

PERSONNEL COMMITTEE

HR POLICY DEVELOPMENT AND REVIEW

31 January 2017

Report of the HR Service Manager

PURPOSE OF REPORT

To enable the Committee to consider and approve a number of Human Resources Policies and Procedures.

This report is public.

RECOMMENDATIONS

- (1) That subject to any further recommendation being brought to the Committee from the Joint Consultative Committee, which meets on 31 January 2017 prior to this meeting, the Committee approve:
 1. Standby and Callout Policy (revised document) effective from 1 April 2017
 2. Dignity at Work Policy and Procedure – formally Preventing Harassment at Work (revised document)
 3. Substance Misuse Policy and Procedure (revised document)
 4. Safeguarding Children and Young People Policy (revised document)
 5. Safeguarding Adults Policy (revised document)
- (2) That in view of the financial implications of 1. above (Standby and Callout Policy), implementation be subject to relevant approval through the budget process, with the financial implications being referred on to Cabinet initially, for consideration as part of its budget proposals.
- (3) Subject to the approval of the Dignity at Work Policy and Procedure and the proposed introduction of a modified two stage Grievance and Disputes Procedure to resolve formal complaints of harassment, bullying or victimisation, a relevant amendment be made to the existing Council's Grievance and Disputes Procedure.

1.0 Introduction

- 1.1 From time to time the Council will develop procedures to support the management of workforce related matters.
- 1.2 The recognised trade unions have been consulted on the appended draft policies, which will be discussed at the Joint Consultative Committee (JCC) meeting on 31 January 2017, prior to the meeting of this Committee. Should there be any amendments proposed by the JCC, these will be presented to this Committee for its consideration. In the event of any substantial changes to a Policy being proposed at the JCC meeting and /or further consultation being required, it may be necessary to defer consideration to a future meeting of the Personnel Committee.

2.0 Standby and Callout Policy

- 2.1 The Standby, Callout and Overtime Policy has been revised and renamed the Standby and Callout Policy. Rules around overtime are contained within the NJC Terms and Conditions. Consultation over the changes to Standby and Callout arrangements has taken place with both the Trade Unions and employees.

Summary of main points

- 2.2 It is proposed to introduce a single weekly Standby rate for all employees from 1 April 2017. This recognises that time spent on standby is of equal value to all Council employees.
- 2.3 It is proposed to introduce a new 'Callout payment', which will no longer be capped at Scale Point 28. Instead employees when called out will be paid in line with their existing hourly rate, if above Scale Point 28.
- 2.4 The 'Callout payment' is distinct to normal overtime arrangements and provides for part time employees to receive the same rates as full time employees if called out to work outside normal working hours.

3.0 Dignity at Work Policy

- 3.1 The Preventing Harassment at Work Policy has been in place since 1998. The Policy has been completely revised and has been renamed the Dignity at Work Policy. Whilst harassment and bullying are still the primary focus of the policy the change in title better reflects the Council's aim that all staff should be treated with dignity and respect.

Summary of main points

- 3.2 Section 5 – Provides information on the responsibilities of all those who may be responsible for preventing harassment and bullying and who may become involved in responding to a complaint or act of inappropriate behaviour.
- 3.3 Section 8 – Proposes the use of the Council's Grievance and Disputes Policy as a modified 2 stage procedure, as a means of formally seeking to resolve any complaints of harassment or bullying, thereby ensuring that the complaint is dealt with in a timely manner and via the use of a well-established and clear procedure.

4.0 Substance Abuse Policy and Procedure

- 4.1 The existing Substance Misuse Policy had been in existence since 2006. At JCC in February 2016 the HR & OD Manager presented an example of a draft policy, which was in use by other local authorities. Both JCC and Personnel Committee requested that, in consultation with Trade Unions, further work was carried out on the draft policy and that it be considered at a future JCC and Personnel Committee.

Discussion has taken place with the Trade Unions and a revised Substance Misuse Policy has been prepared for consideration by JCC. A final draft policy has now been revised in conjunction with the recognised Trade Unions.

Summary of main points

- 4.2 Section 4 – Details a clear commitment from the Council to support those employees who have a substance misuse problem.

4.3 Section 7 – Introduces guidance on how to respond to an issue when an employee appears to be unfit for work potentially due to substance misuse. The policy is written to provide flexibility in how a manager should respond to any such an instance, bearing in mind the first consideration of the manager needs to be the safety of the employee, their colleagues and members of the public. Each case is likely to be different and this approach provides a framework for managers to respond appropriately, should they come across an instance where an employee appears unfit to work due to substance misuse.

5.0 Safeguarding Children and Young People Policy

The Safeguarding Children and Young People Policy has been updated to ensure that it remains accurate and relevant to current practice.

6.0 Safeguarding Adults Policy

The Safeguarding Adults Policy has been updated to ensure that it remains accurate and relevant to current practice.

7.0 Options

7.1 The options available to the Committee in respect of each Policy are to approve the appended document as drafted, to approve the document with amendments, or not to approve the document. However, if substantial changes in respect of any Policy are proposed at the Personnel 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.

8.0 Conclusions

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

RELATIONSHIP TO POLICY FRAMEWORK

The Council is committed to good standards of employment practice, and it is considered that the amended and new 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 each of the above policies.

FINANCIAL IMPLICATIONS

Based on existing levels of standby provision, the introduction of a weekly rate for all employees from 1 April 2017 has been appraised and the financial impact is shown in the following table :-

Fund	2017/18 Draft Budget	2017/18 Proposal	Cost / (Saving)
General Fund	£52,700	£72,700	£20,000
Housing Revenue Account	£40,900	£25,300	(£15,600)
TOTAL	£93,600	£98,000	£4,400

It is planned that a comprehensive review of the levels and instances where standby is required will seek to address the above, to negate or minimise the budgetary impact for General Fund. At this stage, however, there is no certainty regarding its outcome and therefore implementation of the policy would need to be subject to the inclusion and approval of the estimated financial implications through the budget process (culminating at Budget Council on 01 March). Assuming the budget is updated and the policy implemented as planned, progress will be monitored through the usual corporate monitoring arrangements.

With regard callout payments, the removal of capping at SCP28 is expected to cost approximately £700 per annum which will also be considered and addressed through the planned standby review.

There are no direct financial implications arising from the other appended policies adhered to in this report.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and her advice reflected in the report. With regard to the standby and callout policy, Members should satisfy themselves that the proposals reflect value for money.

LEGAL IMPLICATIONS

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

MONITORING OFFICER'S COMMENTS

The interim Legal Services Manager has been consulted and has no further comments.

BACKGROUND PAPERS

None.

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