

# **PERSONNEL COMMITTEE**

## **HR POLICY DEVELOPMENT AND REVIEW**

**20 September 2018**

### **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 20 September 2018 prior to this meeting, the Committee approve:

1. Probation and Appointment Review Policy and Procedure
2. Early Termination of Employment Policy
3. Disciplinary Policy and 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 20 September 2018, 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 Probation and Appointment Review Policy and Procedure**

- 2.1 The Probation and Appointment Review Policy and Procedure has been in place for three years and generally works well. However, it is proposed to make some minor changes to improve efficacy.

##### **Summary of main points**

- 2.2 Sections 9 & 11 – Inclusion of provisions to withhold incremental progression from appointees where the Probation/Appointment Review Period has not been confirmed as completed. It is essential that this process is properly concluded to ensure that all appointees have met the required standards for their role. The award of an increment

prior to completion of Probation/Appointment Review is inconsistent with this aim. Increments will be reinstated and any arrears due will be paid once the Probation/Appointment Review Period is successfully completed.

- 2.3 Section 14 – Confirmation that where an individual on Appointment Review is failing to meet the necessary standards the manager can move them into the Capability and Performance Improvement Policy prior to the Six Month Review Meeting.

### **3.0 Early Termination of Employment Policy**

- 3.1 Following consideration of the Pay Policy Statement by Personnel Committee on 3 April 2018, it was requested that the section concerning re-employment with the Council be amended.

#### **Summary of main points**

- 3.2 Section 10 – Updated to reflect the maximum amount of enhanced voluntary redundancy payable to Lancaster City Council employees, following increases to statutory redundancy pay.
- 3.3 Section 16 – Inclusion of confirmation of the three year pay back arrangements.
- 3.3 Section 17 – Confirmation that all employees, including Chief Officers, who receive any payment in relation to the termination of their employment will not be re-employed by Lancaster City Council until a period of one calendar year has elapsed.

### **4.0 Disciplinary Policy and Procedure**

- 4.1 The current version of the Disciplinary Policy and Procedure has been in place for five years and therefore it is proposed to make changes to improve efficacy.

#### **Summary of main points**

- 4.2 Section 15 – Preliminary Management Action Meeting has been replaced by a Disciplinary Discussion to streamline the formal process. It is confirmed that the manager that carries out the disciplinary discussion can also chair the disciplinary hearing, should the matter proceed to a formal hearing.
- 4.3 Section 18 – Inclusion of an increase in the time within which an investigation should be completed from 10 days to 20 days. This better reflects the normal period of time it takes to complete a thorough disciplinary investigation.
- 4.4 Section 22 – Confirmation that both sides are able to cross examine witnesses during a disciplinary hearing.
- 4.5 Section 25 – Revision to the time limit for disciplinary sanctions with all sanctions being of a minimum of 12 months in duration, with the ability to extend up to 24 months where appropriate, and at the manager's discretion.

## **5.0 Options**

- 5.1 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.

## **6.0 Conclusions**

- 6.1 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**

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

### **SECTION 151 OFFICER'S COMMENTS**

The Deputy Section 151 Officer has been consulted and has the following comments regarding the Early Termination of Employment Policy:

The reintroduction of the 3 year payback requirement will help Services to demonstrate the Value for Money of early termination proposals, which is essential in the use of tax payers' money. Whilst the onus is still on services to meet the costs of early termination and achieve this payback, there can be timing differences which result in costs in the initial year. Where this occurs other corporate savings can be used or funding from the Restructuring Reserve provided.

In respect of the Probation and Appointment Policy and Procedure and the Disciplinary Policy and Procedure, the Deputy s151 Officer has no additional comments to make.

### **LEGAL IMPLICATIONS**

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

**MONITORING OFFICER'S COMMENTS**

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

**BACKGROUND PAPERS**

None

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