

**HR POLICY DEVELOPMENT AND REVIEW**

**10 October 2024**

**Report of the HR Policy and Strategy Lead**

**PURPOSE OF REPORT**

To enable the Committee to consider and approve the introduction of revised HR Policies which fall into the category of Standby, Callout and Overtime, Social Media and Mobile Phones and Smoking and Substance Misuse.

This report is public.

**RECOMMENDATIONS**

**That the draft policies appended to this report are considered by the committee and approved.**

**1.0 Introduction**

- 1.1 The council has undertaken a phase five review of HR Policies which fall into the category of Standby, Callout and Overtime, Social Media and Mobile Phones and Smoking and Substance Misuse which have required updating for some time.
- 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. This phase, there has been a focus on consolidation, and sensibly grouping together relevant policies to reduce the overall number of HR policies going forward.
- 1.3 The policy review also concentrates on simplifying, consolidating and shortening policies where possible, so that they are easier to follow and digest for employees, trade unions and managers. Each policy makes clear the scope, the responsibilities of each party and the process to be followed and any rights and/or entitlements of employees.
- 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, entitlements 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 the processes.
- 1.5 The policies are appended to this report, as well as a policy amendments tracker which focuses specifically on amendments to the relevant policy.

**2.0 Standby, Callout and Overtime**

- 2.1 The Standby and Callout policy had not been reviewed since 2017.

- 2.2 The rules in relation to overtime have previously sat in the flexi-time policy, and these will now be included within a new Standby, Callout and Overtime policy as these are all instances of additional payments to colleagues and we feel they sit better together.
- 2.3 There have been no changes to the pay in respect of overtime; the changes are to emphasise the process on overtime, to ensure that employees have the approval and authority to complete the overtime in advance of it being worked.
- 2.4 There are no immediate changes to the rate of pay for Standby payments, however from April 2025 when the new budget is set for the financial year, the proposal is that these figures are linked to the real living wage. This is consistent with the approach of many other local authorities, and it will then increase as it is updated on 1<sup>st</sup> April each year.
- 2.5 There has been some simplification to the system of home-based callout payments. Firstly, in relation to how "shift" is defined, so it is clear which day the callout falls on (and therefore what pay a colleague is entitled to), but also to the minimum callout payment. Previously either 30+minutes work or 3 individual calls would trigger a minimum callout payment of 2 hours. This has been simplified so that work exceeding 30 minutes will incur the 2-hour minimum, and work below 30 minutes or above 2 hours will be paid according to the actual time spent.

### **3.0 Social Media and Mobile Phones**

- 3.1 We previously had separate Social Media (last reviewed in 2012) and Mobile Phone (last reviewed in 2008) policies. We have proposed to consolidate them and to ensure that the policies are up to date regarding LCC's expectations of social media and mobile phone usage; particularly due to the prevalence in the use of social media both as a professional tool and a social tool.
- 3.2 There has not been a great deal of change, and much of the existing policies remain; save as to delete outdated references and to be clear about how breaches will be dealt with (with a focus on de-escalating minor issues and dealing with them informally).
- 3.3 The social media aspects of the policy are focused on assuring colleagues that LCC respects their right to a private life, and their right to express themselves outside of work as they please, but to also encourage mindfulness around the content of such posts. The policy recommends that colleagues distance themselves from LCC by only naming LCC as their employer on a professional networking site such as LinkedIn to ensure that there is separation between professional and personal life. This protects employees as well as LCC as it makes it less likely that there can be a connection between anything they post online and their workplace.
- 3.4 LCC is mindful that it is particularly challenging to balance opposing protected viewpoints and that posts on social media can cause offence (even if they are not intended to). It is becoming more common that people will make reports to employers about its employees' posts online, and so these guidelines are set out to encourage sensible use of personal social media, to avoid LCC needing to consider any action. This would only ever be necessary if there was an *actual* impact on LCC, but we feel it is important to set the appropriate standards of behaviour online (even in a colleague's personal time).
- 3.5 We have removed the expectation that employees delete the contact details of business contacts made during employment from personal social networking accounts. It is not only unlikely they would have their contact details stored on social media as it is not a

means of communicating via their contact details, but if colleagues have a friendship outside of work with business contacts and both parties are comfortable with that, we respect the right for them to communicate after termination.

- 3.6 It has been necessary to introduce “other communication channels” which have become more widely used since these policies were last reviewed. LCC promotes the use of instant messaging to contact employees to discuss work, however we discourage the use of WhatsApp as a means of professional communication and will take the opportunity following the publishing of this policy to remind line managers that WhatsApp is not endorsed to discuss work matters during work hours.
- 3.7 Following discussion at the JCC meeting, it was recognised that the focus of the expectations on the reporting of social media was more focused on reporting the misuse of social media in general, rather than acknowledging that our own colleagues may be targeted or attacked on social media. Accordingly, the following revision has been introduced at paragraph 5.5: Colleagues are encouraged to report any misuse of social media to their line manager, especially where anything on social media has been posted about them. If colleagues are suffering any form of abuse on social media, it is important that this is reported to the relevant authorities, but where there is any connection with the workplace, colleagues are encouraged to share this so that LCC can support them.

#### **4.0 Smoking and Substance Misuse**

- 4.1 The Smoke Free and Substance Misuse policies were previously independent from one another. The Smoke Free policy was last updated in 2013, and the Substance Misuse policy was last updated in 2017. We consider that as they cover very similar subject matter, and an expectation to refrain from consuming substances on LCC sites, they sat more sensibly in one policy.
- 4.2 Again, there have not been many changes to either of the existing policies, save as to make minor updates i.e. to include the use of “vapes” (albeit that was perhaps already covered by e-cigarettes). There are two key changes to be aware of:
- 4.3 We have removed the 2-hour paid leave previously offered to attend a group meeting designed to aide stopping smoking. This was a local group which has long since been disbanded, but moreover there was no evidence that these appointments were ever attended (i.e. no requests for this type of leave), and we do not offer any paid leave for any other routine appointments.
- 4.4 We have reserved the right to conduct searches for alcohol or drugs on the premises. An employee can of course refuse consent to a search, but any failure to consent may be used in any subsequent disciplinary case against the employee. Following initial consultation with the Trade Union Working Group, best practice search parameters have been included within the policy to ensure that searches (where considered necessary and the employee consents) are conducted safely, respectfully and according to the approach suggested by the Working Group.
- 4.5 Following the discussion at the JCC meeting, the support services have been included (per the policy amendment tracker) to include more up to date and local support services.

#### **5.0 Options**

- 5.1 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.

5.2 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.

## 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.

### **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 policies. There is no notable impact however I would recommend wider understanding in line managers regarding the protection of beliefs to ensure they feel equipped to manage any conflicts posted on social media.

### **LEGAL IMPLICATIONS**

There are no legal implications, save for compliance with legal requirements to implement and update policies.

### **FINANCIAL IMPLICATIONS**

There are increased entitlements to leave with a slight financial impact for days' pay not worked, but rather than this being an additional "cost" this will be dealt with by an absorption of work in that employees' absence.

### **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