

SLOUGH BOROUGH COUNCIL

REPORT TO: Employment and Appeals Committee

DATE: 23 October, 2018

CONTACT OFFICER: Surjit Nagra, People Service Lead

AUTHOR: Michelle Higgs, HR Policy Manager
For all enquiries (01753 875788 ext. 5788)

WARD(S): All

PART I FOR APPROVAL

EMPLOYMENT POLICIES AND PROCEDURES

1. Purpose of Report

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

1. revisions to the Disciplinary Policy and Procedure
2. new Volunteering Policy
3. minor amendment to the Redeployment Policy and Procedure
4. amendments to the relevant HR Policies to ensure compliance with the General Data Protection Regulations
5. update proposed to the Recruitment and Selection Policy and procedure to enhance and update the document to reflect changes to the safeguarding requirements

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 to review 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 learned from casework

- 3.2 The opportunity to refresh these policies will ensure they reflect our new employment branding and incorporate guidance and toolkits (containing standard letters) to enable managers to apply the process.
- 3.3 A summary of the new policies and the revisions and updates to policies is outlined below.

4 Disciplinary Policy and Procedure

- 4.1 The Disciplinary Policy and Procedure is a key HR policy. Its purpose is to set and maintain standards of conduct within the Council, and in doing so, ensure that all employees are treated fairly and consistently. It is designed to help and encourage all employees to achieve and maintain satisfactory standards of conduct. Revisions to this policy have taken into account learning from recent casework and employment tribunal findings.
- 4.2 The main areas in the document that have been revised are as follows:
- clarity around about the role and responsibilities of the investigating officer
 - greater guidance in respect of dealing with cases where there are safeguarding concerns
 - how to progress cases if an employee is absent or resigns during the course of the process
 - greater emphasis on how to handle low level disciplinary matters through informal action
 - removal of second formal warning stage to ensure consistency of application.

The revised policy and procedure is appended as Appendix 1.

One key outcome from the review of this policy was that some investigations are not completed in a timely manner. To address this People Services is training managers to undertake investigations so that we can have a 'pool' of managers trained to undertake the investigations when the need arises.

5. Volunteering Policy

- 5.1 Slough Borough Council recognises the benefits that volunteers bring to the organisation. Residents who volunteer for Slough Borough Council are able to gain skills and experience which support their health and wellbeing and may also use the skills they gain to support access into education, employment and training opportunities.
- 5.2 Benefits to the organisation include being able to demonstrate that it supports volunteering and recognises the benefits it brings brings to local residents. The Council is also able to gain further insight into the needs of the local community through volunteers and use this knowledge to shape local services.
- 5.3 People Services has updated the policy to ensure it is in line with current legislation and good practice.

- 5.4 The Policy clarifies the process that internal departments should follow when recruiting volunteers to ensure we have a clear governance structure. It also outlines the checks that departments must make to ensure that the Council fulfils its safeguarding responsibilities towards vulnerable adults and children including training requirements for volunteers, which are key to our S11 duties.

The revised policy and procedure is appended as Appendix 2.

6. Redeployment Policy and Procedure

- 6.1 The wording in the Redeployment Policy and Procedure (2016) relating to protection of earnings was not clear and was causing confusion regarding its application.
- 6.2 The agreed practice is that employees who have pay protection do not receive the annual increments in their new role. However they would be entitled to the annual cost of living awards if they were applied during the “protected period” as this would reduce the detriment. We have noticed that the following sentence in the policy however does not reflect this because it states the employee would not receive the pay award.

“An employee, who is redeployed to a suitable alternative post which is one grade lower, will receive protection of earnings (basic pay plus local weighting allowance) for a period of 1 year. Their salary will be frozen at its current level and the employee will not receive annual pay awards. At the end of the protection period the employee will be placed on the salary grade relevant to the redeployed post”.

- 6.3 We therefore propose to remedy this by replacing the text with **“the employee will not receive annual increments but will be entitled to pay awards applicable during the protected period”**. Trade unions are fully supportive of this change of wording.

7 General Data Protection Regulations (GDPR) 2018

- 7.1 Under the GDPR 2018 it makes reference that inappropriate access or disclosure of employee data will constitute a data breach. To ensure we comply with the requirement we will be adding appropriate wording to the relevant HR policies. This will state that data collected as part of the relevant HR Policy and Procedure will be held securely and accessed by and disclosed to individuals only for the purposes of completing the procedure. Any data breach will be reported under the Council’s Data Protection Policy. Any breach related to this may also constitute a disciplinary offence which will be dealt with under the disciplinary policy and procedure.

8. We are proposing a review of our current Recruitment Policy and Procedure and associated guidance to ensure it meets recent developments relating to safer recruitment practices and safeguarding requirements. We will bring an update to the next EAC in respect of this work.

9 Consultation

Consultation has taken place with the Trade Unions and Employee Engagement Forum. Members of the Corporate Consultation Forum have been consulted. In addition, feedback was sought from SLT and CMT.

10. Implementation Process

The implementation process will include various methods of communication including;

- Newsround
- HRBPs to provide updates at Senior Management Team Meetings
- HR Policy update briefings

11. Background Papers

None.

12. Appendices

Appendix 1 – Disciplinary Policy and Procedure
Appendix 2 – Volunteering Policy