

## Slough Borough Council

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| <b>Report To:</b>       | Employment Committee   |
| <b>Date:</b>            | 16 <sup>th</sup> April 2024  |
| <b>Subject:</b>         | HR policies  |
| <b>Chief Officer:</b>   | Chief Executive  |
| <b>Contact Officer:</b> | Surjit Nagra – AD Human Resources  |
| <b>Ward(s):</b>         | All  |
| <b>Exempt:</b>          | NO   |
| <b>Appendices:</b>      | A - Disciplinary Policy<br>B - Managing Sickness Absence Policy<br>C - Internal Career Progression Procedure<br>D - EDI policy statement |

### 1. Summary and Recommendations

- 1.1 This report sets out the changes that have been made to 4 HR policies/procedures in line with the requirements set within the HR Improvement plan. The policies have been streamlined and condensed to enable managers to manage their staff more proactively and to foster a culture of strong performance management and employee engagement.

#### Recommendations:

The Employment Committee is recommended to approve the following 4 amended policies/procedures as set out in Appendices A to D:

- Disciplinary Policy
- Managing Sickness Absence Policy
- Internal Career Progression Procedure
- EDI policy statement

**Reason:** The HR policies had not been reviewed for some time and a programme to review all HR policies is now in place. The policies have been streamlined and condensed to enable managers to manage their staff more proactively, and reflect best practice. The policies have been reviewed in line with updated employment legislation and the ACAS Code of Practice.

#### Commissioner Review

Commissioners have reviewed this report and have no specific comments to add.

## 2. Report

### Introductory paragraph

- 2.1 The changes to the policy are in line with the requirements of the HR Improvement plan and to ensure managers receive a suite of up-to-date policies with management guidance to support the use of the policy to manage their staff effectively. The guidance is detailed to aid the development of managers to be able to self-serve the people management issues in their services.
- 2.2 The current policies were felt to be too lengthy and difficult for managers to follow without reference to HR even at the informal stages. Due to their comprehensive nature, the policies could create risks for the organisation in terms of Employment Tribunal claims, and therefore the approach in the revision has been 'less is more.'
- 2.3 They have been streamlined and separated into two parts with the format of a shorter policy statement and a more in-depth management guidance/appendices where relevant to reduce bureaucracy and mitigate risks for the organisation. Some of the policies in this report for approval have significant changes to the policy principles and processes, resulting in more streamlined, proactive and easy to follow stages.
- 2.4 The policies have been consulted with all the staff network groups and Trade Unions. Stakeholders have been invited review the policies, and they have been given the opportunity to comment on the changes.
- 2.5 The key changes to the policies are outlined as followed:

#### 2.5.1 Managing Sickness Absence:

- Reduction in total number of stages in the absence process. Now 1 informal and 3 formal as opposed to 1 informal and 4 formal.
- Dismissal due to ill health can now be instigated at the 3<sup>rd</sup> and final stage of the process.
- Removal of first formal written warnings at 2<sup>nd</sup> and 3<sup>rd</sup> stages of the current policy. These would only remain on file for 6 months and did not have a positive impact on managing the absence.
- Addition of a 12-month monitoring review period in place between each stage of the process enabling managers to move to the next stage at any point (in discussion with HR).
- Introduction of case conferences as part of the process. This is used for individuals who are seriously ill and need to be handled more sensitively.
- Moved cover sheet from front page to back.
- Added in an image to modernise the look and feel of the policy.
- Amended EDI statement.
- Ensured policy is in-line with the ACAS Code of Practice.
- Removed references to Associate Directors.

#### 2.5.2 Disciplinary Policy:

- Section 1.12- expanded on false allegations
- Section 4.4- changed from preliminary investigation to preliminary inquiry. At this stage its very early days in terms of the allegation and having the word investigation makes it look like 2 investigations will be carried out.

- Section 5.1- In suspension section added in fitness to practise as potential reason to suspend.
- Section 5.4- Added section on pre-approved holidays and suspension
- Section 7.2- Reduced the timeframe between realising a case to answer and convening a hearing from 25 days to 10 days, with option to extend to 14 days if necessary.
- 7.3 (e) – Added to this point- Outline the employee’s right to be accompanied by a Trade Union representative or work colleague. In exceptional circumstances where the employee has a disability or mental health concern a support worker may attend.
- 8.2 – Added section- There should be no conflict of interest/direct relationship between the commissioning officer and the chair of panel (i.e. commissioning officer manages the chair)
- 8.10 – New Addition **If a Decision Cannot be reached on the day of the meeting**
- Whilst this is not normally the case, there may be rare occasions when a decision is not given on the day of the meeting. Where this is the case, we will send the decision in writing. We will try to do this within 5 working days of the disciplinary meeting.
- Section 9.1- First written warning to remain on file for 12 months, not 6-12 months.
- Section 9.5- Removed the reference to a change in terms and conditions as a sanction from a hearing.
- Moved cover sheet from front page to back.
- Added in an image to modernise policy.
- Amended EDI statement.
- Ensured policy is in-line with the ACAS Code of Practice.
- Removed references to Associate Directors.

### 2.5.3 Internal Career Progression Procedure

- Change of title from acting up and secondment to internal career progression procedure.
- Introduction of policy focusses on career pathways and vertical growth v lateral growth e.g., acting up/secondments.
- Section 1.3- Added in section that managers should be looking at internal talent across the organisation before proceeding to external recruitment.
- Section 2- Clarification as to why employees with less than 12 months service will not be eligible for acting up/secondments, however managers should discuss with HR if a situation like this arises.
- Section 3- Added in a section on the types of internal career progression and split out the parameters of acting up and secondment to enable managers to understand the difference between the 2.
- Section 3.1.4- Clarification as to the payment for acting up. Where an individual is fully acting up into a higher graded post, the salary will normally reflect the bottom spinal column point of the established salary level for the position being undertaken, with the opportunity to receive further increments depending on the duration of the acting up opportunity.
- Section 3.1.6- Clarification as to the payment for partial acting up. Employees who partially act-up, meaning they are taking on higher level duties compared to their substantive post, but not all of duties of the higher graded acting up post, will be given an honorarium payment to the value of no greater than the first spinal point of the acting up grade for the duration of the partial acting up. There will be no opportunity to receive further increments throughout this period.
- Section 3.2- Definition of what a secondment is with the focus on career

- progression and skills development.
- Section 3.2.4- Clarification of the impact on pay during a secondment. As the purpose of secondments are to provide individuals with development opportunities, and to enable organisations to have a multi-skilled workforce, individuals who are offered secondments will commence them whilst retaining their existing terms and conditions and pay. If during the secondment it becomes evident that the individual has taken on significantly more duties than was previously outlined in the secondment agreement, an honorarium payment may be made following a discussion with the HRBP team.
- Section 4- Recruitment and Selection- Outlined the fair and transparent process that managers are required to follow whereby all acting up and secondment opportunities should be advertised internally across the whole organization. This is to enable all individuals an opportunity to develop their skills.
- Section 4.6- Clarified that if an acting up or secondment becomes permanent, the opportunity should be advertised internally across the organization.
- Moved cover sheet from front to back.
- Added in an image to modernise policy.
- Amended EDI statement.

### **2.5.1 EDI Policy Statement**

- Update of a short policy statement on how Slough aims to have an environment in which each person has equal access to quality services and employment opportunities regardless of protected characteristics.
- The policy aim is for our workforce to be representative of all sections of society and for each employee to feel respected and able to give their best.
- Section 3.2- added in about the 3 aims of the general duty.
- Section 4- Outlines how Slough will meet its equality duties.

### **2.6 Options considered.**

The following options were considered in the revision of the HR policies and procedures.

- *Option 1: Do nothing - leave the policies' This option was not viable as they are out of date which could create risks for the organisation.*
- *Option 2: Amend the policies in line with the HR Improvement plan and strategic objectives of the organisation -.*

***Option 2 was recommended.***

## **3. Implications of the Recommendation**

### **3.1 Financial implications**

3.1.1 There are no direct financial implications related to this report. However, failure to follow the policies could result in significant costs if presented to Employment Tribunals.

### 3.2 *Legal implications*

3.2.1 The policies have been updated in line with employment legislation changes.

### 3.3 *Risk management implications*

3.3.1 These policies mitigate the risks of unnecessary scrutiny and criticism at Employment Tribunals. The policies are in line with updated employment legislation and the ACAS Code of Practice

### 3.4 *Environmental implications*

3.4.1 There are no environmental implications related to this report.

### 3.5 *Equality implications*

3.5.1 An Equality Impact Statement has been completed for each policy.

### 3.6 *Procurement implications*

3.6.1 There are no procurement implications related to this report.

### 3.7 *Workforce implications*

3.7.1 The policy principles have remained in line with the current policy principles which align with employment legislation and the *ACAS Code of Practice*. The policies are a more succinct and provide a suite of templates for ease of reference. This will enable managers to manage their staff effectively without the need for constant HR support-fostering a self-service culture.

### 3.8 *Property implications*

3.8.1 There are no property implications related to this report.

## 4. **Appendices**

Appendix A – Managing Sickness Absence Policy,  
Appendix B – Disciplinary Policy,  
Appendix C – Internal career progression procedure,  
Appendix D – EDI Policy Statement