

# PEOPLE AND ORGANISATIONAL DEVELOPMENT COMMITTEE

## HR POLICY REVIEW

13<sup>TH</sup> JULY 2023

### Report of the Chief Officer People and Policy

#### PURPOSE OF REPORT

To enable the Committee to consider and approve a range of amendments and additions to existing policies and procedures.

This report is public.

#### RECOMMENDATIONS

- (1) That, in consideration of the comments of the Joint Consultative Committee on 5 July 2023, the Committee approve the revisions to the policies referred to in this report.

##### 1.0 Introduction

- 1.1 The council has undertaken a phase one review of HR Policies which fall into the category of leave, flexible working and recruitment and selection.
- 1.2 The policy review also concentrates on standardising format and branding of all the HR policies; bringing them in line with the branding selected to produce the employee handbook last year.
- 1.3 The policies where content have been amended are appended to this report, as well as a policy review tracker for ease of sight of which it is asked that the committee considers.

##### 2.0 Recruitment and Selection Policy

- 2.1 The council's Recruitment and Selection Policy was last reviewed in 2013 at which point the decision was made that rather than having a Recruitment and Selection Policy and Procedure, the council would adopt a Policy only and then have online guidance for managers and staff on the recruitment process. This was put in place to modernise and give ease of access to the procedural information and advice, which is lengthy with regards to recruitment.
- 2.2 The recruitment policy has been amended as it was felt that the revised version was too stripped back and that further policy statements on key elements of the recruitment process, timescales and the council's approach to all recruitment exercises was needed.
- 2.3 Amendments have also been made considering our new People Plan and the Council's Commitment to the Fair Work Charter. For example, the requirement to consider whether the

post can be advertised with a flexibility in the way that the duties can be done (inviting early flexible working requests); and giving freedom to allow posts to be advertised internal only, to assist with development of existing staff and progression opportunities.

- 2.4 As part of the review of this policy the existing outdated Recruitment of Ex Offenders policy, last reviewed in September 2006, has also been removed and sections referring to these matters added to the new Recruitment and Selection Policy.
- 2.5 Please refer to the tracker and documents attached to the report for further information on the changes to be reviewed.

### **3.0 Flexible Working Request Policy**

- 3.1 The flexible working request policy has been amended in line with legislation following government support for the Employee Relations (Flexible Working) Bill.
- 3.2 Amendments to the right to request flexible working under the new legislation are as follows:
- Removal of the 26-week qualifying period before employees can request flexible working, making it a day-one right.
  - Requirement for employers to consult with their employees, as a means of exploring the available options, before rejecting a flexible working request
  - allowing employees to make 2 flexible working requests in any 12-month period.
  - requirement for employers to respond to requests within 2 months, down from 3.
  - removal of the requirement for employees to set out how the effects of their flexible working request might be dealt with by their employer.
- 3.3 The changes referenced in the policy tracker have been made considering this legislation.

### **4.0 Flexible Working Hours Scheme**

- 4.1 During the pandemic in 2019 the provisions of the Flexible Working Hours scheme were amended to widen the bandwidth and to increase the deficit and credit amounts. This was done to allow staff maximum flexibility at a very difficult time where caring responsibilities for children and other dependents were heightened.
- 4.2 Further to the pandemic we now have hybrid working arrangements in place. To continue to facilitate staff the flexibility to work from home, at times that suit their work life balance, (within agreement of their line managers) the bandwidth hours are remaining as 6.00am to 10:30pm
- 4.3 The deficit and credit hours however are causing some concern. These concerns are related to the management of staff time being difficult with such wide parameters and the stress that managing working back large amounts of flexi time can put on staff themselves. The council has a wide range of leave arrangements in place to assist staff who may have emergencies with dependents, which better control and facilitate this type of issue.
- 4.4 The main proposed change is therefore to revert to closer to the arrangements that were held before the pandemic (-4 and +12). The credit hours are proposed to be reduced from 21 to 14 and deficit hours from 21 to 7.

4.5 Amendments have also been made to employee and management responsibilities for recording and checking of timesheets as part of the normal end of period process as well as when staff are requesting flexi leave. This is to make this process more robust as there are concerns that not all staff and managers are recording/checking their time records in the spirit of the scheme.

## **5.0 Time off for Public Duties**

5.1 This policy was extremely outdated with its last review being undertaken in 1999. It has been fully changed and therefore the section numbers referred to in the tracker document at those attached to the new policy.

5.2 The legislation regarding Statutory Time Off for Public Duties remains unchanged from that of the Employment Rights Act 1996 however some changes have taken place around trade union facility time in line with the Trade Union Facility Time Regulations 2017 and therefore a section has been added regarding recording of time off for trade union duties (paid and unpaid) to ensure the Council meets its statutory responsibilities.

5.3 Custom and practice arrangements have developed within the council over time regarding paid time off for election duties and blood donation which have been included in the new policy.

5.4 Also included as new provisions, are time off for competing in national and international sporting events and time off for those who work in a voluntary emergency service.

5.5 Provisions for time off for public duties such as volunteering and forces leave have been included and reference made to their originating policies, the Volunteering Policy, and Armed Forces Community Employment Policy.

## **6.0 Early Termination of Employment Policy**

6.1 This Policy has already undergone some recent review due to organisational change exercises currently being conducted.

6.2 As a follow up to these changes and in line with the new senior leadership structure, and existing appeals process in other council policies such as the disciplinary policy, an amendment has been made to who will hear appeals against dismissal on redundancy grounds. This change is from the full personnel committee to the more proportionate Chief Officer or the Chief Executive as the hearing officer.

## **7.0 Comments and Amendments following the meeting of JCC on 5<sup>th</sup> July 2023**

7.1 Recruitment and Selection Policy  
Whilst amendments to the guaranteed interview scheme were not proposed as part of the policy review, it was raised that the JCC would like a widening of the scheme to other protected groups to be considered. This will be considered further and the policy brought back to committee for approval should changes be proposed to be made again in line with this feedback.

## 7.2 Flexible Working Request Policy

It was proposed by JCC that the requirement for employers to respond to requests could be reduced to one month, down from 3. The government legislation stipulates a maximum of 2.

## 7.3 Time off for Public Duties

It was proposed by JCC that in clause 4.2 in the list of TU duties, "Training" should be added as a TU duty as per the Employment Rights Act, in addition to being covered as part of a Facilities Agreement.

In 8.1 it was proposed to add a sentence to this clause to the effect of: "This time limit guide does not apply to Trade Union duties".

## 7.4 Early Termination of Employment Policy

It was proposed by JCC to amend the wording in 2.1 on withdrawal of resignations, to be worded more positively. An example of the change in language could be; "An employee may request to withdraw a resignation and such requests will not be unreasonably refused".

JCC suggested the addition of a new section on "Phased retirements" to allow those seeking to retire to gradually reduce hours over a 12 month period leading up to their retirement date.

It was pointed out that the Council already operates a separate Flexible Retirement Policy which will be reviewed at the time that pay and payments are looked at and in the planned policy review. At that point consideration can be given to whether amalgamation is appropriate and review the wording.

## 8.0 Options

8.1 The options available to the Committee are to approve the revised policies as drafted, to approve the policies with amendments, or not to approve the policies.

However, if substantial changes in respect of any Policy are proposed at the People and Organisational Development Committee meeting, it may be appropriate for consideration of that Policy to be deferred to a future meeting to enable Officers to consider the proposed amendment in more detail and to consult further with the trade unions.

## 9.0 Conclusions

9.1 Members are asked to consider and accept the Officer recommendations set out above in respect of the draft policies appended to this report.

### **RELATIONSHIP TO POLICY FRAMEWORK**

The Council is committed to good standards of employment practice, and it is considered that the amended policies will augment our existing Human Resource Management arrangements.

### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

Please see associated Equality Impact Assessment in respect of this policy.

**FINANCIAL IMPLICATIONS**

Financial Services have been consulted and confirm there are no direct financial implications as a result of this report.

**SECTION 151 OFFICER'S COMMENTS**

The Deputy Section 151 Officer has been consulted and has no comments to add.

**LEGAL IMPLICATIONS**

The appended policies are compliant with employment legislation and there are no further legal implications directly arising from this report.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Policy Amendment Tracker  
Policies Documents for Review

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