



Committee: PEOPLE AND ORGANISATIONAL DEVELOPMENT COMMITTEE

Date: TUESDAY, 21 NOVEMBER 2023

Venue: LANCASTER TOWN HALL

Time: 6.10 P.M.

A G E N D A

1. **Apologies for absence**

2. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

3. **Minutes**

Minutes of meeting held on 13th July 2023 (previously circulated).

4. **Items of Urgent Business authorised by the Chair**

5. **Employee Engagement Strategy** (Pages 3 - 13)

Report of Organisational Development Officer.

6. **Investors In People Update Following 2023 Assessment** (Pages 14 - 16)

Report of Organisational Development Manager.

7. **Learning and Development Strategy** (Pages 17 - 31)

Report of the OD Manager.

8. **People Plan Update** (Pages 32 - 34)

Report of Organisational Development Manager.

9. **Mental Health First-Aid Policy** (Pages 35 - 45)

Report of Executive Support & Staff Wellbeing Coordinator.

10. **HR Policy Development and Review** (Pages 46 - 75)

Report of the HR Policy and Strategy Lead.

11. **HR Assurance** (Pages 76 - 98)

Report of the Chief Officer – People and Policy.

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Prof Chris Harris (Chair), Jason Wood (Vice-Chair), Mandy Bannon, Paul Hart, Caroline Jackson, Paul Newton and Sue Penney

(ii) Substitute Membership

Councillors Alan Greenwell, Sam Riches and Sue Tyldesley

(iii) Queries regarding this Agenda

Please contact Stephen Metcalfe, Democratic Support - email sjmetcalfe@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support email democraticsupport@lancaster.gov.uk.

MARK DAVIES,
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Published on Monday, 13th November 2023.

People and OD Committee**Employee Engagement Strategy
21 November 2023****Report of Organisational Development Officer****PURPOSE OF REPORT**

To enable the Committee to consider and provide feedback on the introduction of the Employee Engagement Strategy.

This report is public.

RECOMMENDATIONS

That the new Employee Engagement Strategy is considered by the Committee and feedback is provided. Please note that strategies such as this do not require formal Committee approval but views are welcomed.

1.0 Introduction

- 1.1 From time to time the Council will create new Human Resources strategies
- 1.2 A new Employee Engagement Strategy has been developed, through consultation with employee voice forums, and following research and feedback from employees confirming what the organisation should look to address to further develop employee engagement and experience at the council.
- 1.2 This new strategy is presented to the Committee for their consideration

2.0 Employee Engagement Strategy

- 2.1 The introduction of an Employee Engagement Strategy is being proposed following feedback from the two most recent Investors In People Reports and is something we have promised to deliver as part of our People Plan. There are a range of benefits to be realised by focusing on employee engagement, such as increased feelings of belonging, increased dedication to work, as well as absorption in work activity. The strategy has great potential to contribute towards delivering Our Priorities for 2030 Plan:

- A sustainable district
- An inclusive and prosperous local economy
- Happy and healthy communities
- A co-operative, kind and responsible council

Benefits to employees include wellbeing arising from building connections with the

local community, and giving back to society while working on issues they feel passionate about. Further benefits include the development of skills such as communication, team working, creativity, as well as the development of increased confidence and resilience.

2.2 The Strategy covers areas such as:

- Developing employee voice
- Increasing organisational integrity
- Improving strategic narrative
- Creating engaging managers

3.0 Amendments following JCC on 1 November 2023

3.1 In response to discussion at JCC on 1 November 2023, references to specific survey data in the strategy have been removed and the wording to express our commitment to working with Trade Unions has been strengthened.

4.0 Conclusion

4.1 The Committee is asked to consider the new strategy document, make any relevant comments and make any suggestions on the content.

BACKGROUND PAPERS n/a	Contact Officer: Dawn Bradley Telephone: 01524 582230 Email: dbradley@lancaster.gov.uk
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Employee Engagement Strategy

Introduction

The council's strategic plan, Plan 2030, sets out Lancaster's approach to tackling the various challenges that the district faces in the upcoming years. The plan outlines our priorities for addressing the challenges we face, but also the opportunities that exist:

- A sustainable District
- An Inclusive and Prosperous Local Economy
- Healthy and Happy Communities
- A Co-operative, Kind and Responsible Council

Our colleagues are critical in helping us to achieve these priorities and fulfil our purpose: 'in partnership with our communities, creating a district where people can flourish'. However, without an engaged and valued workforce the challenge of achieving our priorities becomes greater.

This Employee Engagement Strategy details a range of initiatives that will support us in harnessing our collective skills, knowledge and voice, to enable us to establish a place where we come to work with enthusiasm, energy and feel involved in delivering on our plan.

What do we mean by employee engagement?

Employee Engagement can be defined as the involvement and enthusiasm of employees in their work and workplace. In other words, it is where an employee is actively engaged in their work rather than simply putting in the time. Although there is no 'one size fits all' approach in creating successful employee engagement, four common enablers emerged from the Macleod Review, 2009: employee voice, engaging managers, organisational integrity and strategic narrative.

Aims of the strategy

This strategy has been designed to support all Lancaster City Council colleagues by taking an approach that considers the four key enablers of employee engagement. To achieve our intended outcomes as an organisation we want to create an environment where all employees come to work energised, where we are motivated in our job, feel heard, and enjoy working for Lancaster City Council as an employer. This can only be achieved if:

- Employees work in an environment where they feel able to express their views, opinions, concerns and suggestions and are central to solutions (employee voice)
- Managers engage with and enable their teams to perform effectively (engaging managers)
- The organisation's values reflect the day to day behaviours seen in employees at all levels i.e. what we say is what we do (organisational integrity)
- We have visible and empowering leaders who keep the people in the organisation up to date on where we're coming from, where we're currently at, and what the future holds (strategic narrative)

Why Employee Engagement is important

How we communicate, listen to each other and act on what we hear is at the heart of employee engagement. In improving how we engage with each other, we are aiming to:

- Develop a shared understanding of the council's vision and priorities, therefore having a greater sense of purpose in our role
- Live shared values that result in greater trust and motivation to perform well
- Experience greater job satisfaction and involvement in the direction of our own job
- Have a desire to improve the way things are
- Feel empowered at work and enabled to contribute ideas that are acted on
- Improve employee retention
- Feel happy, healthy and included
- Feel more involved in the ongoing changes in our organisation

How will we know it's working?

To ensure that this strategy is delivering on its intended outcomes (i.e., employees are engaged and consequently we are successfully delivering on our corporate plan) we will look to evaluate the progress made and where we might need to focus more effort. To do this we will use a number of different evaluation methods, including:

- An annual employee engagement survey in which we are able to ascertain how engaged employees are
- Regular pulse surveys to gain a temperature check on employee engagement throughout the year
- Workforce Analysis statistics and corporate performance targets to check for correlation between improved employee engagement and performance

Engagement strategies and initiatives

A number of common themes have emerged from the feedback you provided us in employee surveys and other consultation activities over the past couple of years; all of which have helped focus the action plan set out in this strategy. These will guide us in improving where we need to over the next three years.

Visible and empowering leadership

The two most recent Investors in People surveys found that a significant proportion of staff didn't agree that management communicates the organisations ambition or that they trust the leaders of the organisation.

We will aim to provide a strategic narrative through strong, visible and empowering leaders who make it clear to employees the current state of the organisation, where it's coming from and where it's going to, i.e. what changes are coming and what is the rationale for it. The intention of this is to help create a line of sight between any individual's job and the Council's vision. This message should be communicated clearly and consistently. All employees should also be afforded the chance to be kept in the know on major projects and plans undertaken by the Council that may affect their role, and also be kept up to date on what's happening at a service level. This will

be done through a range of communication methods, embracing digital technology whilst also recognising the value face to face communication brings.

Engaging managers

Extensive research has shown that someone's manager is the primary factor in an employee being engaged. An engaging manager is one who provides focus for their employees and the trust and freedom to get the job done. They also form strong connections with the individuals in their team and are able to effectively coach, stretch and support them all whilst focusing on their strengths. They additionally don't rely on HR to have difficult conversations and address any dysfunction appropriately as it happens. Survey statistics suggest that this is something managers generally already do well but it's an area where we will look to provide support through appropriate training and networks for new to role and existing managers. A particular focus needs to be placed on addressing poor performance appropriately.

Employee Voice

If seeking to make changes, our employees should be seen as central to the solution, to be listened to and invited to contribute their experience, expertise and ideas. This will allow for commonly held views and beliefs to be reinforced or challenged. Our Lancaster District Fair Work Charter states that "a culture of engagement and consultation should be fostered with employee voice at all levels being heard" and that employers should "focus on facilitating engagement opportunities and maintaining workforce buy in to working practices by listening to employees regarding what works well and what doesn't."

To enable employee voice we need to ensure that we have the right mechanisms in place to listen to employees and co-create change. We endeavour to provide more channels in which employees can have their voice heard, so that awareness is raised of how staff are feeling on the ground and what some of the main issues facing them are. We want employees to be actively involved in decision making and their ideas and views to be acted on.

Central to employee voice is having effective collective voice, and a regular dialogue with recognised unions is crucial to achieving this.

Organisational Integrity

The 2023 IIP Review found that Lancaster City Council were below the IIP average indicator score for living its values. In December 2022, we launched our new organisational values, along with an accompanying behaviours framework. These values and behaviours were a refinement of our previous organisational values and came about through co-creation with managers and staff, to understand the actual values and behaviours that we have in common as a workforce and that drive us in our work.

Through good communication we aim to ensure everyone knows what the values and behaviours are and how they apply to each service area and job role in practice. It's also important to consider what we do to recognise successful delivery of our values or speak up and challenge when people act in conflict with them. Our managers will also role model the values and these will be embedded within policies and processes throughout the organisation.

The Plan

Enabler	Initiative	Actions	Who	Year of Plan
Visible and Empowering Leadership	Leadership/Chief Officer Briefings	<ul style="list-style-type: none"> That we commit to monthly “Leadership Team” briefings, each month led by a different Chief Officer (or more) on a particular topic, for no longer than 45mins, including time for questions. Leadership Team briefings to be “high level” and be led by Chief Officers, who are joined by other colleagues as helpful or appropriate. All Chief Officers are not expected to attend each month. Leadership Team briefings to be held online, with in person sessions arranged for White Lund Depot and Salt Ayre Leisure Centre (if felt appropriate by Chief Officers). The online briefings will be recorded and shared, with option to show the videos on digital screens too once in place. 	OCE Leadership Team	Ongoing
	Chief Exec Coffee and Chat	<ul style="list-style-type: none"> That we begin “Chief Executive Chat” sessions (or similar) bimonthly, where the Chief Executive will visit each site, and host a small conversation with colleagues. If these are successful, we could arrange further sessions. Thoughts around approaching teams or asking teams to approach us, with some scheduled sessions in advance in certain spaces (like the breakout spaces). 	OCE Leadership Team	Ongoing
	Weekly message from the Chief Exec	Chief Exec to continue providing a weekly message in the staff newsletter	Comms OCE	Ongoing
	Digital Communications	Installation of digital screens across Council venues to provide an additional communication platform for internal communications	Comms Marketing ICT	Ongoing

		Roll out of digital tablets to be accessible from our main sites, including in frontline area to further enable access to corporate communications	Property	
	Wider Leadership Team Meeting	All Chief Officers and their direct reports to collectively meet on a quarterly basis	OCE Leadership Team Managers	Ongoing
Engaging Managers	Commitment to Annual Conversation	All managers to hold annual conversations with individuals in their team or as a collective team in exceptional circumstances	Managers	Ongoing
	Performance Improvement Conversations	Improve the effectiveness and frequency of performance improvement conversations through the professional development of managers. Managers to actively tackle dysfunctional behaviour by giving feedback in the context of overall performance in a way that encourages and empowers an individual to build on their strengths and helps to address behaviours that are getting in the way of great performance.	Managers HRBPs	Year 1
	Coaching	To introduce a coaching for success programme to all managers to allow for effective coaching and stretching of employees as a result of professional development.	HR/OD	Year 2
	Manager's network	To introduce a manager's network to create a shared space for support on common people manager themes/issues.	HR/OD	Year 1
	Change Management	Improving employee engagement in the initial stages of change programmes, seeking to understand the perspective of others. This will be achieved through the professional development of managers.	Managers HR/OD	Year 1
Employee Voice	Annual Survey	Create and launch an annual staff survey	HR/OD	Year 1

		<p>Increase the response rate year on year.</p> <p>Focus on accessibility in frontline areas</p> <p>Develop a structured response to findings and empower services to take action in areas under their control</p>		
	Focus Groups	To utilise focus groups for staff to input on changes to people related processes as well as to gather further evidence and inform action planning at a local level in relation to annual survey results	HR/OD	Year 1
	Frontline Forum – We’re Listening Group-	<p>To further establish the We’re Listening Group so that there can be a regular cascade of key messages from senior leaders to frontline staff, as well as the feeding up of issues on the ground.</p> <p>To look at viability of expanding frontline forums into other areas where employee voice has greater barriers</p>	HRBPs WLD Mgt	Ongoing
	Staff Networks	<p>Strengthen and develop existing staff networks and look into feasibility of new networks if there is an identified gap.</p> <p>Promote value of networks, so that they are seen as an integral part of employee engagement and consultation, with unique insights and views</p>	OCE HR/OD	Ongoing
	Staff Ambassadors	<p>The purpose of the Staff Ambassador Forum is to allow:</p> <ul style="list-style-type: none"> - senior leaders to discuss and consult with the workforce over strategic change - information on key issues to be presented to workforce representatives 	HR/OD SAs	Ongoing

		<ul style="list-style-type: none"> - representatives to present the 'hot topics' from the workforce to management and bring forward ideas, queries and suggestions that need attention at a senior level. <p>The Staff Ambassador Scheme is to receive increased focus, with a forward agenda spanning the year, in which there is an expectation of greater senior leader involvement.</p>		
	Pulse Surveys	Introduce pulse surveys to temperature check engagement levels, ascertain progress against actions and gain views on topical subjects.	HR/OD	Year 1
	Exit/Stay Interviews	<p>A review of our existing exit interview process is needed to understand if we are gathering the most valuable information that we can, that departing employees are having a fair chance to have their say, and that themes are analysed and used to inform decision-making.</p> <p>We will launch stay interviews to understand employees' motivations for continuing to work at Lancaster City Council and what threats exist that may lead to them leaving in the future</p>	HR/OD	Year 1
	Alignment of employee and collective voice	<p>To create a stronger link between union representatives and staff ambassadors</p> <p>Invite union representatives to presentations on the results from the employee survey and work collaboratively to address any issues.</p> <p>Union representation to be consistent at our frontline employee forums.</p>	HR/OD	Year 1

	Staff Conference	To further refine that staff conference event which will allow for an annual celebration of what we've achieved over the past year and provide a chance to ask questions to leadership about the year ahead	HR/OD OCE Comms Leadership Team	Ongoing
	Trade Unions: information for employees	Sharepoint page provided for employees to find out information about trade unions and how to join.	HR/OD	Year 1
Organisational Integrity	Creation of a speak up culture	We will ensure that everyone understands the channels available to them to speak up if something is not right and to influence change within the organisation. We intend to develop a culture through the promotion of our values where everyone feels comfortable raising concerns and are empowered to make a difference.	HR/OD	Ongoing
	Setting, enforcing and reinforcing behavioural expectation	Exiting perpetrators of discrimination, bullying and harassment.	HRBPS Managers	Year 1
	Role Modelling	Leaders and managers are fully engaged and are role modelling the values and behaviours, using the values and behaviours framework as a guide	Managers	Ongoing
	Embed values and behaviours	Values and behaviours are embedded throughout the organisation's policies, processes and practices	HR/OD	Ongoing
	Values Based Recruitment	Values Based Recruitment guidance and training to be developed and adopted by managers to enhance the quality and quantity of values-based interviews, in order to recruit people with values that match the organisation	HR/OD Managers	Year 1
	Values Performance	Develop ways in which to further embed values in performance management processes	HR/OD	Year 2

	Recognition	<p>Celebrating Success Event to be replaced by annual recognition of employees and teams who have lived the values, through the Staff Conference</p> <p>To explore options to develop the current recognition wall and other means in which employees can be recognised for their achievements</p> <p>Recognition of team successes and also visibility of what teams do through sharing of stories</p>	<p>HR/OD</p> <p>Leadership Team</p> <p>Comms</p>	Year 1/2
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People and OD Committee**Investors In People Update Following 2023 Assessment
21 November 2023****Report of Organisational Development Manager****PURPOSE OF REPORT**

To update the Committee on the key findings and overall result of the 2023 Investors In People assessment.

This report is public.

RECOMMENDATIONS

That the Committee acknowledges the result of the 2023 Investors in People assessment. Questions or feedback are welcome.

1.0 Introduction

- 1.1 This report sets out a summary of the recent Investors In People (IIP) assessment, where Established Silver accreditation was awarded.
- 1.2 IIP is a highly regarded organisation that assess organisations against their 'We invest in people' framework, which considers how people are led, supported, and developed at work. Recommendations and advice is then given on how to improve workplace culture, specifically in areas around employee engagement, communication, organisational culture and work practices. A comparison is also made against other organisations and in the sector.

2.0 Background

- 2.1 The last IIP assessment took place in 2021, where a benchmark score of 644 out of 900 was obtained, resulting in Silver accreditation. There were areas for improvement identified in the 'Leading and Inspiring People' and 'Recognising and Rewarding Performance' categories (two out of nine assessment categories), meaning that Established Silver was not awarded on this occasion.
- 2.2 The IIP assessment involves a survey where all employees are invited to respond, and discussions with managers, employees, and members of the HR and OD Team.

3.0 2023 Assessment Overview

- 3.1 Established Silver accreditation was awarded on the basis of an improved benchmark score of 668 out of 900 (up from 644 in 2021), and all nine categories of the framework achieved Silver (only seven in 2021).

- 3.2 This is a result to be very proud of. The average industry benchmark score (Public Administration and Defence) is 683, and the average IIP score is 728, which demonstrates that there is still work to be done to ensure that our employees have a good experience of working at Lancaster City Council.
- 3.3 IIP reported that this Established Silver level of recognition indicates that there are structured, strategic and systematic 'people' approaches and processes in place. The 'strategic intent' of the organisation is supported by well-formed focused and measurable plans. In terms of good practice, the right principles are in place and there is real evidence that leaders are making active efforts to make sure that cultural change is being driven, 'people' processes and activity are being implemented and everyone in the organisation is starting to feel the effects.

4.0 Further key points reported by IIP

- 4.1 The **OBR work**, with its comprehensive review of structure, strategy and systems, was acknowledged as having a clear strategic intent to improve efficiency, improve efficiency, improve conditions for colleagues, protect services and ensure the people of Lancaster, its communities and visitors can enjoy the best possible experience. Additionally, that the organisation had responded positively to it.
- 4.2 That the new **organisational structure**, with its move away from the Directorate Model to a structure where Chief Officers have more collective responsibility and accountability, is more agile, and promotes collaboration.
- 4.3 **Our values**, that were recently refreshed and cocreated with staff, are firmly embedded, and this is an organisational strength.
- 4.4 Our **approach to organisational development (OD)** has a strategic platform, and clear objectives and priorities.
- 4.5 Our **People Plan** is comprehensive and ambitious.

5.0 IIP practitioner observations

- 5.1 **Leadership development** is key to delivering the priorities in the People Plan.
- 5.2 Effective leadership and management to develop **high performing teams** are critical to long term success in the context of trying to do more with less.
- 5.3 There is further work needed to support our managers to operate in a 'transformational' way in terms of **leadership behaviours**, so they move from a more traditional 'transactional' style of management (focused on tasks and functions) where compliance, process and maintaining the status quo are more dominant behaviours, to motivating, inspiring, coaching, empowering, developing and leading for the future.

6.0 Survey and focus group findings

- 6.1 People are **clear of what is expected** from them and of what support and level of engagement they can reasonably expect from their manager and the organisation.

- 6.2 Most people are **proud to be associated with Lancaster City Council** and feel that the organisation is a good place to work. This is a key indicator of employee engagement.
- 6.3 Most people commented that **engagement, communication and collaboration have improved**. Organisational re-structure has both enabled and required improved levels of collaboration. Collaboration is identified as an organisational strength.
- 6.4 **Performance management** – most people reported having regular discussions with their managers and the new Annual Conversation process is being embedded.
- 6.5 **Learning and development** – people feel that it has improved and they know how to access it. There is scope for managers to better understand the link to ensuring that development has an impact on performance. Coaching, as a leadership behaviour, was identified as an area for further development.
- 6.6 **Wellbeing** – the approach has been strengthened. Understanding and communication has been improved with the formation of a staff wellbeing and inclusion group. Wellbeing surveys, wellbeing action plans and mental health first aiders have been introduced.

7.0 Key areas to address and progress already made:

- Support managers to manage change – leadership development and enabled manager programmes are being launched.
- Position values and behaviours in all people processes – underway.
- Further develop OD so that it is holistic and fully integrated – this is the aim of the People Plan.
- Develop people metrics – this has been done with the introduction of the HR dashboard.
- Support management/leadership development – Lancaster People Manager Essentials being launched.
- Ensure recognition closely aligned to high performance – reward and recognition strategy is included in the People Plan.
- Ensure the impact of people interventions are kept under review – built into the People Plan.

8.0 Conclusion

- 8.1 The IIP 2023 assessment result in the award of Established Silver and this is to be proud of. Clear progress has been made since 2021 and there are clear plans in place, in the form of the People Plan, to go further.

BACKGROUND PAPERS n/a	Contact Officer: Dawn Bradley Telephone: 01524 582230 Email: dbradley@lancaster.gov.uk
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People and OD Committee**Learning and Development Strategy
21 November 2023****Report of Organisational Development Manager****PURPOSE OF REPORT**

To enable the Committee to consider and provide feedback on the introduction of the Learning and Development Strategy.

This report is public.

RECOMMENDATIONS

That the new Learning and Development Strategy is considered by the Committee and feedback is provided. Please note that strategies such as this do not require formal Committee approval but views are welcomed.

1.0 Introduction

1.1 The HR/OD Team are inviting comments and feedback on the introduction of a new Learning and Development Strategy. The need for a focussed strategy on learning and development was highlighted during the research and consultation phases of the People Plan.

2.0 Proposal Details

2.1 We have a range of commitments detailed in a brand-new strategy to allow us to deliver on our Council Priorities through investing in the development of staff to enhance organisational performance. There has been no formal strategy in place before.

2.2 The Chartered Institute of Personnel and Development (CIPD) states that a learning and development strategy should outline how an organisation develops its workforce's capabilities, skills, and competencies to ensure a sustainable, successful organisation. It is a key part of the overall business strategy.

2.3 As part of the development of the strategy, the principles set out in the Fair Work Charter relating to development have been followed:

- Equal opportunities
- Aiding career progression
- Developing skills through recognised qualifications, apprenticeships, etc
- Assisting employee to develop and retain skills
- Use of local educational establishments to increase skills and grow local talent
- Clear performance management processes in place to assist with skills

development and succession planning.

- 2.4 The strategy commits to nudging our learning culture to one where people are enabled to develop in the way that they want to do in order to work at their best. It brings together our commitments to our values, having effective induction and onboarding, the Performance Conversation Framework, Leadership and Management Development, the variety of ways to learn and develop, how volunteering is an effective and rewarding opportunity to develop, the importance of coaching and mentoring, the link to reward and recognition, and many more.
- 2.5 The Corporate Learning and Development (L&D) Budget will continue to be held centrally by HR with all service development expected to come from this budget. Services will be required to produce Annual Team Development Plans, identifying learning and development needs and classifying them, in order to access funding from the Corporate L&D Budget.
- 2.6 We will introduce a method to classify and prioritise access to the L&D Budget. Development will be prioritised in the following order: 1. Mandatory training, 2. Corporate training need, 3. Learning essential to perform effectively in job role, 4. Learning to enable personal or professional development.
- 2.7 We will maximise the use of the Apprenticeship Levy to deliver learning and development. Managers and employees will be strongly encouraged to consider Apprenticeship Levy funded training when considering options for learning and development. An Apprenticeship Strategy is forthcoming.
- 2.8 Employees will be entitled to 2 days per year “protected learning time” to devote to learning and development (pro-rata for part time staff) that is not mandatory training or learning essential to perform effectively in job role. Employees can choose how to use this time, in agreement with their line manager, and it can be used as two full days to attend a training course, or in smaller units of time for self-guided learning. This time will need to be recorded on a Protected Learning Time Log.
- 2.9 We have produced clear guidance on repayment of learning costs and fees. There will be no requirement for employees to repay any costs associated with learning and development that fall within the categories of Mandatory Training or Corporate Training Need or any learning and development funded by the Apprenticeship Levy. Other learning and development incurring a cost to the council will be required to be repaid under certain circumstances, detailed in the strategy.
- 2.10 Key deliverables from the strategy include the following:
 - The development of a Leadership and Management network
 - Leadership and Management development through the apprenticeship levy
 - Introduction of coaching and mentoring
 - A job shadowing scheme
 - A review of our e-learning offer
 - A new Apprenticeship Strategy
 - A focus on building skills, including the introduction of role profiles
 - A robust training evaluation process in place to check for knowledge acquired, behaviour change and return on investment
 - A programme of work to update induction is already underway

3.0 Details of Consultation

3.1 We have consulted with (and sought information from)

- JCC
- Trade Unions
- Staff Ambassadors
- Managers
- Survey data
- Leadership Team

4.0 Options and Options Analysis (including risk assessment)

	Option 1: [Approve the strategy]	Option 2: [Stay as is]	Option 3: [Insert option]
Advantages	<ul style="list-style-type: none"> - More coordinated allocation of budget - Better utilisation of apprenticeship levy - Greater development time and opportunities for all - Better potential for reporting 	<ul style="list-style-type: none"> - As we are aware of the current process there will be no additional time needed to train the team or managers 	
Disadvantages	<ul style="list-style-type: none"> - The process has more forms than previously 	<ul style="list-style-type: none"> - Limited coordination of approving training requests - Underutilisation of apprenticeship levy - Limited development opportunities - Very challenging to report meaning people can abuse the budget 	
Risks	<ul style="list-style-type: none"> - The new process runs the risk of people not engaging and filling out forms incorrectly, if seen as overly 	<ul style="list-style-type: none"> - The lack of ability to report means that people can continuously put through training requests with the budget 	

	<p>complex. It's important to make these forms accessible and appropriate training offered to managers to mitigate the risk</p>	<p>code, bypassing L&D, with the team being non the wiser</p>	
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5.0 Comments and Amendments Following the Meeting of the JCC on 1 November 2023

- 5.1 The strategy has been reviewed to ensure that the requirements of the Fair Work Charter have been incorporated and further discussions to better understand the Charter are welcomed.
- 5.2 Comments around the nature of the link between learning and development and performance have been considered and the description of learning and development used by the Chartered Institute of Personnel and Development (“ensuring workers have the knowledge, skills and experience to fulfil individual and organisational needs and ambitions) has been incorporated into the first section about commitments.
- 5.3 The reference to ‘learner led learning’ has been changed so that the definition of ‘self directed learning’ according to the CIPD has been used, referring to empowering employees to take charge of their own learning needs and learn at their own pace, according to their own needs and in a style that suits them.

6.0 Officer Preferred Option (and comments)

- 6.1 Option 1, where the strategy is introduced in its current format, as this will be an important foundation in shifting our learning culture, meaning we have the development opportunities in place and workforce skills to meet our priorities and address challenges.

7.0 Conclusion

- 7.1 We recommend that we introduce this strategy in its current format, taking into consideration comments and feedback from the Committee.

CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

n/a

LEGAL IMPLICATIONS

There are no legal implications.

FINANCIAL IMPLICATIONS

There are no financial implications to the implementation of the strategy, other than usual spend of the corporate training budget.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:

This is the strategic work plan for the HR and OD team so will involve resource use from across the council.

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments to add.

BACKGROUND PAPERS

Strategy appended

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Learning and Development Strategy

1. Commitments

We will:

- Ensure that the purpose of all learning and development is to by equip our employees with the knowledge, skills and experience to fulfil individual and organisational needs and ambitions.
- Ensure that we are guided by our values when supporting, enabling and developing learning and development strategies and interventions.
- Promote the development of a learning culture that is owned by all, regardless of their status or position.
- Support both managers and employees to identify learning and development needs, along with ensuring that individuals own their individual development plans according to their specific needs and aligned with the strategic plans of the council.
- Enable learning and development interventions that use a variety of different means, including formal training, on-the-job learning, coaching and mentoring, learning from others, etc.
- Maximise use of the Apprenticeship Levy to deliver learning and development.
- Provide quality, cost-effective and relevant learning and development opportunities, designed to enrich individual and organisational skills, knowledge and behaviours.
- Embrace and design innovative and flexible learning and development opportunities.
- Support the creation of career pathways based on skills development and role profiles.
- Create, promote and foster an organisational environment that values development, diversity and opportunities for all employees.
- Support teams to ensure that they are aware of how future changes to the internal and external environment may impact development needs.
- Ensure the quality and effectiveness of learning and development interventions through thorough evaluation.
- Prioritise use of the corporate training budget according to council priorities, based on our corporate plans, our key performance indicators, and our requirement for longer term workforce sustainability.

- Develop talent pathways into the council by working with schools, colleges and universities, and by providing work experience or other similar opportunities to relevant groups or individuals.

We will support the creation of high performing teams by:

- Enabling a culture that is shaped by our values.
- Developing strategic learning and development plans that are aligned to the needs to the organisation, with both a current and future focus.
- Supporting the development of all people managers through a range of learning and development interventions, including developing an Enabled Manager programme to allow simple self service and self development options.
- Supporting all people managers to participate in effective performance management using the Annual Conversation process, involving the setting of meaningful objectives, providing effective feedback and cocreating individual development plans.
- Promoting the use of the Performance Conversation Framework.
- Encouraging people managers to participate in formal management and leadership development programmes.
- Developing aspiring leaders.
- Ensuring that all people managers listen to and engage with their team members to promote organisational effectiveness and cross team integration.
- Focussing on individual needs to ensure the most relevant and required skills are developed, keeping future organisational needs in mind.
- Supporting the creation of career development plans to ensure long term workforce sustainability.
- Encouraging protected learning time (equivalent to two days per year, pro rata for part time employees, to be used flexibly).
- Developing an effective induction and onboarding experience for new starters, in conjunction with a supportive probationary period, to ensure quick integration and settling into the organisation.
- Developing mandatory training programmes to ensure compliance with essential legislation and policies.

We will ensure equality of opportunity in relation to learning and development:

- All employees will be supported and encouraged to commit to their own learning and development throughout their time at Lancaster City Council.
- Learning and development opportunities will be designed with flexibility to reflect the various working styles in operation.
- A learning culture will be promoted where all employees value both their development and that of their colleagues.
- An understanding of the wide variety of learning and development opportunities available, that go beyond traditional training courses, will be promoted.
- Ensuring that learning and development is self directed by the learner where at all possible, where employees are empowered to take charge of their own learning needs and learn at their own pace, according to their own needs and in a style that suits them.

2. Values

Our values of Pride, Ownership, Working Together and Ambition are central to the way we work and how our decisions are made. Values discussions are built into our Performance Conversation Framework and inform objective setting and development plans, aided by an Assessing Impact self-assessment tool.

Any decisions made in relation to learning and development will be guided by Our Values.

3. Induction and Onboarding

Every new starter will receive a comprehensive induction, designed to meet the needs of the individual, the role undertaken and the service area. The purpose is to help new starters settle quickly into their role and become a high performing contributor to our work as soon as possible.

Onboarding starts from the moment an applicant accepts a job offer, and support will include a suite of elearning modules, the allocation of a 'buddy', a socialisation event, opportunities to understand our work, our priorities, our culture, and our values. Support will also be provided to develop any required role specific skills as part of a structured plan.

4. Our Performance Conversation Framework

The Performance Conversation Framework is comprised of four conversations to help individuals and teams to work at their best through:

- Annual Conversations
- One to One Conversations
- Team Conversations
- Performance Improvement Conversations

The purpose of which is to ensure that individual and team performance is aligned to Our Values and our corporate plans, with a key focus on delivering great outcomes for our residents, businesses and communities, while ensuring that our employees feel valued, motivated and engaged. When regular discussions take place, development needs are naturally identified, and this forms the basis for how we identify and prioritise learning and development.

Please refer to our Performance Conversation Framework for further information [Annual Conversations and Managing Performance](#)

5. Leadership and Management Development

We are committed to ensuring that all of our people managers have the skills, knowledge, and ability to perform well in their roles and create a shared culture informed by our values. We will do this by:

- Leadership and management development programmes
- In house networks
- Coaching and mentoring opportunities
- Action learning sets
- Enabled Manager programme of self-directed learning and support.

We are also committed to developing the next generation of people managers and will develop aspiring manager programmes to meet this need.

6. Learning and Development Interventions and Opportunities

We are committed to providing a broad range of relevant learning opportunities that are flexible and tailored to individuals' needs according to their preferences. In line with our hybrid working practices, we will encourage an ethos of learning anywhere at any time. This makes learning and development more accessible and is better suited to the time and resource constraints of a modern and flexible organisation.

Although structured learning, in the form of training courses, is still valuable, there are many other ways that learning and development can be achieved and are proven to be more effective in improving performance. These can include:

- Problem solving
- New and challenging tasks within an existing role
- Taking on new responsibilities
- Reflection
- Coaching
- Mentoring
- Shadowing
- Work experience
- Giving and receiving feedback
- Action learning
- Learning in networks
- Volunteering

We will also provide a curated selection of more traditional learning and development opportunities such as training courses and elearning courses.

7. Volunteering

The council's Employee Volunteering Policy provides an opportunity for employees to volunteer with local organisations, and will provide up to two working days leave on a time match basis, ie where an employee volunteers in their own time, the council will allow the same paid time off during work to volunteer, up to a maximum of two days.

As well as local organisations benefitting from the skills and experience of our employees, it is also an opportunity for employees to develop their own skills, knowledge and experience.

Please see the Employee Volunteering Policy for further details [Employee Volunteering Opportunities](#)

8. Coaching and Mentoring

We recognise that to be a dynamic workplace where our people are trusted and motivated to do their best work, coaching is a critical skill for all of our people managers. The aim is to achieve optimal performance and improvement at work by creating an environment where employees are given the opportunity to work out for themselves the problems or challenges they face and to discover the options and strategies to overcome them. It is a one to one process that aims to deepen learning and support individuals to unlock their own potential.

We will:

- develop a coaching culture by training our people managers to use a coaching approach in their day to day management, and
- develop of pool of trained and qualified coaches who will be available to coach employees who request it.

Mentoring is different to coaching and involves the creation of a relationship with a more experienced colleague (the mentor) who will share their knowledge with, and support the development of, a less experienced colleague (the mentee). There is also the opportunity for the more experienced colleague to learn about and understand the perspectives of less experienced colleagues, which is a development opportunity for them too.

We will:

- encourage a mentoring culture, and
- offer training and development opportunities for people who are interested in mentoring colleagues

9. Health and Safety

We are committed to providing a safe and healthy work environment, where risks are assessed, and appropriate training is identified and delivered as a result. The HR and OD Team will support managers to develop service and role specific health and safety learning programmes.

We will also continue to deliver our Wellbeing Strategy [Staff Wellbeing and Inclusion](#)

10. Evaluation of Learning and Development

To ensure that learning and development significantly contributes to the improvement of performance and the achievement of corporate ambitions and strategies, as well as providing value for money, employees and approving managers will be required to be clear on the expected learning outcomes prior to any intervention. They will need to consider how the learning and development will contribute to an improvement in the workplace, and ensure that time is spent following an intervention to reflect on how the new learning can be applied and shared with others where possible.

We will also ensure that feedback about learning and development is gathered during our engagement surveys and exit interviews.

11. Reward and Recognition

We encourage employees to participate in learning and development opportunities and take the view that providing learning opportunities is a mutual benefit: employees benefit at the same time as the council as an organisation, and both grow.

We also encourage all employees to celebrate the growth and development that they have experienced; this can be via the recognition wall, the Staff Weekly, the Staff Conference or via team celebrations.

It is also important to acknowledge the continued impact of the development on both the individual and the council to ensure that the learning is embedded. It is therefore crucial that opportunities are provided for employees to use their new skills, knowledge and expertise.

12. Classification and Prioritisation of Learning and Development

Learning and development will be prioritised from a budget and time perspective according to the below order:

1. **Mandatory training**

This is top priority learning and development that is critical to the safe and legal operation of the work of the council and will include training relating to legislative compliance such as data protection and health and safety obligations.

2. Corporate training need

This is learning and development that is related to the delivery of the council's key strategies or commitments, and can include topics such as customer service, carbon literacy, IT training to support the introduction of new software, etc.

3. Learning essential to perform effectively in job role

This is learning and development that is required to ensure that a person can perform effectively in their job role. It will normally be linked to the job role profile/description, a service plan, or an individual in role performance objective.

In the circumstances set out in points 1,2 and 3, employees will be allowed paid time off to attend training, and the council will pay course fees, assessment or examination fees and (there may be a contribution agreed towards the funding of) course materials. Subsistence and travel expenses will need to be met from existing service budgets and paid in line with existing guidance – [Exchequer Services: Travel and Subsistence Expenses](#). There is no provision within the Corporate Learning and Development budget for such expenses.

Study leave to prepare for exams that are funded by the council will be allowed and this will be agreed with line managers based on the operational needs of the service area. Half a day of study leave per exam is suggested, which will only apply to first attempts.

4. Learning to enable personal or professional development

This is learning and development that will allow a person to develop in their role but is not completely essential to ensure effective role performance. It may be linked to personal or career development, or be linked to an extra role (beyond the main requirements of the role) performance objective.

In these circumstances, there will be a discussion about costs and fees, paid time off work and travel and subsistence, with a view to supporting the individual to develop. There may be a requirement to use some or all of the Protected Learning Time (see section 16) to undertake the learning. An agreement will be made and recorded.

13. Annual Team Development Plans

Services are required to produce Annual Team Development Plans, identifying learning and development needs and classifying them according to this policy, in order to access funding from the Corporate Learning and Development Budget. Plans will need to be submitted by the end of March each year.

Support will be available from the HR and OD team where required.

14. Apprenticeship Levy Funding

Apprenticeship Levy funding can be used to upskill existing employees and are a cost-effective way of allowing individuals to gain valuable skills and knowledge that are job/role specific. It is protected funding that can only be used for Apprenticeship Standards which range from Level 2 (GCSE equivalent) to Levels 6 and 7 (degree and postgraduate degree level). Learning can be a mix of learning in the workplace and off the job training, and they culminate in a qualification being awarded.

Managers and employees are strongly encouraged to consider Apprenticeship Levy funded training when considering options for learning and development.

Employees are not required to repay funding costs should they leave their employment for any reason, regardless of the classification identified in section 12.

An Apprenticeship Strategy is being developed to provide further information, but the HR and OD Team can provide help, advice and support to enable use of the funding prior to this.

15. Corporate Learning and Development Budget

The Corporate Learning and Development Budget is held by the HR and OD Team and will be used to fund training and development according to the priorities in section 12. For applications to be considered there needs to be a business case presented, along with an Annual Team Development Plan in place. Financial support offered will be at the discretion of the Chief Officer, People and Policy, and will take into account the following:

- The amount of budget available
- The potential benefits to the organisation following the development
- The other reasons for the request
- Recruitment and retention issues

Applications for funding from the Corporate Learning and Development Budget should only be made where there is support from the line manager, in the case of individual learning, and from the Chief Officer responsible for the particular team, in the case of funding Annual Team Development Plans.

There is no provision within the Corporate Learning and Development Budget for expenses relating to travel and subsistence.

16. Continuing Professional Development*

Continuing Professional Development (CPD) is an ongoing process to maintain and develop skills, knowledge, competence and experience. All employees are expected to keep up to date with developments and best practice in their area of work. It can be a requirement for some professional bodies to maintain corporate membership.

We will support employees where possible with CPD but the above classification and prioritisation of learning and development (section 12 above) remains in place where an employee is required to hold corporate membership of a professional body. It is expected that CPD budget requests will generally fall within the 'Learning to develop personally or professionally' category.

*Driver CPC (Certificate of Professional Competence) training for qualified drivers is an exception to this provision. This only applies to those employees who are required to drive a lorry, bus or coach as an essential element of their role. This training is classified as Mandatory.

17. Professional Fees

Professional fees relating to membership of a professional body are not normally paid by the council. The full rules are set out in the [Employee Expenses and Benefits Guide](#), which is available on the Exchequer Services/Payroll section of Sharepoint.

18. Protected Learning Time

As a council we are committed to developing a learning culture and employees are entitled to 2 days per year to devote to learning and development (pro-rata for part time staff) that is not mandatory training or learning essential to perform effectively in job role, as set out in section 12 above.

Employees can choose how to use this time, in agreement with their line manager, and it can be used as two full days to attend a training course, or in smaller units of time for self-guided learning.

This time will need to be recorded on a Protected Learning Time Log.

We also encourage teams to protect some working time to come together at a development event or activity. Examples may include a team building event, attending a conference together, attending a training course, or designing a bespoke learning opportunity such as visiting key sites in the district or sharing learnings from working at the council. Managers have the discretion to organise team events as required, but a minimum of two days per years is recommended in addition to the two days for individual learning time.

Please note that these provisions do not guarantee that funding for training courses will be available from the Corporate Learning and Development Budget.

19. Repayment of Learning Costs and Fees

We appreciate that extenuating circumstances may sometimes arise which results in employees not being able to attend a training course that they have booked onto. Where this situation occurs employees need to discuss the reasons with their line manager and as much notice as possible needs to be given to the Learning and Development Team so the place can be offered to another employee. It may be necessary to recharge the cost of the individual place to the service or team where at least two working days notice has not been given. This applies to any category of training.

There will be no requirement for employees to personally repay any costs associated with learning and development that fall within the categories of Mandatory Training or Corporate Training Need as detailed in section 12 above, or any learning and development funded by the Apprenticeship Levy.

Other learning and development incurring a cost to the council (excepting costs relating to travel and subsistence and salary paid in respect of time off to undertake the training) will be required to be repaid under certain circumstances as follows:

a) Where employment terminates, under any circumstance, during training or within 3 months of the date of completion of training, you will be required to repay the full cost of any funding provided by the Council towards the training.

Where employment terminates, under any circumstance, between 3 months and 6 months of completion of the training, you will be required to repay 75% of the cost of any funding provided by the Council towards the training.

Where employment terminates, under any circumstance, between 6 months and 9 months of completion of the training, you will be required to repay 50% of the cost of any funding provided by the Council towards the training.

Where employment terminates, under any circumstance, between 9 months and 12 months of completion of the training, you will be required to repay 25% of the cost of any funding provided by the Council towards the training.

Once an employee has completed 12 months service from the date of completion of the training, they will not be required to repay any of the costs of the training should their employment terminate, under any circumstance.

The Council reserves the right, in accordance with this agreement, to require the employee to repay the Council for the training costs by deducting them from their final salary payment.

b) Where facilities are granted under this Scheme to enable an officer to acquire a recognised qualification and the officer's employment is terminated, under any circumstance, before completing the whole or a defined part of the qualification, the Council shall be entitled to claim repayment on the lines of paragraph a).

c) If, without good reason, an employee fails to sit for an examination within a reasonable period, or fails to show satisfactory progress in their studies or discontinues their course, the Council may withdraw the facilities granted under this scheme and they may be required to repay the costs of the training as determined by the Council. Individual circumstances may be taken into account.

d) In the event of unsatisfactory progress in a course of study, the Council will determine the level of financial assistance and other support granted to enable progress to be made.

Employees will be made aware of the above conditions and will be required to sign a Training Funding Agreement before the commencement of any funded development.

20. Roles and Responsibilities

HR and OD:

- Keeping this policy up to date
- Working with subject matter experts to develop corporate wide training that is in line with corporate priorities
- Prioritising the spend of the Corporate Learning and Development budget
- Supporting services to create Annual Team Development Plans based on corporate plans and strategies
- Provide tools and guidance to allow for the effective evaluation of Learning and Development
- Curation of Learning and Development programmes and resources
- Developing and overseeing coaching and mentoring programmes
- Ensuring equal access to learning and development opportunities

Managers:

- Promoting a learning culture
- Supporting individuals to create their own development plans that align to team and corporate priorities
- Encouraging use of Protected Learning Time
- Ensuring that the Performance Management Framework is implemented

- Developing Annual Team Development Plans that prioritise the safe and legal operation of their services
- Working with the HR and OD Team to identify training providers
- Working with training providers, with support from the HR and OD Team where appropriate, to develop learning and development opportunities to enable teams to be high performing
- Undertaking pre and post development conversations to ensure learning outcomes are clear and how learning will be used
- Ensuring a thorough induction is designed and implemented for each new starter
- Ensuring equal access to learning and development opportunities
- Ensuring any learning or development is cost effective

Employees:

- Accepting responsibility for creating and implementing personal development plans
- Talking to line managers about learning and development needs
- Planning how to apply new learning or knowledge to work
- Committing to sharing knowledge and experience with their team
- Providing honest and constructive feedback following learning and development interventions

Document Control:

Version no.	Effective Date	Reason	Review due

People and OD Committee**People Plan Update
21 November 2023****Report of Organisational Development Manager****PURPOSE OF REPORT**

To update the Committee on progress of the People Plan.

This report is public.

RECOMMENDATIONS

That the Committee acknowledges the progress made on the People Plan to date. Questions or feedback are welcome.

1.0 Introduction

- 1.1 This report sets out a summary of the progress made on the People Plan.
- 1.2 The People Plan is the strategic plan to enable employees to work at their best.

2.0 Background

- 2.1 The People Plan was introduced in April 2023 following extensive consultation with employees. Surveys and feedback from staff networks, trade unions and leadership team informed the content and priorities of the Plan.
- 2.2 It is an ambitious three year plan built on five commitments that describe the outcomes we hope to achieve: we are an employer of choice, we are one team, we are serious about learning and development, we are future focussed and we lead with courage and compassion.

3.0 Year One Progress

- 3.1 We are an employer of choice:
 - Recruitment webpages are being refreshed to ensure they are relevant to our work, focussed on values and what makes working at Lancaster City Council great, in order to attract prospective employees.
 - Induction and onboarding is being overhauled – full review of the journey from when a job offer is made to being an established member of staff, including a new in person social event, a new manager guide, an induction hub, and more.
 - Staff benefits – new staff benefits platform introduced and promoted.
 - Exit Interviews refreshed – project underway as part of the Engagement Strategy, involving consideration of Stay Interviews.

- Real Living Wage – accreditation achieved.

3.2 We are one team:

- Team wellbeing action plans – designed, along with supporting workshop, currently being rolled out.
- Celebrating Success – staff conferences taking place in November 2023, taking on board feedback from previous conferences and staff celebrations.
- Employee Assistance Programme launched.
- Employee Engagement Strategy – designed and being implemented.

3.3 We are serious about learning and development:

- Performance management framework launched, supported by training for all managers.
- Learning and Development Strategy – designed and being implemented. Aimed at developing the learning culture.
- Protected learning time – built into Learning and Development Strategy.
- Apprenticeship strategy – still to be designed but the Apprenticeship Levy funding is being used to support the Learning and Development Strategy.
- Review of elearning offer – being undertaken with an initial focus on leadership development courses.
- L&D promotion – greater focus on raising awareness of development opportunities, Lancaster People Manager Essentials.

3.4 We are future focussed:

- Enabled manager model launched – focus on enabling managers to self serve people management processes.
- Launch and embed values and behaviours framework – initial work completed, focussed now on embedding in all people management activities.
- Development of people metrics dashboards – completed. Comprehensive data now available in an accessible format.
- Review of HR policies – ongoing.
- Investors in People – attained Established Silver.

3.5 We lead with compassion and courage:

- Leadership culture change programme – continued leadership development work.
- Leadership and management development programme – Lancaster People Manager Essentials launching, combining formal learning, manager networks, HR policy and process workshops, elearning, etc.
- Aspiring leaders programme – launching.
- Improving leadership team visibility – captured as part of the Engagement Strategy – new events and activities to ensure employees feel that they hear from the leadership team and are seen and heard by them.

4.0 Conclusion

4.1 Work is being delivered in line with the People Plan and feedback from the recent Investors in People assessment has confirmed that it is an ambitious strategy that has the potential to help people to work at their best.

4.2 A briefing to all members is being planned.

BACKGROUND PAPERS

n/a

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People and OD Committee**Mental Health First Aid Policy
21 November 2023****Report of Executive Support & Staff Wellbeing Coordinator****PURPOSE OF REPORT**

To share the draft Mental Health First Aid Policy with People and OD Committee for approval.

This report is public.

RECOMMENDATIONS

That the draft Mental Health First Aid Policy is considered by People & OD for approval.

1.0 Introduction

1.1 The Staff Wellbeing & Inclusion Group are seeking approval for the introduction of a Mental Health First Aid policy.

2.0 Mental Health First Aid Policy

2.1 We have 30 colleagues trained in Mental Health First Aid from across the organisation. We wish to seek approval for introducing a Mental Health First Aid policy to show our commitment to this support for colleagues.

2.2 We recently held two Mental Health First Aid Refresher courses, which identified lots of further thoughts, feelings and ideas on staff wellbeing which have contributed to this policy.

2.3 MHFAiders now receive access to an MHFA England support app following their training (including refresher training) to help them access support connections in the moment. This includes guidance in an crisis/emergency situation

2.4 Following consultation with our Mental Health First Aiders, Staff Ambassadors, partners and others listed below), this policy has been produced to show our commitment and the roles and responsibilities for the organisation to coordinate a supportive and inclusive Mental Health First Aid support offer.

2.5 You can find out more about support connections on our [Staff Wellbeing & Inclusion Site here](#), specifically our [Mental Wellbeing page here](#), and our [Mental Health First Aid page](#) here where you can also see who our MHFAiders are.

3.0 Details of Consultation

- 3.1 We have consulted with (and sought advice from)
- Staff Wellbeing & Inclusion Group
 - Mental Health First Aiders.
 - Staff Ambassadors
 - Bay Wellness Partners
 - MHFA England
 - Our External Trainer
 - Lancashire Mind Business Wellbeing Network Partners
 - Leadership Team (Chief Officers)
 - Trade Unions
 - JCC

3.0 Amendments following JCC on 1 November 2023

- 3.1 In response to discussion at JCC on 1 November 2023, two small errors were corrected.

4.0 Conclusion

- 4.1 The Committee is asked to consider the new Mental Health First Aid Policy for approval.

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

Commitment to refresher training every 3 years. In 2023 this was £1500 plus VAT.
Commitment to review and discuss training requirements should the fully funded courses with Lancashire Mind come to an end.

SECTION 151 OFFICER'S COMMENTS

s151 Officer has been consulted and has no comments to add.

LEGAL IMPLICATIONS

None arising from this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has no further comments to add.

BACKGROUND PAPERS

Draft Mental Health First Aid Policy.
JCC Mental Health First Aid Report
November 2023.
Equality Impact Assessment.

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Mental Health First Aid Policy

Lancaster City Council is committed to working towards the organisation becoming a more supportive and inclusive place to work.

Together with our wellbeing strategy, the purpose of this Mental Health First Aid policy is to confirm our approach to, commitment to, and support of MHFAiders in the workplace. This policy is applicable to all colleagues at Lancaster City Council.

1. General Definitions

Mental Health First Aid is the help and support offered to someone developing a mental health ill health problem, experiencing a worsening of an existing mental health illness, or a mental health crisis. The first aid support is given until appropriate professional help is received, or the crisis resolves.

An **MHFAider** is a person who has been formally accredited to administer mental health first aid in the workplace, by attending and passing an assessment in a Mental Health First Aid course that has been delivered by an MHFA England Accredited, Mental Health First Aid Instructor.

MHFA England is a social enterprise, who offer expert guidance and training to support mental health in the workplace and beyond. Through their training and campaigning, they equip people with the skills they need to support their own and others' wellbeing. Their courses empower people to notice signs of mental ill health, and encourage them to break down barriers, listen in a non-judgemental way, and signpost to support for recovery.

2. Responsibilities

Organisation

- To be committed to the training of (and support of) a Mental Health First Aid network.
- To ensure all MHFAider training is coordinated by (or in partnership with) the Staff Wellbeing & Inclusion Group, facilitating the delivery with Lancashire Mind and with MHFA England accredited trainers, and considering other accredited and approved trainers where required.
- To discuss any Mental Health First Aid training requirements with the Staff Wellbeing & Inclusion Group as required.
- To support MHFAiders to undertake the training, plus additional training as required to enable them to feel more comfortable and confident within their role.
- To commit the funding needed for refresher training every two years.
- To support the work of the Staff Wellbeing & Inclusion Group, and specifically the Mental Health First Aid Network, in campaigns and initiatives to ensure colleagues are aware of (and have access to) MHFAiders at all times.
- To support MHFAiders by ensuring they don't exceed providing help which is outside the scope of mental health first aid, and they know what to do if such help is needed and/or requested.
- To provide supportive, safe, and inclusive spaces (both virtually and in our buildings) to enable colleagues to have conversations with an MHFAider.
- To advise the MHFAider network of any activities, events, training, or other significant changes which may enable the MHFAiders to provide support to colleagues.

- To ensure that services have a reasonable number of Mental Health First Aiders to ensure we provide a supportive workspace for colleagues and for those they are interacting with.
- To ensure that Mental Health First Aid at Lancaster City Council is accessible to all, whether colleagues are accessing it because they need support for themselves or others.

MHFAiders

- To hold a current Mental Health First Aid certificate accredited by MHFA England and be available for additional training and other learning opportunities as required.
- To maintain their Mental Health First Aider accreditation with MHFA England by attending a refresher course every two years.
- To be able to make space in their day to support someone if required, or to signpost colleagues to another MHFAider if they are not available or need to prioritise their own wellbeing.
- To be prepared to provide mental health first aid within their working space as needed at their level of competence and training.
- To be able to maintain confidentiality as appropriate, whilst escalating and documenting any matters if required, in line with the training.
- To be a member of the Lancaster City Council Mental Health First Aid Microsoft Teams Space, coordinated by the Staff Wellbeing & Inclusion Group.
- To regularly note themes and time spent on support via the Mental Health First Check in form within the Mental Health First Aid network space.
- To attend the monthly Mental Health First Aid Network meets. Whilst appreciating this may not always be possible, MHFAiders are asked to commit to attending at least 5 sessions per year or to work with the Staff Wellbeing & Inclusion Group to make other arrangements to ensure they are connected to the space.
- To make use of the MHFA England support application where appropriate, accessing their free learning opportunities and resources to help keep knowledge current and supportive.
- To support the Staff Wellbeing & Inclusion Group (and wider staff networks where appropriate) on campaigns and initiatives to help our work towards becoming a more supporting and inclusive place to work.
- To make the Staff Wellbeing & Inclusion Group aware as soon as possible if they feel unable to continue with their role, due to their own wellbeing, work commitments or for any other reason, so that we can provide them with appropriate support.

Confidentiality

- Lancaster City Council recognises that respecting the privacy and confidentiality of all issues connected to and raised in relation to mental health for both MHFAiders, those seeking help and support from MFHAiders, and other colleagues suffering from mental ill health at work is very important and essential to the Mental Health First Aid Policy being successful and colleagues feeling able to raise issues relating to mental health within the workplace.
- All MHFAiders are obligated to treat all matters sensitively and privately, and to be aware that breaches of confidentiality may cause a mental health issue to become worse for the sufferer.
- If at any time an MHFAider assesses there is a risk of harm to themselves or others, in line with the training provided, they must escalate the matter, making the individual aware, and contacting the relevant services.

- If there is an immediate risk, emergency services should be contacted immediately.
- MHFAiders making use of the MHFA England Support app should not use this app to note any identifiable information. Please refer to our data protection policies.

3. Scheme Operation

The Staff Wellbeing & Inclusion Group will:

- Support our Mental Health First Aid Network and provided resources where appropriate.
- Coordinate and facilitate our Mental Health First Aid Network meetings.
- Maintain a system for MHFAiders to feed in themes from conversations, and to identify further learning opportunities, or campaigns & initiatives to help address them.
- Continually review the time noted where MHFAiders are using their training, to ensure we have enough MHFAiders.
- Coordinate Mental Health First Aid training and the refreshing training of MHFAiders.
- Ensure the training of MHFAiders is inclusive and accessible, through a fair application process in line with MHFA guidance.
- Identify and coordinate further learning opportunities, working with Learning & Development colleagues where appropriate.
- Ensure that the Mental Health First Aid Network are connected to both local and national support organisations, campaigns, and activities.
- Consistently and creatively continue to promote the support MHFAiders can offer.
- Ensure that our Mental Health First Aid intranet page on the Staff Wellbeing & Inclusion intranet site is maintained to ensure colleagues have knowledge of who are MHFAiders are and how to contact them.
- Ensure ensure colleagues are aware of the role of MHFAiders and their boundaries.
- Keep in contact with MHFA England to ensure our policies, procedures, and support offered, are in line with the more recent guidance.
- Commit to a yearly review of the Mental Health First Support offer by engaging with all MHFAiders, to gather their thoughts, feelings and ideas on the support offer provided.
- Use the yearly Wellbeing & Inclusion Pulse survey to seek further thoughts, feelings and ideas on the Mental Health First Aid support offer to capture any opportunities for improvements.

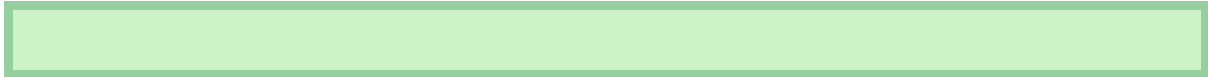
4. Support

- MHFA England resources: [Resources · MHFA England](#)
- MHFA England resources for workplaces: [· MHFA England](#)
- MHFA England Guide to the role of an MHFAider [Being an MHFAider - Your guide to the role - June 2023.pdf \(windows.net\)](#)
- Orange Button Scheme: [Orange Button Scheme](#)
- MHFA England Line Manager Guidance: [Line Managers Resource Screen.pdf \(windows.net\)](#)
- Staff Wellbeing & Inclusion Group Intranet Site for Mental Health [Your Mental Wellbeing \(sharepoint.com\)](#)
- MHFAiders [Mental Health First Aiders \(sharepoint.com\)](#)

5. Review

The Mental Health First Aid Policy will be reviewed 3 years after implementation in line with MHFAider refresher training, or earlier in the event of changes to MHFA England guidance.

Version No.	Effective Date.	Reason.	Review Date.
1.0	01.09.2023	New policy.	01.04.2026.



Background summary

- We have 30 colleagues from across the organisation trained in Mental Health First Aid.
- Our MHFAiders have either attended an in-person training event (2 full days) with Christine Clark our approved Trainer or have attended a virtual course (2 full days or 4 half days) with Lancashire Mind. The courses with Lancashire Mind are funded.
- We have potentially 6 more colleagues attending the training in courses in September or November. These colleagues are from across services too, and includes services which currently don't have a member of staff trained in Mental Health First Aid.
- We recently held two Mental Health First Aid Refresher courses, a recommendation by MHFA England.
- MHFAiders now receive access to a support app following their training (including refresher training) to help them access support connections in the moment. This includes guidance in an crisis/emergency situation.
- 15 of our 30 MHFAiders are also [Orange Button Holders](#).
- The majority of our MHFAiders have also completed the Suicide First Aid Lite Course and/or the [Zero Suicide Alliance training](#). We are an Zero Suicide Alliance Organisation and will be signing up for the Orange Button Scheme Organisation Pledge with Bay Wellness partners once live too.
- A commitment to Bay Wellness is suicide and self-harm prevention awareness.
- We are also a partner on the upcoming Suicide Prevent Lancaster District Partner Workshop, which two MHFAiders are attending, along with other colleagues.
- We have a Mental Health First Aid Network which meets monthly to provide support to one another, share resources, discuss themes in our conversations, to share and discuss resources and to agree anything to feedback to colleagues as appropriate.
- Mental Health First Aid Network conversations also feed into the work of the Staff Wellbeing & Inclusion Group and help shape our communications, campaigns etc.
- We ask MHFAiders to complete a check in/log for any Mental Health First Aid conversations they have with colleagues, but please note, nothing is identifiable.
- Since October 2022, MHFAiders have spent over 100 hours in conversations. It is worth noting, that these are only the conversations which have been noted in our log, and not the many other conversations which take place in other interactions, or where they have simply forgotten to complete the check in.
- You can find out more about support connections on our [Staff Wellbeing & Inclusion Site here](#), specifically our [Mental Wellbeing page here](#), and our [Mental Health First Aid page here](#) where you can also see who our MHFAiders are.

Suggested Recommendations

- We feel it's time to show our commitment to Mental Health First Aid by introducing a policy.
- The draft policy shares the responsibilities of both our MHFAiders and the organisation.
- The draft policy also confirms our commitment to the refresher training every 3 years. The cost of this in 2023 was £2020.00 + VAT (£67.00 per person and includes access to the MHFA England support app and resource centre).
- That we adopt this policy and show our commitment to supporting the wellbeing of our colleagues.

Equality Impact Assessment

This **online** equality impact assessment should:

An equality impact assessment should take place when considering doing something in a new way. Please submit your completed EIA as an appendix to your committee report. Please remember that this will be a public document – do not use jargon or abbreviations.

Service

Title of policy, service, function, project or strategy

Type of policy, service, function, project or strategy: Existing New/Proposed

Lead Officer

People involved with completing the EIA

Step 1.1: Make sure you have clear aims and objectives

Q1. What is the aim of your policy, service, function, project or strategy?

Q2.

Who is intended to benefit? Who will it have a detrimental effect on and how?

Step 1.2: Collecting your information

Q3. Using existing data (if available) and thinking about each group below, does, or could, the policy, service, function, project or strategy have a negative impact on the groups below?

Group	Negative	Positive/No Impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Faith, religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender including marriage, pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation including civic partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups such as carers, areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Step 1.3 – Is there a need to consult!

Equality Impact Assessment

Q4. Who have you consulted with? If you haven't consulted yet please list who you are going to consult with? Please give examples of how you have or are going to consult with specific groups of communities

Staff Wellbeing & Inclusion Group, Mental Health First Aiders, Staff Ambassadors, Leadership Team (Chief Officers), Health and Safety Committee, Trade Unions, JCC, Bay Wellness Partners, Lancashire Mind Business Wellbeing Network Partners and our External Trainer.

Step 1.4 – Assessing the impact

Q5. Using the existing data and the assessment in questions 3 what does it tell you, is there an impact on some groups in the community?

Age: N/A
Disability: N/A
Faith, Religion or Belief: N/A
Gender including Marriage, Pregnancy and Maternity: N/A
Gender Reassignment: N/A
Race: N/A
Sexual Orientation including Civic Partnership: N/A
Rural Communities: N/A

Step 1.5 – What are the differences?

Q6. If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

N/A

Q7. Do you need any more information/evidence eg statistic, consultation. If so how do you plan to address this?

Review policy in 3 years time in line with refresher training commitment.

Step 1.6 – Make a recommendation based on steps 1.1 to 1.5

Q8. If you are in a position to make a recommendation to change or introduce the policy, service, function, project or strategy, clearly show how it was decided on.

Recommend we introduce the Mental Health First Aid Policy.

Q9. If you are not in a position to go ahead, what actions are you going to take?

N/A

Q10. Where necessary, how do you plan to monitor the impact and effectiveness of this change or decision?

Review policy in 3 years time, and continue to review and support our Mental Health First Aid support offer.

Equality Impact Assessment

PEOPLE AND ORGANISATIONAL DEVELOPMENT COMMITTEE**HR POLICY DEVELOPMENT AND REVIEW****21 November 2023****Report of the HR Policy and Strategy Lead****PURPOSE OF REPORT**

To enable the Committee to consider and approve the introduction of revised Grievance and Performance Improvement policies and the introduction of a new Appeal Policy.

This report is public.

RECOMMENDATIONS

That the draft Grievance, Performance Improvement and Appeal policies appended to this report are considered by the Committee and approved.

1.0 Introduction

- 1.1 The council has undertaken a phase two review of HR Policies which fall into the category of performance improvement, grievance, and appeal.
- 1.2 The policy review continues to concentrate on standardising format and branding of all the HR policies; bringing them in line with the branding selected to produce the employee handbook.
- 1.3 The policy review also concentrates on simplifying and shortening policies where possible, so that they are easier to follow and digest for employees, trade unions and managers.
- 1.4 It is considered that a lot of information currently in these policies would be better served in guidance documents to ensure that the policy is focused on the fundamentals of principles and process. It is the intention that each of these policies will be introduced alongside a suite of supporting documents provided to both managers and employees to ensure they each feel equipped and prepared to engage with these meetings.
- 1.5 The policies are appended to this report, as well as a policy review tracker which focuses specifically on amendments to the policy, and where a new policy has been introduced, summarises each of its provisions.

2.0 Appeal Policy

- 2.1 There is no pre-existing appeal policy at LCC.
- 2.2 When the phase 2 policy review commenced, it was identified that a number of formal decisions concerning performance, conduct, sickness absence, flexible working requests, redundancy and probation all included the same or a very similar appeal process within the body of the relevant policy. It was only the grievance policy that was an outlier where the appeal process was concerned in that it included a referral to People and OD Committee (formerly Personnel Committee).

- 2.2 Introducing a standalone appeal policy, which each of the applicable policies link into, allows the main policy to focus solely on the process and responsibilities relevant to the matter in hand.
- 2.3 Not all decisions are appealed, and separating the two out directs focus and allows each policy to be as concise as possible and should aide all parties to digest and follow them more easily.
- 2.4 Introducing an appeal policy which is applied to all decisions where a right of appeal exists ensures consistency and fairness.
- 2.5 If approved, the policy will be launched alongside a suite of supporting documents which will include Appeal Hearing Officer guidance on how to conduct a fair appeal hearing, updated template letters, interactive supporting information for employees on what to expect in an appeal hearing and how to draft an effective appeal.

3.0 Grievance Procedure

- 3.1 The LCC Grievance Procedure had not been reviewed since 2017 and consisted of an eight-page master policy and a seven-page appendix governing the overall process to be followed and the roles and responsibilities of each party.
- 3.2 The Grievance Procedure was a four-stage procedure, which effectively allowed an employee two rights of appeal; one of which was to the People and OD Committee. Whilst a panel decision features in other local authority policies, it is less common to see *two* rights of appeal. This goes beyond what is required by the Acas code of practice and the result has been that grievances take a considerable length of time to resolve. It is now recommended that to ensure consistency with other procedures, the *only* appeal stage be dealt with by Chief Officers, rather than the People and OD Committee.
- 3.3 The current procedure also only recommended the utilisation of mediation in exceptional circumstances.
- 3.4 The recommended changes to the policy are focused on consolidating the procedure to provide only one right of appeal, with a heightened focus on informal resolution and mediation. The process now envisaged is 1) attempt at informal resolution 2) attempt at formal resolution 3) appeal per the Appeal Policy. This is much more straightforward for employees, trade unions and managers to follow.
- 3.5 Where the circumstances of the grievance permit, an investigation officer will be appointed. Typically, the investigation officer will be at the grade above the employee raising the grievance or the subject of the grievance (whoever's grade is higher) and from a different service where possible. Over time, this will lead to the upskilling of more managers to deal with investigations into grievances with a longer-term view that more managers will be able to participate in the process. Training will be provided.
- 3.6 The appendix (which focused on the conduct of meetings) has been removed from the policy. The focus of the policy document is limited to what LCC will not consider a grievance, the roles and responsibilities of all parties, and the process to be followed. When this policy is launched, it will be accompanied by guidance on how to conduct an effective investigation, how to conduct a fair grievance hearing, and interactive supporting information for an employee on what an effective grievance looks like and what to expect in a hearing. Updated letters will also form part of the manager's self-service intranet site.

4.0 Performance Improvement Policy

- 4.1 The Capability and Performance Improvement policy was incepted in 2013 and it does not appear to have been substantively reviewed since then. It contained a number of outdated references to ongoing performance management which were no longer consistent with the new Performance Conversation Framework.
- 4.2 The Performance Improvement Policy (renamed) is consistent with the Performance Conversation Framework; the first stage of which is the Performance Improvement Conversation set out within that framework. The Performance Improvement Conversation (stage 1) carries with it a commitment to a minimum term of performance review (the Performance Review Period) of 3 months. This is consistent with the original policy.
- 4.3 The minimum Performance Review Period of the two subsequent stages of the policy (Stage 2 – Formal Review Meeting and Stage 3 – Final Review Meeting) has been reduced to a minimum of one month. The objective of reducing the review period is to increase co-operation and to keep all participants engaged in the process. The previous policy allowed for a minimum of nine months underperformance before a stage 4 case review hearing; and where no or little improvements have been made, that is an unsustainable level of underperformance for LCC. This is however a *minimum* commitment; where managers consider that the individual circumstances warrant a longer Performance Review Period, they have the authority to set this as necessary.
- 4.4 Historically, the Stage 4 – Case Review Hearing has been “presented” by the previous decision maker. Usually, but not in all cases, this would have been the employee’s line manager. It will always be for a Chief Officer to chair the Stage 4 – Case Review Hearing when considering an employee’s dismissal. The policy, as revised, introduces a new discretion for the Chief Officer to *invite* the previous decision maker if they consider this is necessary in the circumstances.
- 4.5 Where the reason for the referral is very clear on the facts, a Chief Officer will be able to hear the Stage 4 – Case Review Hearing with the employee and their companion in the absence of the previous decision maker. This to alleviate any pressure on the employee in having to challenge the case of their line manager in the line manager’s presence. It will be open for the relevant Chief Officer to meet with the previous decision maker in advance of the Hearing to ask questions and clarify matters and an accurate note of that meeting will be provided to the employee alongside all of the evidence in the case. It will still remain open for the employee to request the previous decision maker be present should they prefer.
- 4.6 The main focus of the policy is on roles, responsibilities, and the procedure to be followed. Some FAQs have been introduced to address nuanced situations that the policy previously covered, but they are now much more accessible. If an employee is reading the policy for one of those specific purposes, their questions will be found very easily. The FAQ section is something we can add to should any anomalous situations arise outside of a formal policy review.
- 4.7 In line with simplification of the policy document itself, and focusing on the policy fundamentals, it is intended that the policy will be accompanied by manager guidance on conducting a fair performance improvement policy, and interactive supporting information for an employee on what to expect from a formal performance improvement meeting under this policy.

5.0 Comments and Amendments following the meeting of JCC on 1 November 2023

- 5.1 The first policy discussed at the meeting of the JCC was the Appeal policy. There were two central topics of conversation which applied also to the Grievance Procedure and the Performance Improvement Policy.
- 5.2 The first was the recommendation that it would no longer be mandatory for the previous decision maker (the maker of the formal decision) to be present at the appeal hearing. Of the four policies available to benchmark, two policies provide for the case to be presented by the previous decision maker and two do not. This is reflective of the feedback received internally and at the JCC meeting.
- 5.3 Some delegates consider that not having the previous decision maker present prevents access to justice. Some have observed the usefulness of having the previous decision maker present. Whilst others have commented that it can be uncomfortable for both the employee and the previous decision maker and that the case against the employee should be clear on the facts.
- 5.4 The above were all considerations in formulating the compromise position recommended in the policy. Rather than (at this time) removing the participation of the previous decision maker, it is recommended that the Chief Officer have the *option* to invite them if they feel it is necessary. The Chief Officer will be able to meet with the previous decision maker and provide a note of that conversation as part of the evidence bundle provided to the employee. The employee will also always have the right to request that the previous decision maker be present.
- 5.5 This compromise position reflects the differences in opinion on this topic and will hopefully allow Chief Officers to test how they feel hearings work without the previous decision maker present. Long-term, this may lead to the complete removal of the role of the previous decision maker, as it is not a practice recommended by Acas.
- 5.6 The second topic of conversation which was related to both the Appeal Policy and the Grievance Procedure, was whether these decisions should be taken by the People and Organisational Development Committee.
- 5.7 The Grievance Procedure, is the only policy outstanding where the appeal is heard by the People and Organisational Development Committee. All other formal decisions are now taken by Chief Officers, and it is the strong recommendation that this apply consistently across the board.
- 5.8 It is important to have confidence in the Council's senior personnel to make decisions. It is also important that the processes we use to make formal decisions are consistently applied.
- 5.9 Whilst the benchmarking exercise revealed that panel decisions are still used in other Local Authority bodies, there has been movement away from this and there have been a number of posts in the NW Employer policy group which have questioned whether the panel decision should remain. In one of the four available policies, panel decisions were no longer a feature. In two of the available policies, a panel decision was *only* available for dismissal decisions and in the fourth a panel decision was available for grievances as well as dismissal decisions.
- 5.10 A unique feature of the current Grievance Procedure was that it provided an employee with two rights of appeal; the second of which was the panel decision. It is the strong recommendation of this author that a Chief Officer's decision does not need a review, and that confidence in their decision making is paramount (particularly where they are the final decision makers for *all* other formal decisions).

- 5.11 Another topic of discussion at the JCC meeting was the ability to increase a sanction on appeal. The current wording of the disciplinary policy is vague, as it refers to substituting a different sanction. It does not appear that this has happened frequently, if at all.
- 5.12 Trade Union delegates strongly resisted the inclusion of this right, which **must** be made explicit if an employer is to rely on it (according to established case law from 2014). The author considers that it would be prudent to include the provision, even if its use is limited, to have a means to increase the sanction where a decision maker's decision is manifestly unfounded and would cause a risk to the Council if not rectified.
- 5.13 That being said, the benchmarking exercise revealed that three of the four available policies were silent on whether a sanction could be increased and one of them was explicit that they could not. According to the 2014 case *McMillan v Airedale NHS Trust*, it will be necessary for an employer to be explicit on this for it to be acceptable practice, and it is also provided that there should be another right of appeal where the uplifted sanction would result in dismissal.
- 5.14 It will be for the People and Organisation Development Committee to decide between striking the provision in its entirety, to provide that a sanction can never be increased, or to consider whether the provision is amended to include for a further right of appeal where the uplifted sanction results in dismissal. Any amendments will be made following this decision.
- 5.15 With regard to the Performance Improvement Policy, an observation was made, in relation to the reduction of the recommended minimum Performance Review Period that managers may view this as a target, rather than as a minimum. There will be a number of situations where a one-month Performance Review Period will not be appropriate, and this Policy will be accompanied by manager guidance to be placed on a manager's intranet site to coach them on how to set Performance Review Periods and Performance Review Objectives.
- 5.16 With regard to the Grievance Procedure, Councillor Wood observed that the level of the investigating officer should be higher than the *subject* of the grievance, rather than the employee raising the grievance. An amendment has been made to reflect this, and to suggest that the Investigation Officer should be a level higher than the employee or the subject of the grievance (whosoever's grade is the highest).

6.0 Options

- 6.1 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.
- 6.2 However, if substantial changes in respect of any Policy are proposed at the People and OD 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.

7.0 Conclusions

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

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety,
Sustainability and Rural Proofing):**

Please see associated Equality Impact Assessment in respect of the proposed policy. There

is no notable impact however I would always encourage the use of reasonable adjustments where any formal process is followed due to a disabled employees' ability to purposefully interact with a meeting.

LEGAL IMPLICATIONS

Proposed policies comply with legal obligations.

FINANCIAL IMPLICATIONS

There are no financial implications to the implementation of the policy.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:

Chief Officers and their delegates, managers and HR have significant roles to play in these procedures. It would be recommended that as many managers as possible are upskilled in mediation and investigation so that more lower-level managers are able to be utilised.

SECTION 151 OFFICER'S COMMENTS

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

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments to add.

BACKGROUND PAPERS

Policies and policy amendment tracker are appended.

Contact Officer: Laura Collins

E-mail: lcollins@lancaster.gov.uk

HR Policy Amendments Tracker

Policy Section Number (new number)	Existing/New Section	Section Heading	Amendment/addition Notes
Grievance Procedure			
N/A	N/A	Branding	Policy rebranded to new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
1	New	Who does this policy apply to?	The previous policy excluded hearing grievances from past employees and also to discontinue grievances for employees whose employment is terminated before resolution. The scope is restricted to current employees only, but now includes discretion to consolidate the process for employees who have ceased employment during the course of a grievance and those who raise grievances post-termination.
Deleted	Deleted	N/A	The general principles section has been deleted, and the content re-distributed e.g., the right to be accompanied sits more sensibly in the process to be followed, and the associated obligations on the manager and the Council are grouped together with their responsibilities.
3	New	What can I raise a grievance about?	Shifting the focus from what a grievance can be about, to what LCC will not consider a grievance. Since a complaint can be made about anything at all, the focus is merely to exclude what LCC will not consider a grievance to be dealt with under this procedure i.e., anything which should be dealt with under the appeal policy. The exclusions mirror those in the existing policy, it is just the focus which has been shifted from including what a grievance can be, to what will not be accepted.
4	New	What roles do the employee, management, Council and HR play in this policy?	All of the obligations placed upon each of these parties has been grouped and included at the beginning of the policy. This is to ensure that from the outset, each party knows what they are responsible for. The only new obligation upon employees is to provide as much supporting information and evidence as possible. All other obligations/responsibilities were in the previous policy but were not grouped under these headings.
N/A	N/A	N/A	All references to his/her him/her have been replaced with them/their to be inclusive of all genders.
4	Revised Existing	Grievance Procedure – Informal Stage	It was observed that the informal stage of the process felt very formal. The previous policy required a meeting to be held and a written response to be provided to the employee within five days of the meeting. An informal conversation should happen as soon as an issue is brought to a managers attention. It is now recommended that a written record of the meeting be kept by both parties to show that informal attempts at resolution have been made. It is expected that informal resolution is attempted first unless the matter is so serious that informal resolution is not appropriate.
5	Revised Existing	Mediation	In the previous iteration of the policy, mediation was something offered only in exceptional circumstances. It is now envisaged that mediation can and should be utilised during the informal and formal stage of the grievance process and also as a recommended outcome by a decision maker.

6	Revised Existing	Grievance Procedure – Formal Stage	<p>The previous grievance procedure was informal stage – stage 1 meeting – stage 2 meeting – referral to People and OD Committee. This effectively gave an employee two rights of appeal. Hearing grievances in this way has meant a grievance takes considerable time to reach the point of resolution. This approach goes much further than what is required by the Acas code of practice.</p> <p>The recommended process for consideration is the following:</p> <p>1) Informal stage, 2) Formal Stage – grievance in writing with grievance hearing where requested by the employee, or if considered necessary by the grievance manager, 3) Appeal to be heard by CO.</p> <p>This limits the employee to one right of appeal following a formal outcome being delivered to them.</p> <p>Once a grievance has been received, the line manager receiving this should advise HR, who will (if appropriate in the circumstances) appoint an investigation officer and grievance manager. Who is appointed to these roles will depend upon the severity of the complaint, and the seniority of the employee raising the complaint and the subject of the complaint. Typically, the investigation manager will be at the same level as the subject of the complaint's line manager, and the grievance manager will be at the same level as the investigation manager's line manager. If the Chief Officer is appointed as the grievance manager, they will always be able to delegate that authority to a suitable senior manager of their choosing.</p> <p>Meetings will be heard, and outcomes delivered in the same way as the existing policy – the only change is the removal of the People and OD Committee stage. The previous stage 2 meeting is now the appeal stage which will be conducted in line with the new appeal policy.</p>
7	New	When will the policy be reviewed?	Annually or earlier in the event of relevant legislative action.
N/A	N/A	FAQ's	<p>Introduction of FAQs to separate out some of the nuanced points. This will serve as an area we can continue to add to if anomalous scenarios arise which were not envisaged at the time of review.</p> <p>These FAQs include information that was already included in the policy, but a new introduction is the idea of an anonymous grievance/complaint. The previous policy confirmed that grievances would be kept confidential and limited to those members of LCC who were required to know about it, however there may be instances where it is possible to protect the identity of a complainant. Where a request like this is made, it is important that LCC reflects upon whether this is possible and is transparent with the aggrieved employee about whether this will be possible from the outset. This is to balance the other employee's right to be able to respond to allegations against them.</p>
Performance Improvement Policy			
N/A	N/A	Branding	Policy re branded to new format.
N/A	N/A	Generic Layout	Layout follows new format. <u>Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.</u>
Name of Policy			The name of the policy has been revised from capability and performance improvement to just focus on performance improvement. We do not want there to be any confusion/overlap between ill-health capability and underperformance. Ill-health capability will be dealt with under the sickness absence policy, and underperformance in the absence of any health condition will be dealt with using the Performance Improvement Policy.
2	New	What is the purpose of this policy?	The purpose has been expanded to explain the correlation between the existing Performance Conversation Framework and the Performance Improvement policy i.e., the first stage of the performance improvement policy is the Performance Improvement Conversation set out in the Performance Conversation Framework. It is understood that there has been

			confusion among managers about where ongoing performance management ends and performance improvement (under the policy) begins.
3	New	What roles do the employee, management, Council and HR play in this policy?	All of the obligations placed upon each of these parties has been grouped and included at the beginning of the policy. This is to ensure that from the outset, each party knows what they are responsible for.
N/A	Revised Existing	Stage 3 – redeployment	The previous policy recommended that redeployment was considered at stage 2 of the process (i.e., the first formal stage). It is now recommended that this only be considered at stage 3 when there has been a considerable period of underperformance. Guidance will be provided to managers on the appropriateness and availability of any redeployment opportunity, and this will be considered collaboratively with the employee.
5 and 6	Revised Existing	Performance Improvement Process Stages 2 and 3	Stages 2 and 3 of the previous policy had a minimum performance review period of 3 months. We have committed to the 3 months for the informal stage (the Performance Improvement Conversation) however have reduced the <i>minimum</i> commitment at stages 2 and 3 to one month. This is due to an unsustainable level of underperformance prior to a Stage 4 – case review hearing (a minimum of 9 months underperformance). This is a <i>minimum</i> , and the circumstances of the underperformance, in particular the success against the Performance Improvement Objectives will drive the agreed upon Performance Review Period.
7.5	Revised Existing	Stage 4 – Case Review Hearing	Historically the previous decision maker has been present in a stage 4 hearing to present the case against the employee. Following internal consultation, this has been revised to allow the Chief Officer the discretion to invite them if they consider it would be beneficial. This will no longer be <i>necessary</i> under the policy. The employee will have the right to call them as a witness, and the CO will be able to speak to the previous decision maker and make a minute of that conversation available in the evidence bundle to the employee or invite them to the hearing if they deem this necessary. This is to alleviate pressure on employees, particularly where the evidence and rationale for referral to Stage 4 is clear.
	Revised existing	Removal of appendices	There were extensive appendices to the policy document setting out how the meeting and hearing would be run. This information is better served in guidance document which is tailored to the relevant party. Manager guidance will be implemented to ensure managers are equipped to conduct fair hearings, and employee guidance will be implemented to give employees an idea of what to expect in these meetings and how to effectively contribute.
N/A	N/A	FAQ's	Introduction of FAQs to separate out some of the nuanced points. This will serve as an area we can continue to add to if anomalous scenarios arise which were not envisaged at the time of review. For Performance Improvement purposes these FAQs include applicability of the policy to employees on probation or appointment review, those who have lost any relevant licences, pay increment and more. All of this information was included within the policy previously, it has just been set out so it is more accessible.
Appeal Policy – New			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
3	New	Roles & Responsibilities	Introduction of roles and responsibilities at the beginning to focus the reader on their specific responsibilities within the policy. These roles and responsibilities have been taken from the body of the policies which carry a right of appeal, where expectations are placed on a specific role to perform a specific task e.g., an employee will be expected to provide a thorough explanation and any associated evidence to support their appeal and the Council will be expected to ensure appeals are considered fairly and consistently.
4	New	What is an appeal?	This section focuses on the validity of an appeal and sets out acceptable grounds of appeal. This should assist employees in focusing on the aspects of the decision/procedure that they consider were incorrect/unjust.

5	New	What decisions can be appealed?	This section links to all the decisions (taken under existing policies) that can be appealed i.e., formal disciplinary sanctions short of dismissal, any type of termination of employment, a formal grievance outcome and a rejection of a flexible working request.
6	New	Appeal Process	<ol style="list-style-type: none"> 1. An appeal must be made in writing to HR (Chief Officer – People and Policy) within 10 working days of the decision being appealed. 2. A Chief Officer has the authority to hear an appeal but can also delegate this authority to a suitable senior manager. This will typically only be the case for sanctions/decisions which have not resulted in the termination of an employee's employment. 3. There needs to be 5 working days' notice of an appeal hearing, and copies of the notes and evidence from the previous meeting should be shared as soon as possible (if not with the invite letter). If the employee has any new evidence to introduce, they should do so with at least 2 working days' notice to allow the Appeal Hearing Officer to review it in advance of the hearing. 4. Usual statutory arrangements apply. An employee can be accompanied by a TU official or work colleague who can sum up the case, confer with the employee and make representations for them, and HR or another note-taker will be present. 5. The Hearing may be rescheduled once if there is a failure to attend by the companion or the employee. If there is further non-attendance, the Appeal Hearing Officer will decide on the basis of the evidence available. 6. An Appeal Hearing Officer will have the option to decide whether to invite the previous decision maker to the appeal hearing. This will no longer be mandatory. 7. An Appeal Hearing Officer will also have the option to re-hear the original case if they consider there were material deficiencies with the previous process. In this case, the hearing will follow the original procedure and the outcomes will be consistent with the <i>appeal</i> procedure. 8. The decision may be given verbally or in writing, but an outcome <i>must</i> be provided in writing within 10 working days (and an explanation provided if this timescale cannot be met).
7	New	What are the possible outcomes of an appeal?	<p>The outcomes will be relevant to the procedure followed but could include:</p> <ul style="list-style-type: none"> Upholding the original decision, sanction, or dismissal Reducing the original sanction Increasing the original sanction Overturing a rejection of a flexible working request Revising a response to a grievance outcome and/or making different determinations as to resolution <p>Any appeal outcome which would have an impact on an employee's pay will be back dated to the date of the original decision.</p>
8	New	When will the policy be reviewed?	Annually or earlier in the event of relevant legislative action.
Document control added and footer with version reference.			



Lancaster City Council's Equality Impact Assessment Guidance and Form

What is an equality impact assessment?

An equality impact assessment is a way of understanding the impact that a new way of doing things might have on members of our community, in particular people from protected groups. This could be a new service, practice, policy, strategy, project or decision.

Protected groups include age, disability, faith, religion or belief, gender (including marriage, pregnancy and maternity), gender reassignment, race and sexual orientation (including Civil Partnership).

Please note: the impact on rural communities and people on low incomes must also to be considered.

Why do I need to carry out an equality impact assessment?

Part of the council's core purpose is to *'provide a range of customer focused services and offer value for money and meet the needs of people who live, work and visit the district' and to 'maintain a cohesive community by ensuring we understanding the needs of our communities and provide equality of access to our services and employment opportunities'*.

It is therefore important that we collect and use information about our community to help us to understand how service changes and decisions might impact on the local community.

Our corporate *Ethos* makes it clear that in our stewardship role the council has a responsibility for *'ensuring the social, economic and environmental wellbeing of the local area'* and that in terms of social justice that *'the values of local government are founded on equality and meeting community needs'*.

Therefore we should consider how everything we do will impact on the communities that we serve. This should lead to more informed decision making, more customer focussed, cost effective, efficient services for local people.

When delivering services and employment, the council has a general equality duty to consider the need to:

- Eliminate unlawful discrimination, harassment, victimisation or other unlawful conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

How do I carry out an equality impact assessment?

A simple form has been developed to assist services with carrying out equality impact assessments.

The form provides a consistent approach to equality impact assessment, however, it is more important that we consider how everything we do will impact on the local community and that action is taken to mitigate impact. The form provides a way of recording this.

The council's 'getting to know our communities' data will help services to assess potential impact on protected groups. This provides both local and national statistics and is available on the Elsie equality and diversity page (via HR).

All councils have to produce similar information, therefore it may be useful to do a web search rather than starting from scratch.

An example of a completed form is also available on the Elsie equality and diversity page (via HR).

When do I need to carry out equality impact assessment?

Equality impact assessment should take place when considering doing something in a new way.

For example:

- A change in a current service or introduction of a new service
- The review of a current policy/strategy or the development of a new policy/strategy
- The start of a new project or when making a decision.

A decision making flow chart is available on the Elsie equality and diversity page (via HR).

An equality impact assessment form will need to be completed as an appendix to decision making committee reports eg Cabinet, Council.

Please note: the outcomes of your equality impact assessment should be used to inform your reports.

Please refer to the report writing guidelines on Elsie or contact democratic services for advice on this.

Who should carry out equality impact assessment?

An equality impact assessment should be carried out by the officer leading on above examples.

Who can I contact for support and guidance?

Equality impact assessment support is available from the HR and Organisational Development Team.

Equality impact assessment form

An equality impact assessment should take place when considering doing something in a new way.

Please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to ['report clearance'](#) (please refer to report writing guidance).

Please keep your answers brief and to the point. Consideration needs to be reasonable and proportionate.

Please also remember that this will be a public document – do not use jargon or abbreviations.

Section 1: Details

Service	People and Policy
Title and brief description (if required)	Introduction of Appeal Policy and revision of the grievance and performance improvement policies.
New or existing	New
Author/officer lead	Laura Collins, HR Policy and Strategy Lead
Date	10.11.2023

Does this affect staff, customers or other members of the public?

Yes Please complete the rest of the equality form.
No Please return the equality form as above.

Section 2: Summary**What is the purpose, aims and objectives?**

To consolidate and align the process for appealing formal decisions.
 To review and update the performance improvement and grievance procedures.

Who is intended to benefit and how?

- Existing members of staff and applicants– improving and developing our employment offer, ensuring our policies continue to be in line with legislation and best practice.
- Line Managers – providing a policy framework which is compliant and relevant and can assist them in managing people processes.

3. Lancaster City Council – attracting and retaining talent in our workforce ensuring that policies link to other wider underpinning strategies such as the people plan and fair work charter aims.

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?	Yes*	No
• Discriminate unlawfully against any protected group?	Yes*	No
• Affect the relations between protected groups and others?	Yes	No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?	Yes	No
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?	Yes	No

If yes, please provide more detail of potential impact and evidence including:	
<ul style="list-style-type: none"> - A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results? - What does this tell you ie negative or positive affect? 	
Age including older and younger people and children	N/A
Disability	<p>*All HR policies constitute a “provision, criterion or practice” which, even if applied equally to all members of staff, could disproportionately impact those with protected characteristics and therefore amount to discrimination for the purposes of the Equality Act.</p> <p>With these policies in mind, disability is relevant. In particular, a disabled employee’s ability to co-operate with the formal processes.</p> <p>There is of course a legitimate aim being pursued in having each of these policies in place and ensuring that reasonable adjustments are made and the capability of the employee is taken into account, this will be sufficient.</p>
Faith, religion or belief	N/A
Gender including marriage, pregnancy and maternity	N/A
Gender reassignment	N/A
Race	N/A

Sexual orientation Including Civic Partnership	N/A
Rural communities	N/A
People on low incomes	N/A

Section 4: Next steps

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

No

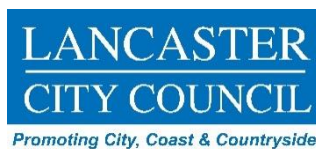
How have you taken/will you take the potential impact and evidence into account?

N/A

How do you plan to monitor the impact and effectiveness of this change or decision?

Policies to be reviewed in line with regular cycle of review annually.

Thank you for completing this equality impact assessment form, please submit your completed form as an appendix to your committee reports for monitoring and publishing purposes to [‘report clearance’](#) (please refer to report writing guidance).



Appeal Policy

1. Who does this policy apply to?

- 1.1 All employees of Lancaster City Council. Different arrangements apply for Chief Officers and the Chief Executive.

2. What is the purpose of this policy?

- 2.1 To provide guidance on 1) an employee's right of appeal and 2) the procedure to be followed when an employee wants to appeal against a formal decision.

3. What roles do the employee, the Appeal Hearing Officer, the Council and HR play in this policy?

3.1 Appeal Hearing Officer Responsibilities

- To evaluate whether it is necessary for the previous decision maker to be present in an appeal hearing to answer any questions and/or clarify any facts, or if a decision can be made on the evidence bundle and the employee's appeal alone.
- To conduct a fair hearing in line with this policy and associated guidance for managers.
- To stay in contact with the employee should there be any delays in providing an outcome.

3.2 Employee Responsibilities

- Employees must ensure they read this policy in advance of appealing a formal decision so that an appeal is submitted in the correct way.
- To provide thorough rationale and evidence in respect of the ground(s) of appeal identified.
- To inform the Appeal Hearing Officer or HR as soon as possible if they require any reasonable adjustments ahead of or during the hearing.

3.3 Council Responsibilities

- To ensure that all appeals are considered fairly and consistently.
- To ensure that the appeal process is in line with guidance provided by ACAS (Advisory, Conciliation and Arbitration Service).

3.4 HR responsibilities

- To appoint a suitable Chief Officer to hear appeals relating to dismissal decisions and to work in conjunction with Chief Officers who wish to delegate their authority to another suitable manager to hear appeals relating to sanctions short of dismissal.
- To support Appeal Hearing Officers by providing advice and guidance on policy.

4. What is an appeal?

- 4.1 The purpose of an appeal is to determine whether the original decision was a reasonable outcome.
- 4.2 For the appeal to be valid, the employee will need to set out one, or more, of the following grounds for appeal:
- There was a defect in the procedure followed
 - Not all evidence has been considered
 - New evidence has come to light since the sanction or decision which may have materially changed the outcome
 - The sanction or decision is too severe
 - In circumstances of redundancy, this may include a flaw in the selection criteria or its application or a challenge to scoring (on reasonable grounds)

5. What decisions can be appealed using this policy?

- 5.1 Employees have the right to appeal the following:
- Formal disciplinary sanctions short of dismissal
 - Dismissal under *any* policy (i.e., where employment has been brought to an end for any reason)
 - Formal grievance outcome
 - Rejection of a flexible working request

6. Appeal Process

- 6.1 An appeal must be made in writing within 10 working days from the receipt of written confirmation of the decision.
- 6.2 The appeal should be addressed and sent to the Chief Officer People & Policy.
- 6.3 A Chief Officer will have the authority to hear an appeal, and to delegate that authority where they feel that is suitable and appropriate (this is only likely to be in relation to formal sanctions short of dismissal).
- 6.4 The appeal hearing will be arranged with at least 5 working days' notice. Copies of the notes from the previous hearing will form part of the evidence and will be made available to all parties as soon as possible (if not with the invitation letter). Any new evidence an employee would like to introduce needs to be submitted as soon as possible and no later than 2 working days ahead of the appeal hearing. An Appeal Hearing Officer will have the discretion to accept evidence submitted after this, but an adjournment may be necessary to properly consider the evidence.
- 6.5 Employees may bring a companion to the hearing. They must notify the Appeal Hearing Officer or HR who the companion is at least 24 hours before the hearing. The companion can be a trade union representative, an official employed by a trade union, or a work colleague only.
- 6.6 The companion will be allowed to address the hearing to present and sum up the case. They can make representations and put forward the employee's case on the employee's behalf and confer with them during the hearing, but they cannot answer questions on the employee's behalf.
- 6.7 A note-taker will also be present in the hearing and HR may be present to advise the Appeal Hearing Officer.
- 6.8 If the employee, or their companion, are unable to attend the appeal hearing, it will be rescheduled to take place within the following 5 working days or as soon as is reasonably practicable. Notice will be given in

writing of the rescheduled appeal hearing. If the employee, or their representative are unable to attend on the revised date, the appeal may be heard on the evidence available.

- 6.9 The Appeal Hearing Officer will review the decision and the evidence from the original hearing and review any further evidence that may be relevant. If the Appeal Hearing Officer considers that there are any material deficiencies with the earlier process followed, they can elect to re-hear the prior stage. If this is the case, the hearing will follow the original hearing procedure. All parties and witnesses can be invited to attend. The possible outcomes will be consistent with the *appeal* hearing procedure.
- 6.10 The decision of the Appeal Hearing Officer can either be given during the hearing, or in writing if the Appeal Hearing Officer considers they need additional time to consider the case. An outcome letter will be issued within 10 working days of the appeal hearing in either case.
- 6.11 The decision made by the appeal manager is final. There is no further right of appeal.

7. What are the possible outcomes of an appeal?

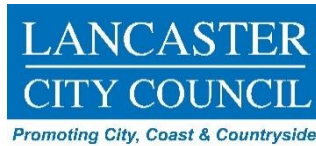
- 7.1 The appeal outcome will be relevant to the procedure followed. This list is not exhaustive, but potential outcomes could include:
 - Upholding the original decision, sanction, or dismissal
 - Reducing the original sanction (i.e., to scale back or to reinstate)
 - Increasing the original sanction
 - Overturning a rejection of a flexible working request
 - Revising a response to a grievance outcome and/or making different determinations as to resolution.
- 7.2 If the decision of the Appeal Hearing Officer is to reinstate the employee, this will take effect from the date of the original decision, and if the notice period of termination has already been exhausted, the employee will receive back pay.

8. When will this policy be reviewed?

- 8.1 This policy will be reviewed every year or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	[DATE]	Introduction of policy; approved by [NAME]	[DATE]



Grievance Procedure

1. Who does this policy apply to?

- 1.1 This policy applies to all current employees of the Council except those who are employed under the JNC terms and conditions for Chief Executives.
- 1.2 The Council shall have the discretion to consolidate this policy as it sees fit for employees who have ceased employment with the Council during the course of a grievance or raise a grievance after employment has ended.

2. What is the purpose of this policy?

- 2.1 The grievance policy provides employees with a framework within which to raise a complaint i.e., a grievance and sets out the process to be followed by the Council when a grievance has been raised.

3. What can I raise a grievance about?

- 3.1 It would be impossible to list everything that a grievance could be about, so it is important for employees to understand what the Council will *not* consider a grievance. The Council will not consider a complaint to be a grievance to be dealt with under this procedure if a separate procedure already exists to deal with that matter, such as:

- Appeals against salary or pay grades
 - Appeals against the issue of disciplinary warnings
 - Appeals against selection for redundancy
 - Appeals against performance management
 - Appeals against capability, sickness absence or disability procedures
 - Termination of employment by the Authority
 - Requests for flexible working
 - National conditions of service
 - A statutory requirement
 - A collective agreement
 - Council Policy
 - A grievance dealt with within this procedure within the last 24 months where there has been no change in circumstances.
- } other than the exercise and interpretation of these matters

4. What roles do the employee, management, the Council and HR play in this policy?

3.1 Employee Responsibilities

- To satisfy themselves that the complaint they intend to raise cannot be dealt with by an existing related procedure.
- To raise issues informally as soon as they arise.
- To co-operate fully with the procedure and to provide as much supporting information as possible; any evidence an employee intends to rely on must be provided by them.
- When raising a grievance, to include a proposed resolution to the complaint.

- ❑ Not to raise grievances maliciously or in a dishonest manner (if the investigation/grievance manager has any concerns in this regard, the matter can be referred for disciplinary action).
- ❑ To avoid taking industrial action in relation to a grievance before the final outcome has been provided.

3.2 Management Responsibilities

- ❑ Managers will conduct the management of grievance procedures sensitively and with respect for confidentiality where possible.
- ❑ Issues should be investigated as quickly as possible, and a response provided to the employee without undue delay.
- ❑ Keep employees up to date with progress on their grievance(s).

3.3 Council Responsibilities

- ❑ To ensure there is a consistent, supportive, and fair approach to dealing with grievances in line with legislative guidelines and best practice.
- ❑ The Council will at all times be aware of its legislative responsibilities.

3.4 HR responsibilities

- ❑ To support each service with selecting the appropriate level of line management who will be responsible for investigating and responding to a grievance.
- ❑ To support investigation and grievance managers by providing advice and guidance on policy.

Grievance Procedure

Informal Stage

4.1 It is expected that employees will try to raise grievances informally with their line manager before proceeding to the formal procedure.

4.2 In limited circumstances this initial, informal discussion may be with the next level of management. For example, in the absence of the employee's line manager or where their line manager is the subject of the grievance and, for this reason, the employee does not wish to discuss the grievance with them.

4.3 Managers and employees are encouraged to have an informal discussion as soon as possible. The manager's response may be given verbally but the manager will make a record of their response and any action that is agreed so there is a footprint to show that both parties have attempted informal resolution. Employees are also encouraged to take notes during meetings.

4.4 If the employee remains aggrieved, or the issue complained of is so serious that the informal stage of the grievance procedure is not appropriate, the grievance can progress to the formal stage of the procedure.

Mediation

5.1 Mediation is a useful tool to help resolve grievances. Mediation is a voluntary process where the mediator helps parties in dispute to attempt to reach an agreement. The role of the mediator is not to make decisions or judgments in relation to the grievance, but to facilitate the procedure to enable those involved to reach an acceptable outcome. During either stage of the procedure, a manager may decide that it is appropriate to appoint a mediator to help resolve the grievance.

Formal Stage

6.1 If attempts at informal resolution have been unsuccessful, or the matter was too serious to warrant informal resolution, an employee should first raise it formally, in writing, with their immediate line manager/supervisor clearly indicating that they are submitting a formal grievance. Grievances may also be submitted by an employee's representative.

- 6.2 The employee should provide sufficient detail of their complaint, provide any supporting evidence, and also indicate how they consider their complaint can be resolved. Although there is no guarantee that the matter will be resolved in the way they suggest, this gives managers an indication of the aggrieved employee's desired outcome.
- 6.3 Should the employee who raised the grievance subsequently go off sick at any point during the formal stage, and be unwilling to co-operate with the process, then the employee's Trade Union or other representative may be requested to act on their behalf to prevent unnecessary delay in resolving the grievance.
- 6.4 Once a grievance has been received, the line manager receiving this should advise HR, who will (if appropriate in the circumstances) appoint an investigation officer and grievance manager. Who is appointed to these roles will depend upon the severity of the complaint, and the seniority of the employee raising the complaint. Typically, the investigation officer will be at the same level as the employee's or subject of the grievance's (whoever's grade is higher) line manager, and the grievance manager will be at the same level as the investigation officer's line manager. If the Chief Officer is appointed as the grievance manager, they will always be able to delegate that authority to a suitable senior manager of their choosing.
- 6.5 Where an investigation officer is appointed, it will *always* be necessary for them to investigate the grievance, meet with the employee and review any associated evidence provided by the employee. The investigation may be straightforward, or it may entail speaking with a number of different employees. An investigation report will be prepared to assist the grievance manager when they are evaluating the most appropriate outcome to the grievance.
- 6.6 Although a meeting between the grievance manager and the employee, who has raised the grievance, may not always be necessary to consider the grievance and provide an appropriate response, the manager should assess whether a meeting with the employee would help clarify any specific points.
- 6.7 If the grievance manager does not consider it necessary for a meeting to be arranged, possibly because the matter is very straightforward and can be immediately resolved, or because an investigation officer has been appointed and their report is very clear, the manager should ensure that they provide the employee with a written response to the grievance without delay and always within 10 working days of receiving the grievance.
- 6.8 If a meeting is required, an employee will be given reasonable notice of the meeting in writing. An employee can be accompanied to the meeting by a trade union official or a work colleague. The purpose of the meeting is for the investigation officer or grievance manager to ensure that they fully understand the complaint and hold all of the relevant evidence. It is important that the employee's anticipated resolution is discussed at the meeting. It may be necessary following the meeting, either for the grievance manager to conduct further investigations themselves, or to request the investigation officer undertake further investigations.
- 6.9 A written response to the grievance should be provided as soon as possible, and not later than 10 working days following the meeting. If a manager is unable to meet this timeframe, they shall write to the employee, notifying them of the reason for the delay and managing their expectations on an updated response timeframe.
- 6.10 The formal response must make clear that if an employee is dissatisfied with the response, they have a right to appeal. Employees' attention is drawn to the Appeal Policy for further information on how to lodge an appeal.

7. When will this policy be reviewed?

7.1 This policy will be reviewed every year or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	01.10.1993	New policy	01.10.2000
2.0	01.09.1999	Revised policy approved by PC	01.09.1999
3.0	02.12.2003	Revised policy approved by PC	02.12.2005
4.0	31.01.2012	Revised policy approved by PC	31.01.2014
5.0	31.01.2017	Revised policy approved by PC	31.01.2019
6.0	[TBC]	Revised policy approved by [NAME]	[DATE]

FAQS

What are the possible outcomes of a grievance?

There are a number of possible responses to a grievance, and these will depend upon the desired outcome, but potential outcomes may include the initiation of other processes or procedures e.g., an investigation under the capability and disciplinary procedures, leading to a disciplinary sanction or informal recommendations for change such as further training and support.

Can I raise a grievance anonymously?

All interested parties are required to maintain confidentiality throughout this procedure in order to protect the integrity of the process. Failure by employees to maintain confidentiality may result in disciplinary action being taken. The content of a grievance will be shared as narrowly as possible, and an employees' anonymity will be carefully considered if requested however, there is often a delicate balance to be struck between an employees' request for anonymity and an accused parties' ability to challenge allegations against them. HR and the manager will make employees aware of who the grievance has been shared with and what details are necessary to share with any other individuals involved/concerned.

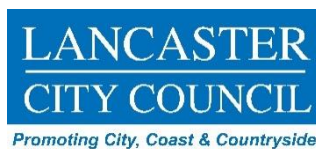
I am a Chief Officer, what arrangements apply for me?

It is recommended that you reach out to your HR Business Partner for support and guidance.

What if more than one employee is aggrieved about the same issue?

If more than one grievance is submitted on the same or similar grounds, the Chief Officer – People and Policy may, at their discretion, decide that there will be a group hearing. A representative group of employees will be

selected to meet with an appropriate manager, appointed by the Chief Officer – People and Policy. In these cases, there will be no right to an individual grievance hearing.



Performance Improvement Policy

1. Who does this policy apply to?

- 1.1 All employees of Lancaster City Council, except those who are in their probationary period (where the full procedure does not apply), casual workers, Chief Officers and the Chief Executive (to each of whom it does not apply at all).

2. What is the purpose of this policy?

- 2.1 Lancaster City Council values the contribution of its employees in the delivery and maintenance of quality services to the community. In order to achieve this, employees need to be capable of performing their job role effectively and efficiently and to achieve and maintain high standards of performance in their work. The Council is, therefore, committed to managing employee performance and believes that it is the responsibility of line managers and employees, with the support of HR and trade unions; to work together to ensure that expected standards of performance are maintained.

The Performance Conversation Framework sets out the Councils' expectations for how performance should be managed on an on-going basis. The Performance Improvement Policy focuses on the process to be followed when underperformance has been identified and a Performance Improvement Conversation, as set out in the Performance Conversation Framework is necessary. It also sets out the roles that employees, line managers, the Council and HR are expected to play in performance improvement.

3. What roles do the employee, management, the Council and HR play in performance improvement?

3.1 *Employee Responsibilities*

- To work to the required standard and to achieve an acceptable level of performance.
- Seek help at an early point with any problems which might have an impact on work performance.
- Actively participate in the Annual Conversation, team conversations and 1:1 conversations as set out in the Performance Conversation Framework.
- Attend the Council's corporate induction and undertake any mandatory training required for the post.
- Maintain and update where necessary any qualifications, memberships of professional bodies, or licences required for the post as listed on the person specification for the role.
- Participate in the discussion at all stages of this policy and offer their own suggestions on how they might improve their performance.

Management Responsibilities

3.2 The active management and monitoring of performance is a line manager's ongoing responsibility. It is essential that managers proactively assess performance and re-affirm what is expected of their staff on a regular basis through 1:1 meetings, team meetings and the Annual Conversation as prescribed by the Performance Conversation Framework. Managers have the following responsibilities:

- To assist and encourage all employees to achieve and maintain effective and acceptable standards of performance.
- To ensure the expectation of work performance is realistic and communicated effectively throughout employment.
- That their direct reports attend the corporate induction and all relevant mandatory courses.
- That they regularly review their employee's skills in the Annual Conversation and identify areas for further training and development which can be provided where necessary.
- To have read and understood the Performance Conversation Framework and to actively utilise the Framework when communicating with direct reports on performance.
- They are available for advice and supervision when required.
- That the job content is applicable to the job description and person specification of the post.
- That workload is appropriate and is regularly reviewed.
- That they consider whether any mitigating circumstances are contributing to any performance concerns and ensure that if so the employee is supported in the appropriate manner.
- They act where necessary to resolve any performance issues at an early stage and do not wait for the next Annual Conversation.
- When performance issues are identified, they collate evidence to show how and why they believe than an employee is not performing to the required standard in line with the Performance Improvement Conversation guidance set out in the Performance Conversation Framework.

3.3 **Lancaster City Council responsibilities**

- To provide line managers with a framework and guidance to improve the performance and capability of employees to meet service standards.
- To ensure there is a consistent supportive and fair approach for dealing with capability and performance improvement issues in line with legislative guidelines and best practice.
- The Council will at all times be aware of its legislative responsibilities and will conduct the management of performance improvement cases sensitively and with respect for confidentiality.

HR Responsibilities

3.4 The HR Team are responsible for supporting managers and employees to improve performance. They will:

- Provide advice and guidance to managers, employees, and Trade Union representatives on how to implement the policy.
- Encourage managers to treat all staff across the Council in a fair and equitable manner and ensure that their guidance is underpinned by the principles of the Performance Conversation Framework and this Performance Improvement Policy.
- Attend formal performance improvement meetings.
- Keep appropriate records.

Performance Improvement Procedure

4 Stage One – Performance Improvement Conversation

4.1 When a line manager feels that work performance has become unsatisfactory (and that this cannot be remedied by a 1:1 conversation), a Performance Improvement Conversation should take place in line with the Performance Conversation Framework. This conversation constitutes the *informal* stage of the Performance Improvement Procedure.

4.2 The purpose of the Performance Improvement Conversation is to establish a way forward and to ensure improvement in the standards of performance of the employee. During the meeting it is expected that there is:

- ❑ A discussion about the employees' current performance levels, an explanation for the perceived underperformance and a confirmation of the standard of performance expected.
- ❑ An exploration of whether there are any factors preventing proper performance and appropriate action taken where this is discovered.
- ❑ A discussion around workload, support, and training and whether any additional supportive measures need to be explored.
- ❑ Agreement on Performance Improvement Objectives i.e., the targets that employees will be expected to meet during the Performance Review Period. It is a requirement of this policy that the informal Performance Review Period must be no shorter than **three months**, to ensure employees have had an adequate opportunity to improve.
- ❑ An explanation given about the consequences of failing to achieve the Performance Improvement Objectives i.e., that the matter will progress to Stage 2 of the procedure (the beginning of formal performance improvement).

4.3 Line managers should confirm the Performance Improvement Objectives and the Performance Review Period in writing following the Performance Improvement Conversation, so it is clear to the employee what is required to improve. A copy of this policy should also accompany this letter.

4.4 During the Performance Review Period, the manager and employee should meet at least fortnightly for 1:1 meetings to review progress.

4.5 At the end of the Performance Review Period, a follow up review should take place to assess whether the required improvements have been made. If they have, this will be confirmed to the employee in writing. This letter will also make clear that if there is any further underperformance in the following 12 months, they will automatically be called to a Stage two meeting. If the line manager considers that they have not met the Performance Improvement Objectives, the matter will progress to stage two; the formal performance review meeting.

5 Stage Two – Formal Performance Review Meeting

5.1 A stage two Formal Performance Review Meeting will be necessary if work performance remains unsatisfactory following the informal stage. That is to say that the Performance Improvement Objectives set during the informal stage have not wholly been met, or there has been further underperformance in the 12 months following a Performance Improvement Conversation.

5.2 As this is a formal stage, employees will be invited, by letter, at least five working days in advance of a stage two meeting. Any evidence relied upon for underperformance will be provided in advance of the meeting so that employees are able to adequately prepare.

5.3 Employees are entitled to be accompanied to the meeting by a trade union official or a work colleague. HR will also attend the stage two meeting. If an employee or their companion is unable to attend, the Council will reschedule on one occasion.

5.4 The purpose of a stage two Formal Performance Review Meeting is to review performance against the Performance Improvement Objectives set at the informal stage of the procedure (the Performance Improvement Conversation). During the meeting, it will be expected that:

- ❑ Performance expectations are made clear, and the issues previously discussed are reviewed and reaffirmed.
- ❑ Any progress or improvements are highlighted.
- ❑ Where objectives have not been met this is clearly stated and an assessment is conducted of why that might be the case.
- ❑ Support measures (such as additional training or varied workload) are reviewed for effectiveness.
- ❑ Further Performance Improvement Objectives and the Performance Review Period are set. The formal review period must be no shorter than **one month**.
- ❑ The consequences of failing to achieve the Performance Improvement Objectives are explained i.e., that the employee will be called to a Stage Three – Final Performance Review Meeting.

- 5.5 Line managers should confirm the Performance Improvement Objectives and the Performance Review Period in writing following the meeting, so it is clear to the employee what standard of performance is expected of them.
- 5.6 During the Performance Review Period, the manager and employee should meet at least fortnightly for 1:1 meetings to review progress.
- 5.7 At the end of the Performance Review Period, a follow up review should take place to assess whether the required improvements have been made. If they have, this will be confirmed to the employee in writing. This letter will also make clear that if there is any further underperformance in the following 12 months, they will automatically be called to a Stage two meeting. If the line manager considers that they have not met the Performance Improvement Objectives, the matter will progress to Stage Three; the Final Performance Review Meeting.

6 Stage Three – Final Performance Review Meeting

- 6.1 If following completion of the Stage Two Performance Review Period, the employee's performance has still not improved against the agreed Performance Improvement Objectives, the employee will be called to a Stage Three – Final Performance Review Meeting.
- 6.2 As this is a formal meeting, employees will be invited, by letter, at least five working days in advance of a stage two meeting. Any evidence relied upon for underperformance will be provided in advance of the meeting so that employees are able to adequately prepare.
- 6.3 Employees will be entitled to be accompanied to the meeting by a trade union official or a work colleague. HR will also attend the stage three meeting. If an employee or a companion is unable to attend, the Council will reschedule on one occasion.
- 6.4 In the majority of cases the meeting will be carried out by the same manager who has held the Stage One and Stage Two meetings. However, in some circumstances it may be appropriate for a more senior manager (below the level of Chief Officer) to hear the Stage Three – Final Performance Review Meeting. This will be a matter for local management to decide.
- 6.5 The purpose of a Stage Three Meeting is to identify if anything further can be done by the Council to improve the employee's performance. Stage Three is an opportunity to review the full case history and ensure that the manager has considered all reasonable options to improve the employee's performance. It will be expected that all matters discussed in previous meetings are revisited, but also at this stage, consideration should be given to redeployment if there are any suitable roles available. Managers will also need to communicate to the employee that if these objectives are not met, they will be called to a Stage 4 Case Review Hearing which could result in their dismissal.
- 6.6 Performance Improvement Objectives should again be set, and the Performance Review Period should be no shorter than **one month**. Managers should confirm the Performance Improvement Objectives and the Performance Review Period in writing following the meeting, so it is clear to the employee what standard of performance is expected of them.
- 6.7 During the Performance Review Period, the manager and employee should meet at least fortnightly for 1:1 meetings to review progress.
- 6.8 At the end of the Performance Review Period, a follow up review should take place to assess whether the required improvements have been made. If they have, this will be confirmed to the employee in writing. This letter will also make clear that if there is any further underperformance in the following 12 months, they will automatically be called to a Stage two meeting. If the line manager considers that they have not met the Performance Improvement Objectives, the matter will progress to Stage Four – Case Review Hearing.

7 Stage Four – Case Review Hearing

- 7.1 If following completion of the Stage Three Performance Review Period, the employee's performance has still not improved against the agreed objectives, the employee will be called to a Stage Four – Case Review Hearing. This will be held by a Chief Officer.
- 7.2 As this is a formal hearing, employees will be invited, by letter, at least five working days in advance. Any evidence relied upon for underperformance will be provided in advance of the hearing.
- 7.3 Employees will be entitled to be accompanied to the hearing by a trade union official or a work colleague. HR will attend to advise the Hearing Officer. If an employee or a companion is unable to attend, the Council will reschedule on one occasion.
- 7.4 The purpose of the Stage Four Hearing will be for the Hearing Officer to consider whether, having reviewed the evidence presented, there are any further actions that the Council can take to assist the employee in improving their performance and thereby continuing in employment. The Hearing Officer will also consider whether employment should be terminated due to an employee's failure to work to an acceptable level of performance. Redeployment and demotion (should there be roles available at the time of a Stage Four Hearing) will always be considered as alternatives to dismissal.
- 7.5 It will be for the Chief Officer to decide on the basis of the procedure followed and the evidence provided, whether they consider the previous decision maker is required to be present in the Stage Four Hearing. Should the Hearing Officer consider that this is not necessary, but where they may have questions about the previous stages of the procedure, they may meet with the previous decision maker and ensure that an accurate note of that meeting is provided to the employee alongside any other evidence provided in support of the referral to a Stage Four Hearing.
- 7.6 If the Hearing Officer concludes that the employee is to be dismissed as they have not been able to maintain an acceptable level of performance, under this Policy, it will be with contractual notice. In line with Council practice, accrued annual leave should be taken by the employee during their notice period. Should the Council wish, it may elect to pay the employee in lieu of their notice period.
- 7.7 Normally the employee will be informed verbally of the outcome at the conclusion of the hearing, although this may not always be possible. In either case, employees will receive the outcome in writing within five working days. Should there be any reason for a delay beyond five working days, the Hearing Officer will communicate this to the employee as soon as possible.
- 7.8 Where a decision is made to terminate employment, the employee will have the right of appeal against the decision. Please refer to the Appeal Policy for more information on how to lodge an appeal.
- 7.9 If the Hearing Officer decides that dismissal is not appropriate, it is for the Hearing Officer to define any further Performance Review Objectives and Performance Review Periods. It is expected that the employee would be moved back to Stage 3 of the procedure for further monitoring and support (as appropriate). In such cases, the Hearing Officer will write to the employee within five working days setting out the decision, the points discussed, future actions, the Performance Review Objectives, Performance Review Period and the consequences of improvements not being met.

8. When will this policy be reviewed?

- 8.1 This policy will be reviewed every year or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0			

FAQ's

What if I am new to the role?

Probationary Period

This policy does not apply to those employees who are working in their probationary period. Please refer to the Probation Policy for guidance.

Appointment Review

Those employees who have been recruited internally are subject to an Appointment Review Period. Perceived underperformance by employees who are subject to appointment review will be dealt with under this policy. Employees whose performance is not satisfactory at the end of the 6-month appointment review period will automatically enter this policy at Stage 2.

Will this have an impact on my pay increment?

If an employee's performance is under review, within this policy and procedure, the appropriateness of annual incremental progression should be considered.

Should a performance issue be identified, the line manager should inform the relevant Chief Officer who will take the decision whether to suspend incremental progression until the level of performance has improved. It would not normally be expected that an employee whose performance is below the required standard would receive an increment.

If it is decided that incremental progression is to be suspended the relevant Chief Officer should meet with the employee to further explain the reasons for the suspension of the increment. The employee's next increment will not normally be received until the following April.

The Chief Officer should write to the employee to confirm the decision. A copy of the letter should be provided to Human Resources to action the change.

What if I am not happy about the fact my manager has instigated the performance improvement process against me?

The Council would not expect that a grievance would be raised in respect of the Performance Improvement Policy being instigated by a line manager, unless the employee holds a reasonable belief that this is for a discriminatory reason. The informal and formal stages of this process, allow for an appropriate forum to challenge the decision to review performance. If the Council finds that it was reasonable for a line manager to initiate the process, and an employee raises a grievance, it shall have the right to refuse to hear the grievance.

What if I have sickness absence whilst my performance is being managed?

An employee who is absent due to sickness during the course of the performance review procedure must be referred to Occupational Health immediately. Consideration will then be given to the nature of the illness and whether it is connected to the performance issues. Reasonable adjustments will be made, where required, to assist the employee back to work to continue with the performance review process.

The performance review period will remain as that set by the line manager and will not be adjusted if the absence is less than two working weeks in duration.

It is recognised that long term absence exceeding two weeks during the Performance Review Period may however cause a loss of continuity in the performance improvement process. Should the absence extend beyond two of the employees standard working weeks the line manager may extend the Performance Review Period by the same amount as the absence.

Upon the employee's return to work the employee will remain at the stage of the procedure that was reached at the time that the long-term absence commenced.

Any sickness absence should be dealt with as normal in line with the Council's Sickness Absence Management Policy and Procedure.

What if I lose a qualification or licence I am required to have to perform my role?

A stage 4 Case Review Hearing will be arranged, and consideration will need to be given as to whether a report will need to be made to the appropriate body who may investigate the case. If this step is considered necessary, it will be completed *after* the Council's internal procedure has been followed.

At the Case Review Hearing consideration will be given to:

- The circumstances under which the qualification or licence was lost or failed to be achieved.
- The need for the qualification to be undertaken i.e., whether the post can operate without the required qualification or licence.
- Financial and cost implications of re-training and re-sitting exams.
- Whether additional time can be given for the employee to attain the required standards and if so what timescale this should be.
- Whether temporary alternative duties can be sought.
- Redeployment.

Should alternative employment not be available, or the measures considered above are not suitable in the circumstances, the loss of or failure to achieve the required qualification or licence may lead to dismissal.

PEOPLE AND OD COMMITTEE

HR Assurance update

21st November 2023

Report of the Chief Officer – People and Policy

PURPOSE OF REPORT

To update People and OD Committee on progress against the HR action plan, developed following an audit originally conducted in 2020.

This report is public

RECOMMENDATIONS

(1) That People and OD Committee notes the progress made in the completion of the action plan, and how this links to the wider HR and OD work plan.

1.0 Introduction

1.1 In October 2020 the council were in receipt of an Internal Audit report, prepared by the previous in-house Internal Audit Team, for ‘HR Assurance’, which concluded on the systems, processes and controls in place against a number of agreed objectives prior to and up to the point of the report being issued. The review provided minimal assurance and a significant number of actions were identified to strengthen the control environment.. It provided an action plan which has been taken forward and maintained by the Council.

1.2 Since the publication of the report there have been a number of significant changes within the HR Team. Following the instalment of an Interim Head of HR in July 2021, a new permanent Head of HR was appointed during 2022, who has instigated and implemented a HR restructure review in September 2022. Additionally, just two members of the original HR team remain in post.

1.3 As part of the 2021/22 Internal Audit Plan, MIAA undertook a review specifically focusing upon the progress against the recommendations made within the above referenced report.

1.4 This report, published in March 2023, contained a number of actions including:

The Council should consider putting a reporting process in place, whereby progress against the HR action plan is provided to the People and OD Committee. This would provide the People and OD Committee with assurances that the actions are either completed or are in hand with expected completion dates and action owners.

1.5 The purpose of this report is to summarise the findings of MIAA in March 2023, to summarise progress made to date, and the current position. This overview links to many other elements of the overarching HR and OD workplan, many of which have been and will be brought to People and OD Committee for discussion and/or approval.

2.0 Overview

- 2.1 The aforementioned MIAA Audit report (March 2023) can be found in appendix one. This includes the original action plan of 35 recommendations, and highlights ten that at this point in-time remained outstanding or in-progress following their review.
- 2.2 Appendix two contains the HR action plan with the most recent updates on progress against the action plan. This shows that of the ten outstanding actions, six are now complete and four are on-going.

4.0 Conclusion

- 4.1 Good progress has been made against outstanding HR Assurance Audit actions since March 2023.
- 4.2 Outstanding actions are in-hand; three relate to the work of the newly appointed HR Policy / Strategy Lead, and one relates to an audit which is due to commence.
- 4.3 A further update will be provided to Committee at the next scheduled meeting.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

N/A

LEGAL IMPLICATIONS

There are no legal implications arising from this report.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:

Pace at which actions were completed were negatively impacted by a lack of resource. Now that a HR Policy/Strategy Lead is in-place, this has been resolved.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no comments.

BACKGROUND PAPERS

Effectiveness of HR review (Appendix 1)
HR Action Plan (Appendix 2)

Contact Officer: Alex Kinch

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To: Mark Davies, Chief Executive
Alex Kinch, Head of HR
Luke Gorst, Head of Legal Services/ Monitoring Officer
Paul Thompson, Head of Finance / Section 151 Officer
Suzanne Lodge, Interim Director of Communities and Environment
Cllr Stubbins, Chair of Audit Committee

From: Fiona Hill, Engagement Manager
Louise Cobain, Engagement Lead

Date: 20/03/2023

Re: Effectiveness of HR Review

1 Introduction and Background

In October 2020 the council were in receipt of an Internal Audit report, prepared by the previous in house Internal Audit Team, for 'HR Assurance', which concluded on the systems, processes and controls in place against a number of agreed objectives prior to and up to the point of the report being issued. The review provided minimal assurance and a significant number of actions were identified to strengthen the control environment.. It provided an action plan which has been taken forward and maintained by the Council.

Since the publication of the report there have been a number of significant changes within the HR Team at the Council. Following the instalment of an Interim Head of HR in July 2021, there has been a new permanent Head of HR appointed during 2022, who has instigated and implemented a HR restructure review in September 2022. Additionally, just two members of the original HR team remain in post.

As part of the 2021/22 Internal Audit Plan, MIAA undertook a review specifically focusing upon the progress against the recommendations made within the above referenced report.

2 Objectives & Scope

The overall objective was to assess the progress in relation to the recommendations made within the 2020 HR Assurance report.

Note: this assurance was limited to the areas within the Council's action plan.

3 Management Summary

Since the publication of the HR Assurance Review in 2020, good progress has been made in the completion of the action plan.

The HR Assurance review contained a total of 35 recommendations to be implemented, we have confirmed that all of these actions were transferred into the Council action plan. The Council plan

contained an action for each recommendation along with a responsible officer, except for those which were no longer applicable. We noted that progress was reported to the Audit Committee in July 2021 with no further updates provided to any Council Committees including the Personnel Committee.

The action plan was last updated in October 2022, 22 actions were noted as completed, nine actions as no longer applicable and four actions outstanding requiring the update of HR Policies.

A summary of the status from our review of the 35 recommendations is as follows:

- Nine actions are no longer applicable, as they either relate to the previous Head of HR or posts which are no longer in operation such as the OD and People Manager.
- Five actions marked as complete by the Council have been assessed by MIAA as in progress and require further work, including the roll out of E-learning on additional payments and honorariums, and the update of the Electronic Signature Policy to include the use of signing on behalf of others.
- Four actions require the review and update of HR Policies. The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.
- One action requires an Internal Audit Review across the Council on Honorariums. It is proposed that an Honorarium and Additional Payment Review is included as part of a wider Payroll review in the 2023/24 Internal Audit Plan.
- We have verified that the remaining 16 actions have been completed, although one action could be further enhanced with clarity on decisions and actions taken at the SLT.

We completed our review through discussions with staff and management, walkthrough of new processes and review of updated template documents.

We have provided a Summary of the Action Plan Recommendations and Actions in Appendix A.

4 Further Actions Required

- The Council should consider putting a reporting process in place, whereby progress against the HR action plan is provided to the Personnel Committee. This would provide the Personnel Committee with assurances that the actions are either completed or are in hand with expected completion dates and action owners.
- All HR Policies and Procedures to be reviewed, as planned. Deadlines should be set for their completion. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet.
- An Internal Audit Review of Honorariums and Additional Salary Payments to be included in a wider Payroll Review 2023/2024 Internal Audit Plan. The review should assess the updated controls in place and their operating effectiveness.

- Entries on the actions/decisions log produced from Executive meetings to be made clearer.
- Any decisions relating to the non-recovery of salary, honorarium or additional overpayments should be formally approved by a decision making body and the decision recorded along with documentation retained on personal files.
- An Electronic Signature Policy was introduced in January 2023; however, it was noted that it did not include the circumstances where someone signs a document on behalf of a person not able to sign (i.e. pp). The Council should update the Policy, we understand this is planned to be completed imminently. However, in the interim staff have been advised in a newsletter that they should not 'pp' a signature unless they have delegated responsibility to do so.
- E Learning to be rolled out, as planned in April 2023, regarding Honorariums and Additional Payments.

Appendix A: MIAA Assessment of Action Plan

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
1	All HR policies, procedures and guidance documents should undergo a regular rolling review (minimum every 3 years) with clear timescales and version control documented within each. In addition, such documents should be subject to a formal approval process by the Personnel Committee or another appropriate governing body.	The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.	In Progress	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet.
2	Any future change or removal of significant controls should be discussed with the Internal Audit Team to identify any risks associated with the proposed changes. This is with regard to person specifications	A new Job description template has been introduced. It requires the input of person specifications. We understand new positions from September 2022 include person specifications.	Complete	N/A
3	Given the person specification provides a fundamental control in ensuring the best	A new Job description template has been introduced. It requires the input	Complete	N/A

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
	candidate is appointed for a role, the decision by Ad Esse to remove the Person Specification approved by Personnel Committee on 23 July 2020 should be revoked.	of person specifications. We understand new positions from September 2022 include person specifications.		
4	Training should be provided to members of the Personnel Committee to ensure they understand the importance of challenging any changes to established policy and procedures in particular where the change is in respect of the removal of internal controls.	<p>A training schedule is maintained to ensure all members of the Personnel Committee receive training along with any new members. All members of the Personnel Committee have received training.</p> <p>There is a further training programme planned for after the May elections to train all members once appointed.</p> <p>The Head of HR regularly has 121's with the Chair.</p> <p>Agendas are forward planned.</p>	Complete	N/A
5	The Recruitment and Selection Guidance needs to be amended to state that interview documentation supporting the appointment of an employee is retained on file until the probationary period has been completed.	The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.	In Progress	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
				when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet.
6	Access to HR personnel files should be appropriately restricted within the HR Team to prevent unauthorised access, deletion or amendment of key records.	Access to the files are restricted to HR staff. The My View system, which contains pay and personal details has restricted access with manual approval processes in place. A HR member of staff cannot amend their own details as payroll will not action changes without the approved change form.	Complete	N/A
7	All checks per the pre-employment checklist should be carried out by HR and evidence be retained on personnel files irrespective of whether an employee is recruited through an agency or not. This change needs to be reflected in the Recruitment and Selection Guidance.	Checklists and documentation are maintained, retained and updated in HR. HR follow-up any outstanding information and candidates are not employed or issued with a contract until all checks have been completed. The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.	In Progress	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
				communicated across the Council, with training provided where required and made available to all staff on the intranet.
8	The personnel file is and should be the primary source of documentation of an employee's employment, therefore HR should be responsible for ensuring personnel files contain all relevant documentation (qualifications/references/probation reviews/change of conditions etc.) in relation to an employee's employment. This is to avoid duplication or missing documentation.	HR retain documentation and maintain checklists to ensure all documentation is received with regard to probationary reviews, pre-employment checks, appointment letters and contracts and any change of conditions.	Complete	N/A
9	The successful completion of a probation period should not be assumed on the basis of nothing to the contrary being submitted. HR should ensure that all probation reviews have been completed and all necessary paperwork is retained on personnel files prior to a successful appointment letter being sent. Given this, the decision made by the Personnel Committee on 23 July 2020 to	Template appointment letter, and template contract, contain details of the Probationary requirements. Probationary and Recruitment spreadsheet logs are maintained in HR to track the completion of documentation to support the Probationary Period. Follow up of and of any outstanding checks not completed by the line manager is also completed on a quarterly basis.	Complete	N/A

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
	send appointment letters based on assumptions should be revoked.	Documentation is retained by HR.		
10	<p>Given the discrepancy between MyView and the Head of HR's three-month probation documentation, this absence needs to be appropriately recorded and any subsequent Return to Work interviews should be documented.</p> <p>In addition, given that accurate absence recording may be a council wide issue, a further piece of work needs to be completed by Internal Audit.</p>	<p>There is a new Head of HR in post.</p> <p>An Internal Audit Review on absence reporting is underway.</p>	In Progress	<p>Management to action any recommendations from the Internal Audit Review.</p> <p>Actions will be incorporated into the MIAA follow-up position, which is regularly reported to the Audit Committee.</p>
11	The honorarium awarded to the Head of HR should be independently reviewed to ensure that the rationale for the award is appropriate, it is financially accurate (relevant to the pay and grading structure) and that the subsequent JE process has not already accounted for these additional duties given the honorarium is still continuing.	<p>The Head of HR is no longer in post, with a new Head of HR appointed in 2022. However, should the new Head of HR be awarded an honorarium, it would have to go through the correct processes requiring authorisation by both Finance and the Chief Executive prior to the acceptance of payroll for payments to be made.</p> <p>All honorariums and additional payments must be authorised by the Chief Executive Officer.</p>	Complete	Internal Audit to conduct a Payroll Review in 2023/24 to include a focus on additional payments including honorariums.

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
12	If the Executive Team are to continue to make significant decisions during their meetings i.e. agreeing restructures, these meetings should be minuted or a decision log kept to ensure transparency and accountability.	An action log is retained for decisions and any actions required. These act as minutes due to lack of resource to minute meetings.	Complete	Whilst this action has been completed it could be further enhanced, as we noted that the Executive Team action log does not differentiate between an action and a decision. It could be further enhanced with an additional column.
13	Given that it has been established that the People and OD Manager did gain financially in her new role, consideration should be given to allowing the HRBP's to register an interest in this post.	This role is no longer in place.	Complete	N/A
14	Authorising officers should ensure that they are fully satisfied that all criteria has been met, and council policies have been followed appropriately, prior to signing off on Vacancy Authorisation Form (VAC) forms. Regular challenge, being 'devil's advocate' is an important part of maintaining high standards and ensuring complacency doesn't set in.	Vacancies are not accepted until the appropriate forms have been fully completed and signed off. These are monitored by a central spreadsheet in HR. Additionally, there is currently a recruitment freeze and therefore any recruitment must be approved by the SLT. These are recorded in the SLT decision log.	Complete	N/A
15	The Successful Candidate Information Form should be amended to ensure that the reasons for starting a new employee on a	Successful Candidate Forms are reviewed by HR, if the salary quoted is above the bottom of the grade the	Complete	N/A

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
	salary above the bottom of a grade are clearly documented and in line with the considerations per the Recruitment and Selection Guidance. Travel expenses are not to be considered as a reason to appoint above the bottom of a grade.	form requires the manager to contact HR before offering the role. HR will assess the reasoning for the higher salary. This could be due to skills shortages or expertise and experience in the role advertised. HR will obtain further evidence where required such as payslips etc.		
16	A decision should be made and documented by the S151 Officer to ascertain if the employee's starting salary is considered appropriate and in line with policy. All factors should be considered including the current home working arrangements. It may be necessary to claw back overpayments and/or explore other measures such as freezing future increments to reflect the overpayment.	It has been decided that it would not be practical to sit with the s151 Officer. Approval of salary rates is part of the vacancy and recruitment procedures and approval processes. Where there are queries over starting rates the HR Business Partner would be involved in providing advice and support.	Complete	N/A
17	Offers of employment should not be made until the closing date has passed and either a competitive interview process has been undertaken or it has been agreed in line with the policy that this is not necessary.	The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.	In Progress	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
				given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet.
18	Report authors should be reminded to adhere to Committee report timetables to allow committee members adequate time to consider proposals and recommendations prior to the meeting. Democratic Services should be supported in rejecting late submissions unless there is an acceptable reason.	Committee timetable is in place with deadlines for papers to be submitted. Democratic Services have confirmed that no papers have been submitted late or caused issues.	Complete	N/A
19	If the post of Senior Head of People and Transformation is still required/considered appropriate given the findings of the HR assurance work, the financial viability of the post needs to be fully documented within a business case, agreed by Finance and then resubmitted to Personnel Committee.	This position is no longer in operation.	Complete	N/A
20	Should the currently halted creation of the post of Senior Head of People and Transformation still be required, the job	This position is no longer in operation.	Complete	N/A

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
	description and covering Personnel report should be independently produced.			
21	Reference to the Senior Head of Transformation and People post should be removed from the Pay Policy which was approved at Personnel Committee on 12 March 2020 whilst a decision is made in relation to this post (R19).	This position is no longer in operation.	Complete	N/A
22	In accordance with the Councils' probationary process, the performance of the OD and People Manager should be reviewed per the requirement of the Chief Officer as stipulated on the re-designation form.	This position is no longer in operation.	Complete	N/A
23	The job description for the OD and People Manager should be amended and re-evaluated to accurately reflect that the post is not deputising for the Senior Head of Transformation and People (graded at Deputy Director level).	This position is no longer in operation.	Complete	N/A
24	To remove any conflicts of interest, all posts within HR should be independently re-evaluated if not already done so, to ensure	Since the report was issued, all but two of the previous HR team have left the Council. There is now a new team led by a new Head of HR.	Complete	Although the restructure was independently approved and reviewed at the Council by the Executive Team and was completed

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
	that scores allocated are accurate and appropriate for the roles.	There was a restructure in September 2022, with posts reviewed by the Job Evaluation and Organisational Design Lead overseen by the new Head of HR...This was reviewed and approved by the Unions and the Councils Executive Team.		by the new incoming Head of HR. Any future evaluations of HR or any other Council service, should be completed independently and follow this approval route to ensure independent oversight and objectivity.
25	As per the policy, the Head of HR should ensure that all Change of Condition forms are fully completed and are appropriately authorised per the Scheme of Delegation. In instances where the change of condition relates to a member of the HR team, forms should be checked by the Head of Audit or the Monitoring Officer, to ensure an effective separation of duties is in place. The form should be refreshed to enable this check to be evidenced.	All Change of Condition forms require Finance approval before being actioned. They also require approval by the Chief Executive.	Complete	N/A
26	All staff should be informed of the correct process for signing documents on behalf of others (pp) e.g. inserting their own name/signature not that of the absent authoriser. This practice of using 'pp' should only take place where clear delegated authority exists to do so.	An Electronic Signature Policy was introduced in January 2023. However, it did not include the requirements for signing documents on behalf of others. However, in the interim staff have been advised in a newsletter not to sign on behalf of others unless	In progress	As planned, Electronic Signature Policy to be updated to include signing documents on behalf of others.

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
		authorised through delegated authority to do so.		
27	The overpayment made in respect of the Projects and OD Manager's honorarium be reviewed and a decision be made by the Section 151 Officer whether to clawback the overpayment in line with the Payroll Management Policy.	We understand that it was agreed the overpayment should not be recovered. The Projects and OD Manager, along with the management who made the decision have since left the Council.	Complete	Any decisions relating to the non-recovery of salary overpayments should be formally approved by a decision making body and the decision recorded along with documentation retained on file.
28	Appropriate training should be provided to Managers/Directors to make clear the content and correct application of the Acting-up policy. The training should focus on the rationale for award, making clear that these payments are not to be used as a means of performance related pay.	E Learning is being developed and rolled out. Managers are able to liaise with their HR Business Partner on any acting-up, if they have queries. Change of Conditions forms where acting up payments are implemented must be reviewed and signed by Finance, Head of Service, HR and the Chief Executive.	In progress	E Learning to be implemented and rolled out in April 2023, as planned.
29	Given the errors made during the award of Covid related honorariums, a full review should be completed to identify the errors made and take corrective action, which may involve recovering overpayments per the Payroll Management Policy.	We understand that it was agreed any overpayments should not be recovered. The management who made the decision have since left the Council. Additionally previous HR	Complete	Any decisions relating to the non-recovery of salary overpayments should be formally approved by a decision making body and the decision recorded along with documentation retained on file.

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
		members have left the Council, with only 2 remaining.		
30	Given the number of errors identified in relation to HR honorariums, it is felt that HR staff would benefit from refresher training on the requirements of the Honoraria and Acting Up Policy to ensure the advice and guidance they give is accurate and up to date.	E Learning is being developed and rolled out. Managers are able to liaise with their HR Business Partner on any acting-up, if they have queries. Change of Conditions forms where acting up payments are implemented must be reviewed and signed by Finance, Head of Service, HR and the Chief Executive.	In progress	E Learning to be implemented and rolled out in April 2023, as planned. As part of the Finance review of honorariums, calculation accuracy must be checked.
31	Given the number of errors identified in relation to the award of HR honorariums a further piece of work needs to be completed by Internal Audit to ensure honorariums are awarded in accordance with policy across the council.	It is proposed that a Payroll Review is included in the 2023/24 Internal Audit Plan to include additional salary payments such as acting up and honorariums.	In Progress	Internal Audit to conduct a Payroll Review in 2023/24 to include a focus on additional payments including honorariums.
32	All HR forms to be shared through SharePoint to enable an appropriate audit trail to be established.	The HR shared drive is secure, and access is restricted to HR staff. There are clear signatories for forms which are retained.	Complete	N/A
33	Given the findings of the HR Assurance work and recognising that the Head of HR is new	The new Head of HR appointed in 2022 has extensive experience of	Complete	N/A

Ref	Original Recommendation	MIAA Update	MIAA Assessment	Further Recommendation/Action Required
	to Local Government and the council, it is recommended that training on the council's Constitution, in particular the Scheme of Delegation be given.	working in the Local Government sector. They also underwent induction training on appointment.		
34	Where a document has been signed (pp'd) on behalf of another authorising officer the officer ultimately responsible for the decision (e.g. Chief Executive) should ensure that these authorisations are in accordance with the Scheme of Delegation within the Constitution.	An Electronic Signature Policy was introduced in January 2023. However, it did not include the requirements for signing documents on behalf of others. However, in the interim staff have been advised in a newsletter not to sign on behalf of others unless authorised through delegated authority to do so.	In progress	As planned. Electronic Signature Policy to be updated to include signing documents on behalf of others.
35	All HR staff should undergo ethical standards training to ensure they are familiar and know how to apply the 'The Seven Principles of Public Life' (also known as the Nolan Principles) which form the basis of the expected ethical standards of a public office holder.	There are now only 2 members remaining. The Nolan Principles have been circulated and are referenced in the Code of Conduct. Additionally new members of the team have received induction training on the Code of Conduct and Nolan Principles. These documents are available to all staff on the intranet and also on the Council internet site.	Complete	N/A

Recommendation Number	Recommendation/Action required	Managers Response	MIAA Update	Action required / Progress update
R1	All HR policies, procedures and guidance documents should undergo a regular rolling review (minimum every 3 years) with clear timescales and version control documented within each. In addition, such documents should be subject to a formal approval process by the People and OD Committee or another appropriate governing body.	HR Strategy / Policy Lead	The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet. Phase one of Policy review completed by Projects Delivery Lead in July 2023. HR Strategy / Policy lead appointed in September 2023, phase two of review to be completed pre-Christmas 2023. On-going work over the next 12 months. ON-GOING
R5	The Recruitment and Selection Guidance needs to be amended to state that interview documentation supporting the appointment of an employee is retained on file until the probationary period has been completed.	Recruitment policy and associated guidance to be looked at as priority as part of policy review	The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet. Section 6.2 of Recruitment and Selection Policy approved by P&OD Committee in July 2023 covers. COMPLETE
R7	All checks per the pre-employment checklist should be	Recruitment policy and	Checklists and documentation	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the

	<p>carried out by HR and evidence be retained on personnel files irrespective of whether an employee is recruited through an agency or not. This change needs to be reflected in the Recruitment and Selection Guidance.</p>	<p>associated guidance to be looked at as priority as part of policy review</p>	<p>are maintained, retained and updated in HR. HR follow-up any outstanding information and candidates are not employed or issued with a contract until all checks have been completed. The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.</p>	<p>Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet.</p> <p>New policy clear on this and Recruitment and Selection guidance being developed by HR Policy Lead. ON-GOING</p>
R10	<p>Given the discrepancy between MyView and the previous Head of HR's three-month probation documentation, this absence needs to be appropriately recorded and any subsequent Return to Work interviews should be documented.</p>	<p>To support audit and implement recommendations</p>	<p>There is a new Head of HR in post. An Internal Audit Review on absence reporting is underway.</p>	<p>Management to action any recommendations from the Internal Audit Review.</p> <p>Actions will be incorporated into the MIAA follow-up position, which is regularly reported to the Audit Committee.</p> <p>MIAA Time Recording Audit completed in May 2023 and actions implemented – COMPLETE</p>

	In addition, given that accurate absence recording may be a council wide issue, a further piece of work needs to be completed by Internal Audit.			
R17	Offers of employment should not be made until the closing date has passed and either a competitive interview process has been undertaken or it has been agreed in line with the policy that this is not necessary.	Isolated occurrences, policy clear on this.	The Council has attempted to recruit a Policy Lead twice unsuccessfully. This has since been allocated to a member of the HR team to complete.	As planned, all HR Policies and Procedures to be reviewed, with deadlines assigned. These should be reviewed by the Head of HR and be formally approved by the Personnel Committee. The Policies and Procedures should also be given a further review date, as to when they should be considered for future updates. They will need to be communicated across the Council, with training provided where required and made available to all staff on the intranet. New policy clear on this and Recruitment and Selection guidance being developed by HR Policy Lead. ON-GOING
26	All staff should be informed of the correct process for signing documents on behalf of others (pp) e.g. inserting their own name/signature not that of the absent authoriser. This practice of using 'pp' should only take place where clear delegated authority exists to do so.		An Electronic Signature Policy was introduced in January 2023. However, it did not include the requirements for signing documents on behalf of others. However, in the interim staff have been advised in a newsletter not	As planned, Electronic Signature Policy to be updated to include signing documents on behalf of others. Now fully updated - COMPLETE

			to sign on behalf of others unless authorised through delegated authority to do so	
28	Appropriate training should be provided to Managers/Directors to make clear the content and correct application of the Acting up policy. The training should focus on the rationale for award, making clear that these payments are not to be used as a means of performance related pay.		E Learning is being developed and rolled out. Managers are able to liaise with their HR Business Partner on any actingup, if they have queries. Change of Conditions forms where acting up payments are implemented must be reviewed and signed by Finance, Head of Service, HR and the Chief Executive	E Learning to be implemented and rolled out in April 2023, as planned. COMPLETE

30	Given the number of errors identified in relation to HR honorariums, it is felt that HR staff would benefit from refresher training on the requirements of the Honoraria and Acting Up Policy to ensure the advice and guidance they give is accurate and up to date.			E Learning to be implemented and rolled out in April 2023, as planned. As part of the Finance review of honorariums, calculation accuracy must be checked. COMPLETE
31	Given the number of errors identified in relation to the award of HR honorariums a further piece of work needs to be completed by Internal Audit to ensure honorariums are awarded in accordance with policy across the council.			Internal Audit to conduct a Payroll Review in 2023/24 to include a focus on additional payments including honorariums. ON-GOING
34	Where a document has been signed (pp'd) on behalf of another authorising officer the officer ultimately responsible for the decision (e.g. Chief Executive) should ensure that these authorisations are in accordance with the Scheme of Delegation within the Constitution.			As planned. Electronic Signature Policy to be updated to include signing documents on behalf of others. COMPLETE