

**PEOPLE AND
ORGANISATIONAL
DEVELOPMENT COMMITTEE**

6.10 P.M.

13TH JULY 2023

PRESENT:- Councillors Prof Chris Harris (Chair), Paul Hart, Caroline Jackson, Paul Newton, Sue Penney, Sue Tyldesley (substitute for Mandy Bannon) and Jason Wood

Apologies for Absence

Councillor Mandy Bannon

Officers in attendance:

Alex Kinch	Chief Officer - People and Policy
Stephen Metcalfe	Principal Democratic Support Officer

1 APPOINTMENT OF VICE-CHAIR

The Chair requested nominations for the position of Vice-Chair.

It was proposed by Councillor Caroline Jackson and seconded by Councillor Sue Penney:-

“That Councillor Jason Wood be appointed Vice-Chair of the People and Organisational Development Committee for the municipal year 2023/24.

There being no further nominations, the proposition was declared carried.

Resolved:

That Councillor Jason Wood be appointed Vice-Chair of the People and Organisational Development Committee for the municipal year 2023/24.

2 MINUTES

The minutes of the meetings held on 9th March 2023 and 21st March 2023 were approved and signed by the Chair as correct records.

3 DECLARATIONS OF INTEREST

Councillor Jason Wood declared his interest as an employee and member of UNISON and as a member of Unite the union, these interests being publicly declared. He also declared that his wife is a member of UNISON, Unite the union and GMB.

4 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIR

There were no items of urgent business.

5 CHIEF EXECUTIVE APPRAISAL PROCESS

The Chief Officer – People and Policy submitted a report that updated the Committee on the process for the performance management of the Chief Executive and enabled the Committee to appoint a sub-committee panel. It was noted that the Constitution (People and OD Committee Terms of Reference at 4.2 section e) stated that People and OD Committee will appoint a Panel of (usually of three) from the Committee, including at least one Cabinet member, assisted by one independent adviser, to act as an Appraisal Panel for the Chief Executive.

It was noted that this process was required by the JNC Conditions of Service for Chief Executives. Appraisals should take place on a pre-determined date annually, with monitoring meetings throughout the year, and a mid-year review.

It was proposed that, once appointed, the appraisal panel conducts an end of year appraisal review and set objectives for 2023/2024.

It was moved by Councillor Jason Wood, seconded by Councillor Sue Penney: -

“That a Panel of 4 with membership being the Leader Councillor Phillip Black, Chair of the People and Organisational Development Committee Councillor Professor Chris Harris, Cabinet Member Councillor Caroline Jackson and Councillor Paul Newton.”

Upon being put to the vote the Chair declared the proposition to be unanimously carried.

Resolved:-

That a Panel of 4 with membership being the Leader Councillor Phillip Black, Chair of the People and Organisational Development Committee Councillor Professor Chris Harris, Cabinet Member Councillor Caroline Jackson and Councillor Paul Newton.

6 HR POLICY DEVELOPMENT AND REVIEW

The Chief Officer - People and Policy submitted a report to enable the Committee to consider and approve a range of amendments and additions to existing policies and procedures.

The Council had undertaken a phase one review of HR Policies which fall into the category of leave, flexible working and recruitment and selection.

The policy review also concentrated 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.

The policies, where content had been amended, were appended to the report, as well as a policy review tracker for ease of sight of which the Committee was asked to consider.

Each revised policy was introduced and discussed in turn with questions and comments after each item. The comments and recommended amendments following the meeting of JCC on 5th July 2023 were reported to the Committee.

Recruitment and Selection Policy

The recruitment policy had 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.

Amendments had also been made considering the 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.

As part of the review of this policy the existing outdated Recruitment of Ex Offenders policy, last reviewed in September 2006, had also been removed and sections referring to these matters added to the new Recruitment and Selection Policy.

The policy tracker, appended to the report, advised of further information on the changes to be reviewed. For this policy these were:

Recruitment and Selection Policy			
N/A	N/A	Branding	Policy rebranded to new format
N/A	N/A	Generic Layout	some amendments made to numbering and order of the sections to have general information at the front and then information on the policy relevant to each stage of the recruitment and selection process.
3.2	Existing	HR Responsibilities	error corrected – existing policy read 'probation/appointment review period. Replaced with recruitment and selection process.
4	Existing	Authorisation to Recruit	4.4 4.5 and 4.6. New information added to this section to reflect requirement to give consideration to flexible working arrangements (can the post be advertised as welcoming applications for job share and part time working?), possibility of the post being advertised as an apprenticeship and to ensure consideration of generic strategic fit and organisational priorities and financial resilience of the establishment (i.e. does the post need to be filled like for like or can it be adjusted to represent better value for money or a better organisational fit) when recruiting .
6	Existing	Job Evaluation	section amended from GLPC scheme to Willis Towers Watson Global Grading System
7	Existing	Safeguarding Children and Vulnerable Adults	section title amended to Safeguarding Children and Vulnerable adults and Rehabilitation of Ex-Offenders.
			section amended to include aspects of the dated Rehabilitation of offender's policy also to detail the council's policy on management of DBS checks and unspent conviction disclosure under the Rehabilitation of Offenders Act.
		Removal and Amalgamation of information from the pre-existing Rehabilitation of Ex-Offenders Policy	Rehabilitation of Ex-Offenders Policy which is very outdated to be removed and replaced by this section in the wider Recruitment and Selection Policy. Checks are now carried out by a third-party provider, much of the information contained in the previous policy was due to our own processing of data and umbrella body status which are now not in operation for recruitment purposes.
8	Existing	Permission to Work in the United Kingdom	updated to include section 8.3 and the requirement for share code information from EU, EEA and Swiss Citizens

			following Brexit to confirm their right to work in the UK.
9	Existing	Equality Monitoring	Section title amended to Equality and Diversity
			section amended to a more generic 'Equality and Diversity' section to encompass the existing information about Equal Ops monitoring in 9.1 and then include information on the various existing guaranteed interview schemes in 9.2.
10	Existing	Advertising	10.1. clarity added that there will be a three day delay to advertising to ensure redeployees are given appropriate opportunity to respond first and express an interest
			10.2 amended from internal and external concurrent advertising to ensuring prior consideration internal only for career development and progression reasons as a first instance where possible for higher graded posts (posts above grade 5 and apprenticeship level)
			10.3 Amendments made to update mode of advertising to current circulation list.
			10.4 section added to document internal advertisement process
			10.5 amended so that there is more freedom for managers to advertise externally within their own budgets upon advice from HR should they so wish and to highlight process for raising and processing purchase orders and invoices.
11	New	The Application Process	Detail of the current application process, online only through JGP no CV's. For some specialist vacancies it may be discussed with Human Resources that a shortened version of the application can be used as another option. Confirmation that alternative options for application can be made for disabled applicants dependent on the individuals needs on request.
12	New	Shortlisting	Shortlisting process only to be done using the application and the criteria for the role. Essential criteria used initially then desirable. Need to be consistent with other panel members on way in which shortlisting is conducted. Confirmation into policy of our current procedural timescales i.e. At the shortlisting stage applicants are not routinely offered feedback and should assume that they have not been shortlisted if they do not hear within 3 weeks of the closing date. Stipulation that shortlisting should be completed by managers within 10 working days of the closing date unless previously advised to HR this won't be possible by virtue of likely popularity of the vacancy.
13	New	Declarations and Restriction	Information included regarding some posts being politically restricted and their need to be advertised as such. Also, declarations of applicants and panel members should there be a personal relationship between parties to ensure there is no bias in the recruitment process.
14	New	Selection Methods	Information included on different methods of selection encouraging managers to consider the method that may be best for the role and the individual to demonstrate their suitability.
15	New	Interviews	Stipulation at least 2 on the panel, diverse, if possible, 3 is suitable for the level of vacancy. HR required to sit on any interviews with disabled guaranteed interview scheme candidates. Armed Forces Network on a Veteran interview – referral to armed forces employment policy.
			Training for recruiting managers - removal of this as its own section as in the old policy and inclusion in the 'interviews' section. Now includes more options for learning and development rather than just a face-to-face (irregular) recruitment and selection training course such as online learning, use of recruitment and selection toolkit and

			shadowing or being accompanied by another more experienced manager. Information added regarding pre-employment check required at interview Information added regarding out current policy (unwritten) on notice of interview (5 working days) new stipulation added that recruiting managers ensure shortlisting information is with HR 7 working days before date of interview to allow time for administration of interview letters in a timely fashion. Reference to conducting interviews to include questions themed by the council's values and behaviours and conducting second interviews.
16	New	Feedback and Offers of Employment	Inclusion of the Council's policy on how to make verbal and written offers of employment and what these offers are contingent on. Reference to the councils current advertised position that all candidates interviewed for a position will receive feedback within three working days of the interview and should they require written feedback this is provided within 10 working days.
17	New	Pre employment Checks and Probation/Appointment Review	Inclusion as policy of the Council's requirement for pre-employment checks and probationary/appointment reviews to be undertaken to the required standard.
18	New	Recruitment Difficulties	Inclusion of current arrangements for revisiting the interview pool if a candidate subsequently gives backward/leaves a role within the probation appointment period. Recruiting managers can revisit the pool within 6 months. Encouragement of managers to discuss recruitment strategies for hard to fill roles with Human Resources. Stipulation that established posts should not be filled with off payroll or agency workers without prior discussion with HR.
19	New	Recruitment Complaints	Inclusion of the councils existing procedure for recruitment complaints as policy
20	New	Appointment of Staff who have previously left on the grounds of voluntary redundancy/early retirement	Inclusion of reference to the council's current policy on the re-employment of those who have previously left on VR/ER and reference to the Early Termination of Employment Policy where this resides.
Document control added and footer with version reference			

It was moved by Councillor Jason Wood, seconded by Councillor Professor Chris Harris and unanimously agreed as follows: -

“That the Recruitment and Selection Policy with revisions set out in the report and amendments tracker be approved and that the Chief Officer – People and Policy be actioned to consider the approach to positively encouraging more applicants from minority groups and to work with Councillor Wood on this issue prior to reporting back to the Committee.”

Flexible Working Request Policy

The flexible working request policy had been amended in line with legislation following government support for the Employee Relations (Flexible Working) Bill.

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.

The policy tracker, appended to the report, advised of further information on the changes to be reviewed. For this policy these were:

Flexible Working Request Policy and Procedure			
n/a	n/a	Branding, titles	Policy rebranded to new format; service head titles amended to Chief Officer to reflect new structure.
2.1	Existing	Scope	Section amended to state that flexible working requests are accepted from employees from day one of employment rather than 26 weeks in line with legislative changes.
2.2	Existing	Scope	Section amended in line with new legislation to allow employees to make 2 requests within a 12-month period.
	Existing section 3	Aims and Objectives	This section has been removed and some of its content included in the introduction. it was outdated due to reference to an earlier law change and the wording suited an introduction better.
3	Existing	Conditions and Arrangements	Amended to from a 3 month end to end statutory process to 2 months in line with new legislation.
4	Existing	Requests for Flexible Working	Examples of flexible working amended to reflect current hybrid working arrangements which altered the options listed a little. Reference to 'requests to sometimes work from home' in 4.1 removed as outdated with new arrangements also.
5	Existing	Application Process	This section has been streamlined and employees are requested to fill in the flexible working application form. This ensures that all the relevant information is included in a request and therefore detail of this information does not need to be repeated in the policy.
6	Existing	Action by line manager	Change made to state that line managers should action their part of the request within 7 days to ensure chief officers have long enough to arrange a meeting, should they require to do so, to assess the application within the 21 day timescale that is required.
6.5	New	Action by line manager	Line added to ask that managers discuss flexible working request considerations with their service accountant at this point where budget implications apply.
7.3	Existing	Action by the Chief Officer	Amended to include new right that Chief Officers are also required by law to ensure that they consult with the employees as a means of exploring the available options, before rejecting a flexible working request, and must, in these cases, arrange a meeting. Timescales to inform of a decision in writing reduced to 5 days from 10 days from the date of the meeting/decision date to meet new statutory timescales end to end of 2 months.
8.4	Existing	If the Chief Officer approves the application	Procedure for sign off/production of amendment to contract letter amended. No longer a repetitive requirement to go through the approval process on my view as well as the paper form anymore. Previously this was required to ensure service accountant could update budget. Service accountant will be notified early on to advise financial implications and notified

			by the final signed form of the decision.
9	Existing	Home Working Requests	Section deleted as outdated now that the council operates hybrid working and doesn't require its own section will be incorporated into guidance/working arrangements framework.
13	Existing	Right of Appeal	Previously appeals went from the service head to the director. Under new flatter structure appeals are amended to go from the service Chief Officer to another Chief Officer. Timescale to submit appeal reduced from 10 to 5 days to meet new statutory timescales end to end of 2 months.
14	Existing	Review	Reference to review after the pandemic removed and review changed to every three years or sooner in the event of legislative changes.
n/a	n/a	For information - Accompanying guidance and form.	<p>The Flexible Working Request form has been amended as above to ask line managers to discuss requests and potential budget implications with the service accountant. The section has also been removed which requires an employee to set out to the employer how the effects of their request might be dealt with in line with new legislation.</p> <p>The guidance document is very outdated and much of the document refers to home working requests. The guidance will be removed in its entirety in the short term and revised to be more fitting to the current policy inclusive of a flow chart for the procedure. This would be a more helpful at a glance document for managers and will be developed along with the enabled manager work. hybrid working is referenced heavily in the working arrangements framework and this will be cross referenced with this guidance document.</p>

It was moved by Councillor Jason Wood, seconded by Councillor Paul Newton and unanimously agreed as follows: -

“That the Flexible Working Request Policy with revisions set out in the report and amendments tracker, subject to the amendment to the requirement for employers to respond to requests to include the words “the aim is to normally respond within one month”, be approved.”

Time off for Public Duties

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

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

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

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

The policy tracker, appended to the report, advised of further information on the changes to be reviewed. For this policy these were:

Time off for Public Duties Policy			
n/b This policy was very outdated and was re drafted in its entirety section numbers referred below are those within the new policy for ease.			
n/a	n/a	Branding, titles	Policy rebranded to new format; service head titles amended to Chief Officer to reflect new structure.
		Policy Statement	Existing policy statement removed, not in line with new format
1,2	New	Introduction, scope	Sections added by way of introduction and scope
3	New	Statutory Public Duties	Reference as in existing policy to those statutory public duties
4	New	Trade Union Facility Time	New section added to specifically refer to trade union facility time linking into the process for recording and reporting on this and what time the council will grant paid (duties) and unpaid (activities).
5	New	Jury Service Magistrates and court witness summons	New section added to address the process for payment for jury service, court witness and magistrates and requesting time off via my view.
6	New	Election and By-Election Duties	More detailed section added to explain our statutory duty as a council to deliver elections, encourage staff to take part and outline process for paid leave and payments in line with wider range of duties, postal voting count and by elections.
7	New	Leave for other public duties and services	Forces leave retitled from territorial army reference in previous policy and signpost made to armed forces community employment policy.
			The following sections added: Emergency Services Volunteers (new), Blood Donation (existing custom and practice is first blood donation leave is granted – extended to all donations, Participation in national and international sporting events (new), Community volunteering to reflect provisions of the volunteering policy.
9	New	Recording	Change to reflect the need to record/request all types of time off for public duties on my view.
10	New	Review	Section added to state that the policy will be reviewed every three years.
Document control added and footer with version reference.			

It was moved by Councillor Jason Wood, seconded by Councillor Sue Penney and unanimously agreed as follows: -

“That the Time off for Public Duties Policy with revisions set out in the report and amendments tracker, subject to the amendment to clause 4.2 in the list of TU duties, “Training” be added as a TU duty as per the Employment Rights Act, in addition to being covered as part of a Facilities Agreement and in 8.1 to add a sentence to this clause to the effect of: “This time limit guide does not apply to Trade Union duties”, be approved.”

Early Termination of Employment Policy

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

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 had been made to who will hear appeals against dismissal on redundancy grounds. This change was from the full Personnel Committee to the more proportionate Chief Officer or the Chief Executive as the hearing officer.

The policy tracker, appended to the report, advised of further information on the changes to be reviewed. For this policy these were:

Early Termination of Employment Policy		
Right of appeal against selection for redundancy		Section amended to reflect the same appeals process as the disciplinary procedure. Appeals below Chief Officer level are heard by a chief officer or the chief executive and appeals at chief officer level and above heard by Committee.

During debate it was noted that there was a typographical error in paragraph 10.8 of the policy. It was recalled that in previous amendments to the Policy that those members of staff who had been successfully re-deployed would also still be allowed to apply for VR.

It was moved by Councillor Jason Wood, seconded by Councillor Paul Hart and unanimously agreed as follows: -

“That the Early Termination of Employment Policy with revisions set out in the report and amendments tracker, subject to the amendment to 10.8 to replace the word “unsuccessful” with “successful” and any other consequential amendments to the Policy to allow those members of staff who have been successfully re-deployed to also still be allowed to apply for VR and re-wording of paragraph 2.1 to enable an employee to withdraw their resignation, be approved.”

Flexible Working Hours Scheme

The main proposed change was to revert to closer to the arrangements that were held before the pandemic (-4 and +12). The credit hours were proposed to be reduced from 21 to 14 hours and deficit hours from 21 to 7.

Amendments had 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.

The policy tracker, appended to the report, advised of further information on the changes to be reviewed. For this policy these were:

Flexible Working Hours Scheme		
n/a	Branding	Policy re branded to new format.
Existing	Introduction	Shortened introduction, too wordy some information on scope and not relevant to this section
Existing	Scope	Some information moved on scope from the introduction. Information removed on the suspension of the scheme as already has its own section further on in the policy. Removal of reference to standard ‘office hours’ as these don’t exist anymore and premises opening hours to be referenced elsewhere.
Existing	Operation of the	Re-titled ‘Responsibilities’ as this is a more appropriate heading. Further

	Scheme	key management responsibilities added and employee responsibilities to submit and check flexi sheets at the end of each settlement period as well as when booking flexi leave. Also, responsibility for ensuring excessive hours are not worked placed on both employee and manager to ensure workloads and time is managed effectively.
Existing	The Flexi Time Scheme	This section appeared to be repeated in other areas of the policy and so has been re worded to minimise repetition and some other sections from later added into it. This section is now titled 'Scheme Operation' instead and includes all the relevant information on the main rules and operation of the scheme.
Existing	Bandwidth Hours of the Scheme and Premises Opening Hours	Section amended to reflect new premises opening hours and to state that whilst the bandwidth is longer it is not intended that employees should work on council premises before the hours of 7:30am and after 7:30pm. Longer bandwidths are to support work life balance for employees who are able to work from home in a hybrid way.
Existing	Credit and Deficit Hours	Credit hours amended from 21 hours to 14 hours (roughly two working days) Deficit hours amended from 21 hours to 7 hours (roughly one working day) Increasing of the deficit and credit hours was made during the pandemic to 21 hours both for credit and deficit. As this time has now passed and the requirement for flexibility of hours due to childcare and other issues is less of an issue it is necessary for the hours to reduce to ensure services have a better control on staff hours. Management of the wide credit and deficit hours it is reported is proving difficult in some areas due to the time it takes for balances to return putting a strain on both individuals and operation of services. Previously to the pandemic the credit hours were 12 and the deficit minus 4. These have been extended slightly to reflect nearer to a standard working day and nearer to two standard working days which is more manageable. Staff will be given three calendar months to bring balances in line with the new credit and deficit hours should this be formally approved.
Existing	Breaks	Removal of the mandatory lunchbreak to be taken between 11 and 3pm. This does not fit with some start and finish times now and so it is removed and just a requirement for a break in line with working time regulations referred to.
Existing	Flexitime Leave	Addition that Flexitime leave is only permitted to be booked up to one settlement period in advance. Employees must demonstrate to their manager utilising their flexi recording sheet that they have the required credit to book the days leave. Leave will not be authorised in advance of the accrual of flexi time.
Existing	Recording Hours Worked	Retitled to 'Time Recording' and other sections of the policy on recording in relation to breaks, authorised absences, travel time and training added to this section.
Existing	Relationship with overtime and standby	Previously two sections now shortened and amalgamated to ensure that they are relevant to the flexible working hours scheme. Separate overtime and standby policy to be reviewed at a later point.
Existing	Suspension of the Flexible hours working scheme	Removal of the reference to suspension of the scheme if the employee is under a sickness absence attendance review period. These no longer apply cautions and the related attendance review periods have been removed and replaced with target review periods. Also, this is covered with regards to if the employee is failing to manage their time. Flexi time is also often helpful in relation to the management of medical conditions and appointments.
Existing	Further Information	Retitled 'Review' to note when the policy should be reviewed regularly (after 3 years). No need for a further information section.

It was moved by Councillor Jason Wood, seconded by Councillor Sue Tyldesley and unanimously agreed as follows: -

“That the Flexible Working Hours Scheme with revisions set out in the report and amendments tracker, subject to the inclusion of wording to allow the Head of Paid Service to extend the deficit and credit hours of staff in exceptional circumstances, be approved.”

Resolved:-

That the revisions and amendments to the policies set out above be approved.

7 EXCLUSION OF THE PRESS AND PUBLIC

It was moved by Councillor Jason Wood, seconded by Councillor Paul Newton and resolved as follows.

Resolved: -

That, in accordance with Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it could involve the possible disclosure of exempt information as defined in paragraph 1 of Schedule 12A of that Act.

8 PROPOSED VOLUNTARY REDUNDANCY REQUESTS

The Chief Officer - People and Policy submitted a report to request approval for associated voluntary redundancy costs following restructure consultations to deliver 2023/2024 budget savings following Outcome Based Resourcing (OBR) phase one.

It was moved by Councillor Professor Chris Harris, seconded by Councillor Jason Wood and unanimously resolved as follows:

Resolved: -

That the Committee authorises the approval of associated payments in relation to Voluntary Redundancy appended to the report.

Chair

(The meeting ended at 7.30 p.m.)

**Any queries regarding these Minutes, please contact
Stephen Metcalfe, Democratic Services - email sjmetcalfe@lancaster.gov.uk**