to your employee about their poor performance. You want to encourage them to make the necessary improvements and to still contribute to the work of the council. Be calm, collected and methodical in your approach. Focus on the facts and the evidence.

Speak with them privately

Make sure you have the conversation in an appropriate venue and that you give sufficient time for the meeting.

Be timely

If your employee's performance is slipping, don't wait until three months from today to have a conversation. Take action right away so that your employee can return to form sooner.

Listen to what your employee has to say

There may be a very valid reason as to why an employee's productivity and the quality of their work has taken a hit in recent weeks. Imagine, for example, they're very close with their father who's been gravely ill in the hospital for the last month. There may be perfectly understandable reasons for a temporary dip in productivity. If the employee has a disability consider any reasonable adjustments under the Equality Act 2010 that may support their improvement.

Be clear with what your expectations are

As the conversation winds down, be very clear about what your expectations are. The last thing you want is to sit down for a long chat only to have your employee leave the room without the two of you being on the same page. Agree a Performance Improvement Plan – see Appendix D.

Only when these informal discussions do not lead to any improvement should the formal stages of this procedure be applied.

If the discussions within supervision meetings do not lead to improvements, you should inform the employee that their performance is still not at a satisfactory level and that you are progressing to the Formal Stage of the Managing Performance Policy and Procedure.

Formal Action

There are 3 stages of formal action. The employee has the right to be represented in the formal stages of the procedure.

Stage One – Performance Review Meeting

Stage Two – Formal Meeting

Stage Three – Performance Review Hearing (Dismissal Stage)

The line manager will chair Stage One and Two and present the evidence in respect of the employee's poor performance and the employee will have the opportunity to respond, raise points and present any documents. Stage three is a hearing and the line manager will present the case for dismissal to the panel. The employee will have the opportunity to respond, raise points and present any documents.

The employee has a right of appeal at each stage of the procedure.

Appendix C

1:1s/Supervision Review Meetings Form

To Be Completed every 4-6 Weeks

Review of Your Objectives

Name of Employee:	
Name of Manager:	
Date of 1:1 Meeting	

Objective (PLEASE COPY THESE OBJECTIVES FROM YOUR ANNUAL PERFORMANCE REVIEW FORM	Comment on progress	Completed or set to revised timetable?

Any Issues/Concerns Personal, Work or Health Issues	Action:
Any achievements since the last 1:1 you wish to share?	Action:
Progress on Personal Development Plan	Action:
Leave Booked/Requests	Action:
Any Health & Safety/Equalities Issues?	Action:

Any Other Issues Raised/Points Discussed	Action:
Employee's signature:	
Manager's signature:	

OPTIONAL CHECKLIST: The line manager to add any other service requirements that need to be discussed and actioned:

Service Requirement	Evidence/action
<i>Example: for young people's services, staff and managers have six-weekly supervision</i>	<i>Example: Supervision dates recorded and supervision notes saved</i>

Appendix D
Performance Improvement Plan (PIP)

Areas identified for Improvement - SMART	Learning/Training/ Support offered	Timescales / Review periods	Progress (Stage / Dates / Comments)	Signed and Dated (Employee / Mngr)

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LEARNING AND DEVELOPMENT POLICY AND PROCEDURE



Policy Schedule		
Policy owner and lead	People Service: Head of Organisational Development	
Consultation	Corporate Management Team	Employee Engagement Forum
	Trade Unions	Disability Forum
	Corporate Consultative Forum	People Services Team
Approving body	Employment Appeals Committee	
Date of approval	October 2019	
Date of implementation	October 2019	
Version number	Version 0.4	
Related documents	Guidance on applications for funding for the Learning and Development of SBC Employees Apprenticeships Policy (2020) Performance Review Procedure Managing Performance Policy Volunteering Policy	
Review interval	Annually (next review October 2020)	

Version Control

Version Control Version	Author	Date	Changes
0.1	Jules Potter	May 7, 2019	Volunteer applicants as new customers of the policy New Performance Review Process New Mandatory Training Schedule Successful training growth bid resulting in centralised budget and revised DNA charges
0.2	Jules Potter	June 5 & 12, 2019	Incorporating comments from People Services SMT and colleagues who have an interest in the policy content
0.3	Jules Potter	July 15, 2019	Incorporating comments from EEF and CMT
0.4	Jules Potter	September 18, 2019	Incorporating OD Team and financial updates

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1. Introduction

- 1.1** Slough Borough Council's ultimate goal is for our employees to take control of their own learning. The council is committed to being an employer of choice and investing in learning and development to achieve the Council's strategic goals and objectives and to assist employees to reach their full potential. Continuous learning and development supports employees to deliver excellent customer experience and service. It is therefore essential that we offer learning environments across the organisation conducive to the ultimate goal.
- 1.2** This policy sets out Slough Borough Council's responsibility for planning and enabling learning and development activities. It defines the responsibilities of employees to attend learning events and the financial and human resources available to them to plan and agree their learning needs.
- 1.3** This policy is driven by the organisational vision and values which promote the Council as a learning organisation – *where people continually enhance their capabilities to create what they want to create*¹. It is a place where employees prosper and are the best they can be to advise and support each other, residents, visitors, businesses and partner organisations. To drive that vision² *We want to recruit, retain and develop high quality people who are committed to Slough and supported to do their job* and achieve the following core aims:
- Support every employee to be safe and effective in their roles throughout their career at the Council. This includes: local and corporate induction; probationary period; performance reviews (annually and at regular 1:1/supervision review meetings); mandatory training; and continuous professional development;
 - Monitor and report on employee compliance to ensure that the Council is meeting its statutory and legal learning and development responsibilities;
 - Build capability through the Slough Academy so that development needs are met and all employees are able to operate with confidence in the transformed council;
 - Spend public funds allocated to employee and member development within a centralised training budget in a robust and accountable manner;
 - Appreciate and respond to different learning styles, preferences and capabilities of the workforce; and
 - Upskill employees so that they are confident in their current roles; recognise their own potential; and evolve into role models for their colleagues and customers.
- 1.4** Training needs are analysed through team and individual performance reviews. From these training needs analyses (TNAs), employees are required and/or offered learning opportunities at the Council's HQ and/or at learning hubs throughout Slough. Some learning opportunities are led by SBC employees. Where external facilitators/trainers are required, the relevant service

¹ Senge, P: The Fifth Discipline 1990

² Aligned to the Council's Five Year Plan 2019-24

needs to produce a short business case which states the organisational benefit, risks and costs in relation to the requested training to secure the best expertise and value for public money.

- 1.5** This policy should be read and applied in conjunction with the council's vision and values as set out in the *Five Year Plan 2019-24*; associated performance review documentation for employees through this link: <http://insite/people/your-development/performance-review/> Employees should also refer to the Your Development at SBC page: <http://insite/people/your-development/your-development-at-sbc/> for information about apprenticeships programmes.

2. Scope

- 2.1** The aim of this policy and procedure is to provide a framework for the learning and development requirements of all Slough Borough Council employees, members and volunteers. It sets out the requirements and associated support for those that work on a permanent, temporary (agency), sessional or volunteer basis.
- 2.2** This policy does NOT apply to apprentices or employees working for contractors, unless it supports the requirements of the post they are filling.
- 2.3** The Council has a Corporate Learning and Development Programme with a complementary Directory. The Directory is updated as training needs are reviewed every two months, and is available to all Council employees via SBCinsite. Learning and development that is delivered by in-house facilitators/trainers is free to SBC employees. Learning and development that is commissioned and delivered by external facilitators/trainers will be funded from the centralised training budget managed by the Head of Organisational Development. However, if an employee has booked to attend a course/event and fails to do so, the relevant service will be charged for the cost of the space allocated to that delegate. The relevant service will be notified of this charge and the relevant lead/line manager will be asked to explain the reason for the absence. If it not a justifiable explanation, the service will be charged accordingly.
- 2.4** Generally, the Council does not fund qualifications unless the study is critical to the post; or is agreed as part of continuous professional development (CPD); career progression; or in line with service priorities. The level of support will be at the discretion of the line manager with support and advice from the Head of Organisational Development, taking into account the terms set out in the Guidance on applications for funding for Learning and Development for SBC Employees (see appendices to this policy). The policy also sets out study leave allocation.
- 2.5** Slough Borough Council has created a new Slough Academy which offers alternative funding opportunities for the development needs of employees and residents. The Academy utilises the Apprenticeship Levy to do so. This revised policy is updated accordingly and further updates will be featured in the 2020 Apprenticeships Policy.

3. Duties and Responsibilities

3.1 Responsibilities of the Individual Permanent Employee

3.1.1 All permanent employees are required to live their corporate values and take personal responsibility to ensure that they are skilled sufficiently to meet the demands of their role and associated duties. To do so, they are **required** to:

- Start the local induction process within **five working days** of their first day of employment at Slough Borough Council with their line manager, utilising the checklist available on SBCinsite via this link: <http://insite/people/recruitment/induction/> and/or their service specific induction checklist.
- Actively register on the Council's Learning Management System (LMS) - known as Learning Pool – within **five working days** of their first day of employment to enable access to e-learning modules and booking courses. To get a Learning Pool login, email training@slough.gov.uk with your request. An employee should also familiarise themselves with Learning Pool's functionality including the self-help manuals; training inbox; and with the learning and development pages on SBCinsite: <http://insite/people/your-development/training/> Please note that this policy will be updated in 2019/20 to advise all employees and volunteers about the new Cornerstone learning management and performance management systems.
- Attend Corporate Induction within **two months** of their first day of employment at the Council. Corporate Induction dates are featured in the Corporate Learning and Development Programme Directory - <http://insite/people/your-development/training/>
- Complete classroom and/or e-learning **mandatory training** in accordance with their probationary period, job role and service responsibilities within **two months** of their first day of employment at the Council. This training is specified in the Corporate Learning and Development Programme Directory - <http://insite/people/your-development/training/> This schedule is approved and updated annually by the Corporate Management Team (CMT) and includes requirements around refresher training for employees.
- Actively seek development to meet the requirements of the job role including required competencies (both as line manager and employee, where relevant) and to contribute to the continuous improvement of their service.
- Attend **1:1/supervision review meetings** with their line manager and undertake for their direct reports at **least every four to six weeks**.
- Attend an **annual performance review meeting**. This meeting is a key milestone in regular 1:1s/supervision meetings as it is an opportunity for an employee and their manager to review achievements and identify the required knowledge, skills and ability to do a job effectively and the areas where further development is possible. The performance review form and guidance is available currently on SBCinsite via this link: <http://insite/people/your-development/performance-review/>. This form and guidance will be featured in the new Cornerstone Performance Management System to be

implemented in 2020. All Personal Development Plans are reviewed by the Organisational Development Team on an annual basis to create a corporate Training Needs Analysis. Teams throughout the organisation will also be encouraged to consider their collective needs with support from the Organisational Development Team.

- Attend **probationary** period meetings. In the first **six months** of employment, an employee is also required to undergo a probationary period. The period of probationary service provides a formal opportunity for managers to review the progress of new employees and to assess their suitability for the post to which they have been appointed. For more information, please see SBCinsite weblink here: <http://insite/people/your-development/probation/>. All permanent employees who have completed successfully their **probationary** period may apply for study leave and funding in line with the *Guidance on applications for funding for the Learning and Development of SBC Employees* (see appendices to this policy).
- Take control of their own learning through the corporate or directorate/service specific learning opportunities which are appropriate to their role/career development, as well as meet their learning objectives as set out in their **Personal Development Plan** (discussed at their annual performance review and at each 1:1/supervision review meeting). This includes selective learning methods such as work buddying, mentoring, coaching, action learning sets and job shadowing. Such training is to be completed within working hours and in agreement with your line manager. Details of these can be found in the Corporate Learning Directory via this link:<http://insite/people/your-development/your-development-at-sbc/> The details on shadowing, work buddying, mentoring, coaching will be available when the policy goes live. Where external courses/seminars are held outside working hours, attendance needs to be agreed with their line manager and arrangements made for time off in lieu (TOIL)
- Be mindful to arrive at any training session, including Corporate Induction, *at least* 10 minutes before it starts and to attend the whole session. Failure to complete the whole session will be recorded as non-attendance unless prior notification has been made to the Organisational Development Team.
- Maintain their professional registration or membership where applicable. Employees should refer to their employment contracts for the available financial support for such registration or membership.
- Record attendance and performance, where appropriate, at any learning event in 1:1s and/or annual performance review meetings to demonstrate compliance.

3.2 Responsibilities of the Individual Temporary Employee who has been appointed for three months or more

- 3.2.1** All temporary employees – agency and those who are acting up into a post on a fixed term basis - are required to live their corporate values and take personal responsibility to ensure that they are skilled sufficiently to meet the demands of their role and associated duties. To do so, they are **required** to:

- Start the local induction process within **five working days** of their first day of temporary employment at Slough Borough Council with their line manager, utilising the checklist available on SBCinsite via this link: <http://insite/people/recruitment/induction/> and/or their service specific induction checklist.
- Actively register on the Council's Learning Management System (LMS) - known as Learning Pool – within **five working days** of their first day of employment to enable access to e-learning modules and booking courses. To get a Learning Pool login, email training@slough.gov.uk with your request. An employee should also familiarise themselves with Learning Pool's functionality including the self-help manuals; training inbox; and with the learning and development pages on SBCinsite: <http://insite/people/your-development/your-development-at-sbc/>
- Attend Corporate Induction within **two months** of their first day of employment at the Council if they are contracted to work for **more than three months** at the Council. The dates of Corporate Induction are featured in the Corporate Learning and Development Programme Directory - <http://insite/people/your-development/your-development-at-sbc/>. If an employee's contract is three months or less, their line manager should seek advice from the Organisational Development Team about whether the requirement of attending Corporate Induction is beneficial to the employee and the service. If an employee's contract is less than three months initially but is extended, they should attend Corporate Induction at the next available opportunity.
- If an employee's contract is **more than three months**, or is extended, they should complete classroom and e-learning **mandatory training** within **two months** of their first contractual day in accordance with their probation period, job role and service responsibilities as featured in the Corporate Learning and Development Programme Directory - <http://insite/people/your-development/your-development-at-sbc/>. This schedule is approved and updated annually by the Corporate Management Team (CMT) and includes requirements around refresher training for employees. If an employee's contract is three months or less, their line manager should seek advice from the Organisational Development Team about the most valuable elements of the mandatory training requirements to the employee and their service and their previous mandatory training experience. This will be determined on a case-by-case basis.
- Actively seek development to meet the requirements of the job role including required competencies (both as line manager and employee, where relevant) and to contribute to the continuous improvement of their service.
- Attend **1:1s/supervision review meetings** with their line manager and their direct reports at least **six weekly**.
- Subject to the length of their contract, after they have completed their probationary period they should attend an **annual performance review meeting**. This meeting is a key milestone in regular supervision meetings as it is an opportunity for an employee and their manager to review achievements and identify the required knowledge, skills and ability to do a job effectively and the areas where further development is possible.

The performance review form and guidance is available currently on SBCinsite via this link: <http://insite/people/your-development/performance-review/>. This form and guidance will be featured in the new Cornerstone Performance Management System to be implemented in 2020. All Personal Development Plans are reviewed by the Organisational Development Team on an annual basis to create a corporate Training Needs Analysis. Teams throughout the organisation will also be encouraged to consider their collective needs with support from the Organisational Development Team.

Take control of their own learning through the corporate learning opportunities which are essential to their development in the role they are covering, as well as attend those learning opportunities as set out in their **Personal Development Plan**, if a Performance Review meeting is appropriate to the length of their contract, see details above. Details of corporate learning opportunities are featured in the Corporate Learning Directory via this link: <http://insite/people/your-development/your-development-at-sbc/>

- Maintain their professional registration or membership where applicable. Temporary employees are required to self-fund their registration or membership, unless otherwise stated in their contractual terms.
- Record attendance and performance, where appropriate, at any learning event in 1:1s/supervision review meetings and/or annual performance review meetings to demonstrate compliance.

3.3 Responsibilities of the Individual Sessional Worker/Tutor (through letter of engagement)

3.3.1 All sessional employees are required to live their corporate values and take personal responsibility to ensure that they are skilled sufficiently to meet the demands of their role and associated duties. **Due to the nature of their working patterns, line managers of sessional workers should liaise with the Head of Organisational Development consider the responsibilities as outlined below. In some cases, adjustments will need to be made to ensure best use of time for these employees in line with their letters of engagement.**

- Sessional workers/tutors and their managers should review the local induction checklist available on SBCinsite via this link: <http://insite/people/recruitment/induction/> and/or their service specific induction checklist as soon as the employee has been asked to do a shift or in advance, if feasible.

Actively register on the Council's Learning Management System (LMS) - known as Learning Pool – to enable access to e-learning modules and booking courses. To get a login, email training@slough.gov.uk with your request. An employee should also familiarise themselves with Learning Pool's functionality including the self-help manuals; training inbox; and with the learning and development pages on SBCinsite: <http://insite/people/your-development/your-development-at-sbc/>

- Classroom training and the time commitment can be challenging for 'as and when' employees so managers of these employees should discuss **exemptions** with the Head of Organisational Development.
- Actively seek development to meet the requirements of the job role including required competencies (both as line manager and employee, where relevant) and to contribute to the continuous improvement of their service.
- Subject to their contractual terms and actual shift, sessional worker/tutors need to consider how they manage the probation period, annual performance reviews and 1:1/supervision review meetings with their line manager.
- Maintain their professional registration or membership where applicable. Sessional workers/tutors are required to self-fund their registration or membership, unless otherwise stated in their contractual terms.
- Record attendance and performance, where appropriate, at any learning event as part of their ongoing development.

3.4 Responsibilities of the Volunteer

- 3.4.1** Volunteers have valuable time, skills and experience that they can use to support communities and the town of Slough. Working with volunteers allows the Council to expand and enhance its services and better understand the needs of communities.
- 3.4.2** This policy applies to all volunteer applicants to Slough Borough Council who would like to donate their time, skills and experience to carry out volunteering roles without financial reward. A volunteer is not an employee of the Council so there is no legally binding contractual relationship between the Council and the volunteer. However, volunteers have a role description that outlines activities to be undertaken and should be properly introduced to their role and provided with ongoing support and training appropriate to their individual needs, abilities and skills.
- 3.4.3** **Due to the nature of their working patterns, line managers of volunteers should liaise with the Head of Organisational Development to consider what training needs, including Mandatory Training, are required to support the volunteer to carry out their role. The OD Team will work with managers to secure effective ways of learning to accommodate the volunteers.**
- 3.4.4** Each volunteer is nominated a named person to support them throughout their time with Slough Borough Council. For more details on this support to volunteers and how they should be inducted to the Council, please see the link here to the Volunteering Policy: <http://insite/people/more/volunteer-guidance/>

3.5 Study Leave

- 3.5.1** The vast majority of learning opportunities take place outside of formal programmes of study. For the purposes of this policy, work based or on-the-job development, such as coaching, mentoring, shadowing, reflective practice, are not included in the study leave allocation for time off. These should be planned activities agreed between the line manager and employee so that the employee can manage their workload within core working hours; there is minimum impact on service delivery; and there is equity of access for all employees.
- 3.5.2** Where study leave of half a day or more is required to attend a conference/seminar or other form of learning event, all employees should seek permission to attend from their line manager. Study leave should be recorded as such on the employee's annual leave record on the Agresso HR System and the manager should also discuss and agree with the employee additional time to reflect on what they have learned and/or cascade their learning to colleagues, where appropriate. For all periods of study leave, employees should refer to the *Guidance on applications for funding for the Learning and Development of SBC Employees*.

3.6 Employee Compliance

- 3.6.1** The Organisational Development Team holds a record of every employee's compliance with the lifecycle requirements as listed in sections **3.1- 3.4** from local induction through to ongoing learning and development. These records - known as **individual learning accounts** -are available upon request to any employee who wishes to see their own record and to any manager who wishes to see the records of their team members. These records are updated monthly and numeric versions are provided monthly to Directorate Management Teams and quarterly to the Corporate Management Team (or more frequently if required). This is to assure the Council that it is meeting is statutory and legal requirements in terms of learning and development. The records are also shared for auditing and inspection purposes when required. Please note that when these individual learning accounts will be transferred to the new Cornerstone Learning Management System in 2019/20 and managers will be advised on how to access the learning activity of their team members.

3.7 Responsibilities of the Line Manager

- 3.7.1** It is the responsibility of line managers, in discussion with their employees, to identify and agree appropriate learning opportunities and to facilitate the arrangements to allow employees to take advantage of these. Learning and development needs should be discussed during the annual performance review meeting – see details via this link: <http://insite/people/your-development/performance-review/> utilising the **Personal Development Plan** template. This Personal Development Plan should be reviewed and updated and updated in 1:1s/supervision review meetings between managers and employees. Such review meetings should be used to offer support to employees in relation to their learning needs as well as discuss any capability issues.

3.7.2 Line managers should:

- Familiarise themselves with this Learning and Development Policy and associated guidance and supports implementation throughout the Council.
- Take personal responsibility to be a role model to their team in their performance and behaviour by completing the requirements set out in sections **3.1-3.4** of this policy, dependent upon role.
- Have an understanding of their employee/s job tasks and key responsibilities and how they contribute to the Council's Five Year Plan and values - [our refreshed values](#) - and the 'golden thread' to service plans, budget setting and team and individual objectives.
- Identify, support and plan the requirements for their employees, as set out in sections **3.1-3.4** of this policy, where relevant.
- Review the **individual learning accounts** shared monthly and support their employees to comply with the requirements as set out in sections **3.1-3.4** of this policy, where relevant.
- Advise the Organisational Development Team of any updates/amendments to be made to the **individual learning accounts** as and when changes arise i.e. starters/leavers, change in role and if there are errors in the account.
- Ensure that learning opportunities are accessible equitably for members of their team and most especially to their employees who are not office-based and do not have regular access to a PC. Please note that the People Services Plan identifies that ways of working are changing across the organisation through smart working and will encourage and support online learning where appropriate.
- At each annual performance review and subsequent 1:1s/supervision review meetings, line managers should ask their employees to provide evidence of their compliance with the requirements set out in sections **3.1-3.4**, where relevant. Line managers should take personal responsibility to support their employees to complete their Mandatory Training requirements by the corporate deadlines advised by the Organisational Development Team on behalf of the Corporate Management Team. It is recognised that there are occasions where such corporate deadlines are missed due to sickness and bereavement or family/dependent emergency. The line manager should seek advice from the Head of Organisational Development in respect of such incidences to avoid inaccurate employee compliance reporting.
- Ensure there is adequate service cover whilst an employee/s is/are attending a learning event or has study leave.
- Record an employee's attendance at any learning event at annual performance reviews and subsequent 1:1s/supervision review meetings to demonstrate compliance.

- Investigate and take appropriate action if notified that an employee is unable to or fails to attend any learning opportunities which are provided or arranged by the Organisational Development Team. This includes Corporate Induction. Failure by the employee to notify the Organisational Development of non-attendance will incur a departmental fine for the cost of the place on the course/event. The fine may be larger if an external course incurs more cost. This is subject to evidence that the employee's failure to attend was related to sickness, bereavement or family/dependent emergency. If an employee fails to attend due to a service need, the line manager should notify the Organisational Development Team **at least 24 hours** in advance.
- Ensure that learning activities are reviewed and that employees are supported to transfer their learning to the workplace including disseminating learning to colleagues, where appropriate.

3.8 Responsibilities of the Senior Leadership Team

3.8.1 In addition to line management responsibilities, the Senior Leadership Team - comprising the CEO, Directors and Service Leads - has the leadership responsibility to:

- Review, at least annually (following service planning and performance review season), a Training Needs Analysis (TNA) plan for their service with support from the OD Team; and
- Approve study leave and relevant funding for programmes in line with the principles identified in the *Guidance on applications for funding for the Learning and Development of SBC Employees*.

3.9 Responsibilities of the Organisational Development Team

3.9.1 The Organisational Development Team will:

- Diagnose and co-create learning opportunities for employees in response to organisational, team and individual needs. Such needs will be based upon priorities aligned with the Council's vision and values and to meet economies of scale and value for money. In support of this, an annual council-wide Training Needs Analysis (TNA) will be completed alongside the performance review process. Where these requirements cannot be met by the service and its budget, alternatives will be sought through discussion between the requester and the Head of Organisational Development.
- Provide appropriate support and guidance to both internal and external facilitators and trainers, including adherence to the corporate values and active movement principles.
- Inform managers of any employee's non-attendance of a learning event and provide support for investigation of absence.
- Lead and review the Corporate Induction to ensure it is robust to meet new employees' needs, including Mandatory Training, and ensure it aligns with corporate vision and national and local impact upon Council business.

- Review the local induction checklist bi-annually (March and September each year) in line with operational needs; and the Signposting and Lonely Planet Guides for Corporate Induction every two months.
- Actively support inductees with their logins to the Council's Learning Management System (LMS) - known as Learning Pool - and enable and assist all users to manage the system effectively to complete their e-learning modules and/or book on courses. This includes the necessary procurement and account management of the LMS.
- Actively seek user views on the content and relevance of the all the learning opportunities outlined in the Corporate Directory and the Adult Social Care training programme: <http://insite/people/your-development/your-development-at-sbc/>
- Actively seek and evaluate delegate views on all learning opportunities and record employees' attendance.
- Provide timely reports to the Corporate Management Team (CMT), and Directorate/Senior Management Teams (DMTs/SMTs) in relation to quality assurance reports on learning and development. Take responsibility for action, where required.
- Advise and support good practice in terms of regular 1:1s/supervision meetings between line managers and their employees and contribute to the regular review of the annual performance review process.
- Maintain a database of learning opportunities and providers and actively seek learning opportunities using a plethora of tools and techniques (appreciating all learning styles) to meet the needs of customers and partner organisations.
- Publish marketing and advertising materials which are relevant for learning and development opportunities.
- Monitor and evaluate quality and value for money for any commissioned courses and ensure that our internal and external facilitators and trainers are supported effectively to deliver the best quality courses.
- Provide information, advice and guidance to employees to support personal and professional development needs.
- Oversee and provide guidance on the corporate training budget and advise on requests for study leave and funding to the Corporate Consultative Forum.
- Provide half-year validation reviews (March and October) to the Employment and Appeals Committee in relation to adherence to this policy and the learning and development activities provided to council employees.

4. Financial Monitoring

4.1 Line managers and their employees should always consider in-house provision before applying for external courses where the learning goals are comparable. The Organisational Development Team can offer advice and support for such comparisons. This is particularly relevant when a comparative training need is identified by a sufficient number of employees through their Personal Development Plans and it makes financial sense to seek value for money based upon economies of scale/training provider offers for group training.

4.2 The Corporate Training Budget is held by the Head of Organisational Development to provide:

4.2.1 Centrally commissioned programmes in line with Council priorities including Corporate Induction and other learning programmes specified in the corporate Training Needs Analysis (TNA) Plan in partnership with the Directorate Management Teams.

4.2.2 A development programme to support all Council members. This programme is developed in conjunction with the members' development portfolio holder at the start of each financial year. Any further funding required is subject to the agreement of the Commissioner who holds the portfolio. The Commissioner also considers any individual member requests for learning and development on a case-by-case basis through the members' performance management framework.

5. Approval and Ratification

This policy is subject to approval and ratification in the sign off by the Employment and Appeals Committee.

6. Dissemination and Implementation

Once ratified, the policy will be available on SBCinsite and managers will be notified via the Council's internal communications channels.

7. Review and Revision Arrangements

This policy will be implemented through the People Services Plan and monitored by the Employment and Appeals Committee on a half-yearly basis. It will be reviewed annually.

**GUIDANCE ON APPLICATIONS FOR FUNDING FOR LEARNING
AND DEVELOPMENT OF SBC EMPLOYEES**

1. Purpose

- 1.1** This guidance is to be read in conjunction with the Learning and Development Policy and its aim is to support managers and their employees with their developmental needs, including how to seek funding for such development, if required.
- 1.2** The council will consider either full or partial funding and non financial support for eligible employees (or support for employees self-funding their course of study) who are studying for relevant professional qualifications which are either a statutory requirement for them to achieve or if not a statutory requirement are essential in the job role to establish a credible level of professional competence.
- 1.3** In the first instance, applicants should review the Slough Academy pages on SBCinsite via this link: <http://insite/people/more/the-slough-academy/> to consider whether their development needs can be met through Apprenticeship Levy Funding. If that is not the case, managers and their employees must complete the process outlined in this guidance.
- 1.4** The council will also consider full or partial funding for any learning events of half a day's duration and upwards, if it is relevant to their job role and has been signed off by their line manager in their annual performance review as part of their Personal Development Plan.
- 1.5** A programme of study/learning event may be either a course commissioned by Slough Borough Council or an external body, including a university or college.
- 1.6** Funding will include the cost of membership fees to relevant professional bodies if this is a pre-requisite of study.
- 1.7** Where employees opt to self fund qualifications, Slough Borough Council may consider applications for non financial assistance such as paid time off from work, if the applicant meets the criteria.

2: Steps to completing a funding application for a qualification:

- 2.1** Any application must be clearly linked to a recognised performance and/or job requirement and featured in an applicant's current Personal Development Plan within their Annual Performance Review Form, which has been signed by their line manager. For details on the performance review process, please go to this SBCinsite link: <http://insite/people/your-development/performance-review/>
- 2.2** Employees wishing to apply for consideration to study in accordance with this guidance should meet all of the criteria below:
 - The employee is permanent and has successfully completed their probation period.
 - The employee's line manager needs to demonstrate fairness in the application process within their Service.

- The course is identified within their Personal Development Plan within the Performance Review process.
- The employee has the aptitude and ability to successfully complete the course and meet the course requirements.
- The employee has read and agree to adhere to the SBC Learning and Development Policy (via this link: <http://insite/people/your-development/your-development-at-sbc/>)
- The employee can demonstrate that their attainment of the qualification will assist their Service or Council in achieving one or more of its business objectives.

2.3 Social Workers and Occupational Therapists applying for funding for post qualifying training should have a CPD profile or provide a reflective statement (maximum 1000 words), critically analysing a piece of strengths based work undertaken in relation to the relevant subject covering the following:

- What you did
- Why you did this
- What you learnt from this experience.
- The decision making process
- The outcomes achieved
- The impact of your work on the service user.

Reference should be made to the social work theories, legislation, knowledge and values used to inform the practice.

Social Workers who undertake Best Interest Assessments will need to agree to undertake the minimum requirement of Best interest Assessments for Slough Borough Council per year. Please discuss this with your line manager before you apply.

- 2.4** If the criteria in section **2.2** is met, the applicant needs to review the appendices to this guidance and complete the form in **Appendix 5** and email it to their line manager for their approval and commentary.
- 2.5** The line manager then submits it to their Senior Management Team (SMT) or Service Lead and to the Organisational Development (OD) Team via the training@slough.gov.uk inbox so that the budgetary requirements can be considered. The Head of Organisational Development, who holds the centralised training budget, will advise on whether funding is available based upon other service/directorate requirements.
- 2.6** If the application is approved and budget is sourced from the centralised training budget, the OD Team will support the applicant with booking and financial sign-off. The Council's funding for the programme of study will include tuition, registration and examination fees.
- 2.7** Employees who have an approved funding application should ensure that a purchase order is made by contacting the OD Team via training@slough.gov.uk and authorised for the proposed course of study. This will ensure that when the invoice is received by the Council it can be successfully paid.

- 2.8** If the application is for more than one year's training, the applicant will need to complete each year successfully before securing the next year's funding, subject to training budget resources (agreed at the end of each financial year). The OD Team and the applicant's Service Lead should ensure that the applicant is fully informed in advance of the level of funding and support that will be given.
- 2.9** If required employees will be released from their normal working hours to undertake the academic study. However, learning may be in the form of evening studies, open/distance learning, e-learning or a combination of these options.
- 2.10** The Service Lead and the applicant's line manager will determine which method of study is the most suitable, having considered fully the impact on the business, the employee's job role and the requirements of the identified course of study.
- 2.11** If essential text books (hard copy or electronic) and/or equipment cannot be borrowed funding will include payment of essential books or equipment up to the value of £50 for each year of study. Financial assistance will **not** be given to purchase books for general background reading.
- 2.12** The cost of any compulsory residential element to an approved course of study will be paid at the discretion of the Service Lead and in agreement with the Head of Organisational Development. Paid leave will be granted if residence is required during the normal working week and these costs will be met by Service employing the applicant.
- 2.13** Paid Leave will be provided for examination time relating to the programme of study on proof of the examination dates.
- 2.14** Additional paid study leave up to a maximum of 5 working days for revision or project work will be at the discretion of the Service Lead/Director, but must be in agreement with the Organisational Development Team and be consistent with SBC leave policy.
- 2.15** Travel costs incurred to and from the place of study (and any compulsory residential where appropriate), and which are in excess of the normal cost of travel between home and work, will be paid by the service employing the staff member in accordance with the Council's financial procedures on travel expenses. These should be claimed by submitting the mileage and expenses claim via Agresso
- 2.16** The payment of any additional expenses which are deemed an essential element of the approved programme of study may be agreed by the Service Lead. For additional guidance they should contact the OD Team.
- 2.17** Subsistence expenses incurred in relation to the course of study and costs relating to the typing and binding of project work/dissertation, if relevant, **are not** reclaimable.
- 2.18** Applicants should claim for agreed eligible additional expenses via Agresso. Line Managers will authorise all claims and arrange for payment using Agresso quoting the team cost centre.

3: Steps to completing a funding application for a non-qualification learning event (i.e. learning event that is not accredited i.e conference/seminar/workshop) of half a day or more duration

- 3.1** Any application must be clearly linked to a recognised performance and/or job requirement and featured in an applicant's current Personal Development Plan within their Annual Performance Review Form, which has been signed by their line manager. For details on the performance review process, please go to this SBCInsite link: <http://insite/people/your-development/performance-review/>
- 3.2** Employees wishing to apply for consideration to attend/participate in a non-qualified learning event in accordance with this guidance should meet all of the criteria below:
- The employee is permanent and has successfully completed their probation period.
 - The line manager or Head of Service may support attendance at non qualifying learning events to temporary staff if it is deemed essential to their work with Slough Borough Council.
 - The employee's line manager needs to demonstrate fairness in the application process within their Service.
 - The course is identified within their Personal Development Plan within the Performance Review process.
 - The employee has read and agree to adhere to the SBC Learning and Development Policy (via this link: <http://insite/people/your-development/your-development-at-sbc/>)
 - The employee can demonstrate that their attendance/participation at the learning event will assist them in achieving one or more of their Service/Council objectives.
- 3.3** If the criteria in **3.2** is met, the applicant needs to review the appendices to this guidance and complete the form in **Appendix 6** and email it to their line manager for their approval and commentary.
- 3.4** The line manager then submits it to their Service Lead and to the Organisational Development (OD) Team via the training@slough.gov.uk inbox so that the budgetary requirements can be considered. The Head of Organisational Development, who holds the centralised training budget, will advise on whether funding is available based upon other service/directorate requirements.
- 3.5** If the application is approved and budget is sourced from the centralised training budget, the OD Team will support the applicant with booking and financial sign-off.
- 3.6** Employees who have an approved funding application should ensure that a purchase order is made by contacting the OD Team via training@slough.gov.uk and authorised for the proposed learning event. This will ensure that when the invoice is received by the Council it can be successfully paid.
- 3.7** The Service Lead will determine with the applicant the form of feedback to the Service/Directorate/Organisation so that learning can be shared from the event. The applicant will also notify the OD Team of their attendance and their evaluation of its effectiveness/impact on their learning.

- 3.8** Travel costs incurred to and from the learning event and which are in excess of the normal cost of travel between home and work, will be paid by the service employing the staff member in accordance with the Council's financial procedures on travel expenses. These should be claimed by submitting the mileage and expenses claim via Agresso
- 3.9** Subsistence expenses incurred in relation to the learning event **are not** reclaimable.
- 3.10** Applicants should claim for agreed eligible additional expenses via Agresso. Line Managers will authorise all claims and arrange for payment using Agresso quoting the team cost centre.

4. Review during study for a course/qualification

- 4.1** At the end of each term of study or on a quarterly basis, employees must produce either of the following documentary evidence to their line manager:
- A formal report confirming satisfactory progress and attendance from the provider of the programme of study or course Director.
 - A certificate of success.
- 4.2** Approval of ongoing financial support for the course/qualification will be conditional upon the provision of the above mentioned documentation and satisfactory quarterly formal reviews of progress made. It is advised that the line manager and the employee also discuss progress at their 1:1s review/supervision meetings.
- 4.3** If satisfactory progress on the course is not being met, the line manager should seek advice from the OD Team.
- 4.4** All employees will be required to sign an Information Exchange Agreement (see **Appendix 4**) between them, Slough Borough Council and the Higher Education Institute (HEI). Under this agreement the HEI and OD Team will exchange relevant updates of the student's progress, attendance and disciplinary issues throughout the course of study. The agreement is part of the Learning Agreement (Appendix 2).

5. Unsuccessful Completion of Study

- 5.1** Continued funding and support is dependent upon a satisfactory record of results achieved, attendance record and progress. The OD team in conjunction with the Service lead/Director will be responsible for determining satisfactory performance.
- 5.2** The repayment of all funding to Slough Borough Council by the employee will be required in the following circumstances:-
- The employee fails to sit for an examination
 - The employee fails to show satisfactory progress
 - The employee discontinues a course without due reason
 - The employee fails to 're-sit' examination or repetition of the year

- 5.3 This repayment will not include the repayment of notional tuition fees, in the cases of courses delivered by Slough Borough Council or a Slough Borough Council partner.
- 5.4 Re-sitting an examination or repeating the year of study may only be approved if the Service Lead/Director is fully satisfied that the employee is committed to achieving success on the next occasion. Repeat re-sitting or repetition of a year of study is not permissible under the scheme and as such could result in the funding being repaid to the Council by the employee.
- 5.5 The cost of a re-sit must be covered by the employee.

6. Leaving Slough Borough Council during the Period of Study

- 6.1 If an employee leaves the employment of the Council, or is dismissed other than redundancy or ill-health retirement during the period of study they will be required to repay, in full, all of the direct expenditure incurred by the Council. This will be reclaimed by deduction from salary and any balance outstanding after such deductions will be reclaimed separately.

7. Leaving Slough Borough Council after Completion of the Period of Study

- 7.1 It would normally be expected that the employee remains with the Council for a minimum period of **one calendar year** following completion of the programme of study. Completion will be deemed as either the date of the final examination or, if no formal examinations are held, the date of completion of the programme of study. The HEI must provide the completion date.
- 7.2 In the event that an employee either voluntarily leaves the Council or is dismissed for reasons of conduct during the **one calendar year** after they have completed their programme of study. Completion will be deemed as either the date or the final examination or, if no formal qualifications are held, the date of the completion of the programme of study. The HEI must provide the completion date.
- 7.3 The repayment will be made by deduction from salary, and any amounts still outstanding will be claimed separately.

8. Maintenance of Learning Records

- 8.1 The OD Team and the Line Manager will be responsible for maintaining accurate records of applications and associated administration related to this guidance. In addition a copy of all correspondence should be retained on the Learning Management System/Agresso.
- 8.2 Employees are responsible for maintaining an up-to-date record of their progress on their Personal Development Plans in conjunction with their Line Managers.

9. New Employees Who Wish to Continue with their Studies

- 9.1** A new employee joining Slough Borough Council may be part way through studying a course that is relevant to their new position at Slough Borough Council. If this is the case, the Service Lead/Director can authorise funding and support with prior consultation and with the OD Team.

10. Other Conditions & Further Enquiries

- 10.1** Slough Borough Council reserves the right to review this guidance at any time.
- 10.2** Slough Borough Council's commitment to funding and supporting professional academic study should not be regarded by employees as an automatic right or entitlement to funding. Neither does it imply any condition of service. Moreover, employees should note that success in a course of study will not automatically lead to an increase in salary, a promotion or transfer within the Council
- 10.3** For queries in respect of this guidance, please contact the OD Team on 01753 875618 or via training@slough.gov.uk

APPENDIX 1

Management Steps to seek Approval of Funding and Supporting of Employees to Attain Professional Academic Qualifications

1. Manager publishes availability of funded programmes to all employees within their team/service area and provides them with a copy of the relevant guidance

2. Manager/Employee agree learning and development needs through the Annual Performance Review/1-1s

3. Manager considers applications in accordance with guidance and Learning and Development Policy

4. Where multiple applications are received Managers will need to convene a panel to consider selection

5. Employees who have funding approved will be notified in writing and requested to sign the relevant documents: the Learning Agreement (Appendix 2); the agreement to repay costs (Appendix 3), and the Information Exchange Agreement (Appendix 4).

Copies of these documents and the original application form should be sent to the OD Team via training@slough.gov.uk

APPENDIX 2

LEARNING AGREEMENT FORM

This offer of financial assistance is conditional upon you completing the course and remaining in our employment for the duration of the relevant course and for a minimum of **one calendar year** beyond completion of the course. Should you leave the Council voluntarily, or if dismissed for reasons of conduct during that period the costs incurred by the Council will be repayable by you in full or in part as set out in the guidance and in the Agreement to repay the costs of supported training (**Appendix 3**) which forms a part of your terms and conditions of employment with the Council.

Please sign and date both copies of the Agreement to repay the costs of supported training (**Appendix 3**) and the Information Exchange Agreement (**Appendix 4**) where indicated and return one copy of each of these documents to the Organisational Development Team, People Services, Slough Borough Council, Observatory House, 25 Windsor Road, Slough, Berkshire, SL1 2EJ

Slough Borough Council has agreed to sponsor:

Name

Job Title

Department

On the following course of study:

Course:

Stage:

For the agreed funds of £.....

All invoices for course fees, records of attendance, progress reports and examinations should be forwarded directly to your Line Manager, or to the Organisational Development Team, People Services, Slough Borough Council, 25 Windsor Road, Slough, Berkshire, SL1 2EJ if they are financially sponsoring the programme of study.

APPENDIX 3

Agreement to repay to Slough Borough Council the costs of supported training

I have read, understand and agree to abide by the conditions of assistance as set out below and in the Academic Programme Policy.

Employee	Employer
Name	Slough Borough Council
Address	25 Windsor Road,
	Berkshire
	SL1 2EJ

I,(name) agree to the deduction from my salary of £..... being the total cost incurred by Slough Borough Council to fund my course of study and associated examinations for(name of course) At..... (name of college) in the event that during the course of study and for the **one calendar year's** service after completing the course I either:

voluntarily leave the Council or I am dismissed for reasons of conduct;
fail to sit for an examination;
fail to show satisfactory progress;
discontinue the course;
or fail to re-sit an examination or repetition of the year if required to do so;

and furthermore, if I voluntarily leave my employment, or if I am dismissed for reasons of conduct, after the first 3 months following the date of completion and before the completion of **one calendar year's** service after completing the course, I agree to the deduction from my salary of £.....being the total cost incurred by Slough Borough Council to fund my course of study and associated examinations, reducing by one twelfth for each complete calendar month of service over 12 months following the completion of the course.

I also agree to repay to Slough Borough Council before leaving employment any balance remaining outstanding if the above amounts exceed the monies available to deduct from my salary.

I understand and agree to the above change to my terms and conditions of employment with effect from (date)

Signed by employee

Signed on behalf of Employer

Signature:

Signature:

Printed Name:

Printed Name:

Date:

Date:

APPENDIX 4

Information Exchange Agreement

Slough Borough Council sponsoring employees on a Professional Qualifications Programme or other funded programmes would like to receive information about an employee’s progress whilst studying at University/College/other training providers. Similarly, University or College staff would like to know about any employment based issues likely to impact on an employee’s professional or academic performance.

This information exchange is so that both parties – Slough Borough Council and University or College – can offer employees appropriate support to successfully complete their Professional Qualification.

Employees who are subject to any professional standards through a regulatory body the University and Slough Borough Council are obliged to inform the relevant regulator of any change in circumstances that call into question the employees suitability for professional registration. Such a change in circumstances would be a serious matter, where behaviour that falls into the category where the University or Slough Borough Council would be considering termination of training or employment. Employees also have an obligation to inform the relevant regulator for their profession of changes (as student or employee) to their disciplinary record, changes in health, and changes to an existing criminal record or if they acquire a criminal record.

**AGREEMENT ON INFORMATION EXCHANGE BETWEEN SLOUGH BOROUGH COUNCIL,
UNIVERSITY / COLLEGE/TRAINING PROVIDER AND EMPLOYEE**

Relevant information about the student-employee will be exchanged between Slough Borough Council and Relevant information includes: identifying data such as name, programme details, module information, attendance record at the University/College and Placement agencies, Progress reports and all assessments including Course results, disciplinary activity, both employment and university based; and any criminal, health or disability issues likely to have an impact on the student’s professional or academic performance. Slough Borough Council is registered under the GDPR 2016 and Freedom of Information. Information regarding this can be found on the Slough Borough Council website.

Student’s name:

Signature:

Date:

Line Manager’s name:

Signature:

Date:

HEI/Training provider representative:

Signature:

Date:

Head of Organisational Development (budget holder) name:

Signature:

Date:

Appendix 5: Application Form for funding for qualifying training

This form is to be used for permanent employees in Slough Borough Council who wish to apply for support with accredited/qualifying training. **Scan and send your completed application to: The Organisational Development Team via training@slough.gov.uk**

SECTION A: Personal Details

First Name:	Surname:	
Email:	Telephone:	
Job Title	Permanent Employment start date:	
For Social Workers/Occupational Therapists only, number of years post qualifying		Have you passed your ASYE? (Social workers only)
Manager Name:	Manager Email:	
Team & Directorate:	Manager telephone Number:	

SECTION B COURSE INFORMATION

Course Title	
Name of Provider	
Length of course : Weeks, months, years	
What stage of the course are you applying for? E.g. Year 1, 2, etc	
Course Dates (Include start and end dates by year if applicable)	
Course Fees (please state total per year)	
Total course fees (if more than one year)	
Any additional fees e.g. professional membership, accreditation etc	
Number of days per week/month attendance required?	

SECTION C Supporting statement and application

1. How will this course meet the objectives outlined in your personal development plan? (maximum 150 words)

2. The reason you are applying for this course and how you meet the criteria for the course, and that you have the ability to successfully complete the course. (maximum 150 words)

3. How does this course assist your service or Slough Borough Council in achieving one or more of its business objectives? (maximum 150 words)

4. What action will you need to take to ensure you have the capacity to undertake these additional tasks involved in this programme of study, for example workload management, study time, are you are on a rota that will be impacted? (maximum 150 words)

5. How will you embed your learning when you complete the course? For example, are there additional responsibilities you will undertake that this qualification will enable you to do? (maximum 150 words)

Section C: Statement of recommendation from the Line Manager

Please provide comments on this application. Are you satisfied that they have met the criteria as outlined in the Learning and Development Policy and the course criteria? How will you support the applicant during this programme of study?

Section D: Service Lead recommendations

--

SECTION E: CONFIRMATION AND SIGNATURES

Applicant to confirm : I have read the Learning and Development policy and guidance on applications for funding for qualifications and fully understand them

YES/NO

Applicant to confirm : I am prepared to sign a Learning Agreement and to commit to staying with SBC for up to **one calendar year** post completion of the course or willing to have course fees deducted from my final salary if I leave earlier or am dismissed?

YES/NO

Applicant's Signature:

Print Name:

Date:

Line Manager's Signature

Print Name:

Date:

Service Lead's/Director's Signature:

Print Name:

Date:

Appendix 6: Application Form for the Funding of an external course/conference (non-qualifying)

This form is to be used for employees in Slough Borough Council who wish to apply for funding to attend an external course/conference/seminar (non qualifying).

Before completing this form, you should consult with the budget holder to see if there is funding in the training budget, as well as discuss the application with your line manager.

First Name:		Surname:	
Job Title:		Line Manager:	
Team & Directorate:			
Workplace address:			
Telephone Number		Email:	

Course Title:	
Name and address of Course Provider:	
Cost of course/conference/seminar	Course Dates (include start and end dates):
Total costs:	Course Duration:

1. Describe how this course is relevant to your current role (maximum 150 words)
2. Describe how you will embed the learning from this course/event/seminar? (maximum 150 words)

3. Explain how this meets your learning objectives from your PDP? (maximum 150 words)
4. How will you feed the information back from this course to your Service/Directorate/Organisation and when? (maximum 150 words)
5. Line Manager's Comments: Please confirm that the need for this course has been identified within the applicant's Personal Development Plan within their Performance Review. Have you applied a fair process for supporting your employee with this course?
6. Service Lead/Director's Comments: Please confirm your approval or non-approval of this application in the light of both the applicant's and Line Manager's comments
7. Terms and Conditions By signing this form you agree to the following terms and conditions in addition to those of the course provider:

**You agree to attend the course on time.
You agree to provide feedback as specified above to Slough Borough Council.
Failure to attend may result in the course organiser still charging cancellation fees which will be taken from your Service's budget.
You must confirm attendance to the Organisational Development Team and your line manager.**

Applicant's signature: (Print name):	Date:
Line Manager's signature: (Print name):	Date:
Service Lead/Director's signature: (Print name):	Date:

SLOUGH BOROUGH COUNCIL

REPORT TO: Employment & Appeals Committee **DATE:** 22nd October 2019

CONTACT OFFICER: Surjit Nagra, Service Lead People Services and
Sushil Thobhani Service Lead Governance.

AUTHOR/S: Craig Lorne, Procurement Consultant
Belinda Collins / Lola Makinde – OD /HR Business Partners

(For all enquiries) (01753) 875472

WARD(S): All

PART I

FOR COMMENT & CONSIDERATION

TEMPORARY AGENCY STAFF

1 Purpose of Report

This report seeks to provide Members with an update on the Council's actions regarding the supply and control of temporary labour.

2 Recommendation(s)/Proposed Action

The Committee is requested to resolve:

- a) That the actions from the last meeting be noted
- b) That the report and its contents be noted.

3 Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

3a Slough Joint Wellbeing Strategy Priorities

The provision of temporary staff does not directly impact on the Slough Joint Wellbeing Strategy.

The provision does however enable the Council to deliver its services to the community through the provision of specialist skills or replacement labour where required.

3b Five Year Plan Outcomes

The proposals within this report meet the Five Year Plan objectives as follows:

Outcome 1, 2, 3, 4

The services provide labour necessary to deliver these outcomes when permanent labour is not available or specialist skills are required.

Outcome 5

The supplier of temporary workers engages with local suppliers of temporary labour whilst also working with a wider pool to ensure Slough has access to the best available talent to make Slough an attractive place to operate and work.

4 Other Implications

(a) Financial

There are no specific financial impacts related to this report.

The Council continues to spend on temporary labour at a consistent rate of £8 - £10m per year within the main contract. This is due to ongoing labour shortages in the market and an increasing number of contracts where skills are not easily available to deliver without premium payments.

(b) Risk Management

There are no specific risks to be managed for temporary labour provision beyond the need to ensure ongoing provision at appropriate costs.

(c) Human Rights Act and Other Legal Implications

There are no Human Rights Act Implications.

(d) Equalities Impact Assessment

There is no requirement for an Equalities Impact Assessment as we do not hold equalities data on temporary workers.

(e) Workforce

There are no implications for permanent staff.

5. Actions from the previous meetings

At the last meeting in June, the Committee requested responses to the following questions to be presented at this meeting. For ease of reference, the questions are presented with the response below.

A breakdown of figures for interims employed to work on special projects as opposed to backfilling vacancies.

At 31st August 2019, 250 temporary workers were identified as being supplied by our temporary worker provider - Matrix. Of these, 29 were identified as being outside of the scope of IR35, a regulation of HM Revenues and Customs which identifies whether a temporary worker is under the control of the employer. As such, this is a reasonable proxy for project work as opposed to replacement labour for established vacant posts.

Please note, the cost of the majority of temporary workers outside IR35 are 'capitalised' and these workers are working on projects such as Agresso, RMI, Heathrow Expansion, move to Observatory House and Transformation projects.

Value of Expenditure Classified as Consultancy

Division	2019/20 Q1	2019/20 Q2	Grand Total
Finance and Resources	359,512.87	78,249.60	437,762.47
Place and Development	7,825.00	493.54	8,318.54
Regeneration	208,344.60	135,502.83	343,847.43
Grand Total	575,682.47	214,245.97	789,928.44

(b) Information on identifying whether sufficiently robust procedures were in place to end contracts once work was completed.

Each individual agency worker is subject to review as their contract falls due for renewal, or earlier if business needs change by the relevant manager. The line manager will need to justify why the worker is still required should they wish to extend the placement. One of the factors they will take into account is the impact on their service delivery especially if the worker is in a front facing role liaising with residents. In addition; People Services and Finance work collaboratively to ensure there are no financial/employment implications on the extensions. Overall, there are robust approval mechanisms built into the system.

(a) A cost comparison/consideration between having interims versus employing a member of staff.

The difference between employing temporary workers who are covering established permanent roles has been calculated by Finance and is based on the current agency usage this is detailed below:

Directorate	FULL YEAR BUDGET AVAILABLE 2019-20	AGENCY COST ESTIMATION	DIFFERENCE
Adults & Communities	2,888,775	2,881,435	-7,340 **
Chief Executive	248,703	281,587	32,884
Children Learning & Skills	434,035	437,278	3,244
Finance & Resources	2,540,974	2,728,143	187,170
Place & Development & Regeneration	2,946,735	3,111,170	164,435
DSO & Environment Services	1,683,328	1,689,820	6,491
TOTAL	10,742,550	11,129,433	386,883

** Please note, the negative difference is due to Level 6 post (such as administrators), and below being less expensive to employ as temporary labour than permanent. The majority of temporary labour being employed by the Environmental Service (DSO) are also less expensive to employ than permanent staff.

Please note that on costs are not applicable to temporary workers and therefore can be less expensive than a permanent employee. The on-cost are typically 27% and covers the cost of sickness absence, employer National Insurance contributions, employer pension contributions and other staff costs.

(b) Information on /progress made on establishing a 'pool' of administrators across the Council.

This is currently on hold due to the following; the councils Transformation programme which will lead to a new operating model/new ways of working and the Arvato insourcing exercise.

Under the proposed contract for temporary workers 2020 onwards, the specification is requesting for any future supplier to establish a staff agency bank for the exclusive use of the Council.

(c) Figures previously reported to the Committee be provided to allow Members to identify trends.

	Q4 17/18	Q1 18/19	Q2 18/19	Q3 18/19	Q4 18/19	Q1 19/20
Hours	57,161	71,816	75,907	73,331	81,622	81,688
Spend	£2,052,370	£2,223,81	£2,423,64	£2,500,061	£2,745,65	£2.8

The spend highlighted above includes all roles inside/outside IR35. The increase in expenditure relates to the increase in the number of projects taking place at the council.

On-Contract Roles Opened and Closed

	2019/20		2019/20	
	Q1		Q2	
	Opened	Closed	Opened	Closed
Adult and Communities	22	20	13	24
Chief Executive	2	1	1	3
Children, Learning and Skills	2	7	2	4
Finance and Resources	11	3	8	2
Place and Development	17	22	28	21
Regeneration	6	17	9	7
	60	70	61	61

Engagements over 12 Months in Duration

Directorate	2019/20	
	Q1	Q2
Adult and Communities	31	31
Chief Executive	2	1
Children, Learning and Skills	7	7
Finance and Resources	6	7
Place and Development	45	50
Regeneration	11	9
Grand Total	102	105

On-Contract Value of Spend by Directorate

	2019	
	Q1	Q2
Adult and Communities	786,581.58	804,018.75
Chief Executive	97,269.19	109,622.51
Children, Learning and Skills	146,475.62	78,805.01
Finance and Resources	349,914.64	533,289.15
Place and Development	825,875.06	896,472.43
Regeneration	601,611.87	527,218.41
	2,807,727.96	2,949,426.26

Engagements Durations

		Staff Engaged At Quarter End			
Directorate	Duration	31/12/2018	31/03/2019	30/06/2019	30/09/2019
Adult and Communities	0-3 months	19	19	22	14
	1-2 years	18	14	13	12
	3-6 months	22	15	12	16
	6-9 months	17	11	8	9
	9-12 months	5	8	4	5
	Over 2 years	16	15	17	18
	Adult and Communities Total		97	82	76
Chief Executive	0-3 months	0	2	2	0
	1-2 years	0	0	1	1
	3-6 months	0	0	1	1
	6-9 months	1	0	0	1
	9-12 months	0	1	0	0
	Over 2 years	1	1	1	1
	Chief Executive Total		2	4	5

		Staff Engaged At Quarter End			
Directorate	Duration	31/12/2018	31/03/2019	30/06/2019	30/09/2019
Children, Learning and Skills	0-3 months	2	7	2	2
	1-2 years	7	5	6	3
	3-6 months	3	2	4	2
	6-9 months	2	3	2	2
	9-12 months	2	1	2	2
	Over 2 years	1	4	2	4
	Children, Learning and Skills Total		17	22	18
Finance and Resources	0-3 months	0	1	9	8
	1-2 years	4	3	3	3
	3-6 months	1	0	1	8
	6-9 months	0	1	0	1
	9-12 months	2	0	1	0
	Over 2 years	3	5	3	4
	Finance and Resources Total		10	10	17
Place and Development	0-3 months	16	17	13	28
	1-2 years	25	37	39	46
	3-6 months	19	13	14	9
	6-9 months	13	15	10	11
	9-12 months	17	14	10	8
	Over 2 years	2	2	6	5
	Place and Development Total		92	98	92
Regeneration	0-3 months	6	10	4	10
	1-2 years	12	10	7	5
	3-6	9	4	3	4

		Staff Engaged At Quarter End			
Directorate	Duration	31/12/2018	31/03/2019	30/06/2019	30/09/2019
	months				
	6-9 months	4	7	2	2
	9-12 months	9	3	2	1
	Over 2 years	4	4	4	4
Regeneration Total		44	38	22	26
Grand Total		262	254	230	250

Roles Opened

Directorate	Starters in Over Preceding Three Months			Total Starters
	31/03/2019	30/06/2019	30/09/2019	
Adult and Communities	24	23	15	62
Chief Executive	2	2	1	5
Children, Learning and Skills	8	2	2	12
Finance and Resources	1	11	8	20
Place and Development	20	17	32	69
Regeneration	11	6	10	27
Grand Total	66	61	68	195

Roles Closed

Directorate	Leavers in Over Preceding Three Months			Total Leavers
	31/03/2019	30/06/2019	30/09/2019	
Adult and Communities	39	29	17	85
Chief Executive	0	1	2	3
Children, Learning and Skills	3	6	5	14
Finance and Resources	1	4	1	6
Place and Development	14	23	17	54
Regeneration	17	22	6	45
Grand Total	74	85	48	207

6 Supporting Information

Causes of the Requirement to use Temporary Labour

- 6.1 Temporary labour forms part of the majority of medium and large organisations' recruitment strategy. The Council is no different from these organisations.
- 6.2 The major reasons of temporary staff are:
- To fill gaps in the establishment and the employed staff (recruitment gap);
 - To meet peaks of workload in service areas where demand for work fluctuates (workload gap);
 - To meet the need for short term, fixed or project work where there is no capacity in the permanent workforce (capacity gap)
 - To provide for specific skills or capabilities required on a short or medium term basis (capability gap)
- 6.3 The analysis shows that for lower cost roles, there are savings to be made from using temporary labour as well as increased flexibility for the Council, as indicated by the negative agency premium. This needs to be balanced against the Council's social obligations for provision of permanent employment.
- 6.4 Level 6 provides the break point for cost. This salary Level 7 includes the key pressure points of qualified social workers, occupational therapists and planners. See below a list of posts which are classed as 'hard to fill'. These roles are part of thin markets causing a change in the cost of employing such workers, with workers essentially choosing to work as temporary labour in order to maximise their income. This issue is not isolated to Slough and reflects the broader labour market economics. As such the question for Slough is how to maximise its position in the market and improve its ability to recruit and retain permanent staff in these key services.

A list of posts which are classed as 'national and local shortage' are below:

Job Title	Department	Comment
Approved Mental Health Practitioners	Adults and Communities	National skills shortages
Senior Social Workers	Adults and Communities	National skills shortages
Social Workers	Adults and Communities	National skills shortages
Senior Occupational Therapists	Adults and Communities	National skills shortages
Occupational Therapists	Adults and Communities	National skills shortages
Reablement Assistants/Care support	Adults and Communities	National skills shortages
Public Health roles	Adults and Communities	National skills

		shortages
Cemetery roles	Adults and Communities	Local Skills shortage
Registrars	Adults and Communities	National Skills shortages
Trading Standards Officers	Adults and Communities	National Skills shortages
Food Safety roles	Adults and Communities	Local Skills shortage
Licensing Officer roles	Adults and Communities	National Skills shortages
Administrators	Council wide	Local Skills shortage
Accountant roles	Finance and Resources	National Skills shortage
Electoral Services Manager	Finance and Resources	Local Skills shortage
Business Development Manager	Finance and Resources	National Skills shortage
Business Analyst	Finance and Resources	National Skills shortage
Senior Democratic Services Officer	Finance and Resources	National Skills shortage
Technical Inspectors	Finance and Resources	National Skills shortage
Repairs Managers	Finance and Resources	National Skills shortage
Housing Officers	Place and Development	National Skills shortage
Parking roles	Place and Development	Local Skills shortage
Building Control Officers	Place and Development	National Skills shortage
Planning roles	Place and Development	National Skills shortage
Building Management roles	Place and Development	National Skills shortage
Facilities	Place and Development	Local skills shortage
Major Infrastructure projects	Place and Development	National skills shortages
IT specialists	Place and Development	National skills shortages
Engineers	Regeneration	National skills shortages
Highway specialists	Regeneration	National skills shortages
Traffic Engineers	Regeneration	National skills shortages
Environmental Service roles	Regeneration	National skills shortages

- 6.5 As salary bands increase, the number of workers employed on project type work increases along with specialist skills, causing an increase in pay rates. As an example of this, the Agresso implementation team is included in this range. Further, managerial and executive rates reflect the scarce and valuable nature of senior leadership skills. The majority of these resources related to costs either in relation to the office relocation or the insourcing of Arvato work. Again, these rates reflect broader labour market economics but also the pressures on Slough to transform, causing it to seek higher skilled labour on a temporary basis.
- 6.6 It can be seen that for replacement labour roles, the premium paid for temporary workers is real but is substantially less than the premium paid for project type roles. This reflects the scarce nature of technical and leadership skills required by the Council.

7. Progress Made on Procuring Temporary Labour Services for 2020 Onwards

- 7.1 The Committee should be aware that the contract with Matrix SCM comes to a close on January 2020.
- 7.2 As such, the Council has taken steps to review its requirements for a new contract and has started the process of re-procurement as required by Cabinet in April 2019.
- 7.3 The Council has reviewed its approach and is primarily seeking the following changes to the requirement:
- 7.3.1 The Council will seek to change its model from a neutral vendor model to a hybrid vendor model. In summary, this will require the supplier to provide staff itself where it can whilst retaining the current model of utilising agencies. Such a change better aligns to the requirement of the Council to the operating models of major temporary labour providers.
 - 7.3.2 The Council is seeking the provision of on-site services to enable Council staff to better liaise with the provider to maximise outcomes.
 - 7.3.3 The service provider will be subject to service credits thereby directly incentivising performance to the required standard by reducing fees to be paid in the event of minor supplier underperformance.
 - 7.3.4 The service provider will be appropriately incentivised to improve performance through a sufficiently substantial gain-share mechanism.
 - 7.3.5 The service provider must be able to provide all necessary temporary staff required by the Council, thereby reducing the need for off-contract expenditure.

7.3.6 People Services will employ a dedicated contract manager to drive performance, paid for by a per hour charge on the use of temporary labour.

7.4 The Council intends to award this contract in October 2019 for implementation during November and December 2019 in support of a Quarter 1 2020 go-live date.

8 Conclusion

8.1 The Council continues to require temporary labour to both fill roles it has been unable to recruit for permanently and on a project by project basis to fulfil specialist roles. In some cases it is more cost effective to engage a temporary worker than to recruit on a permanent or fixed term basis to cover a particular role.

8.2 The cost of temporary labour is circa £386,883 over the cost of equivalent employed labour. This figure excludes those working on projects and are classed as Outside IR35.

8.3 The increase in cost for paying for temporary labour is caused by either labour market economics or skill premiums for interim workers. The national and local skills shortage will require the council on an on-going basis to use a resourcing model tailored to the councils requirements.

8.4 Officers will continue to provide useful management information to members going forward to allow greater scrutiny.

MEMBERS' ATTENDANCE RECORD 2019/2020

EMPLOYMENT AND APPEALS COMMITTEE

COUNCILLOR	18/06/19	22/10/19	23/01/20	8/04/20
Bains	P			
Bedi	P			
Brooker	P*			
Chaudhry	P*			
N Holledge	P			
Hulme	Ab			
Akram* (formally known as Hussain)	P			
Mohammad	P			
Sadiq**				
Smith	P			

P = Present for whole meeting
Ap = Apologies given

P* = Present for part of meeting
Ab = Absent, no apologies given

*Councillor Akram (formally known as Hussain) no longer a Member of the Committee from 26th September 2019

**Councillor Sadiq appointed to the Committee from 26th September 2019

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