

HR POLICY DEVELOPMENT AND REVIEW

28 November 2024

Report of the HR Policy and Strategy Lead

PURPOSE OF REPORT

To enable the Committee to consider and approve a phase six review of HR Policies which fall into the category of Volunteering, Dignity, Equity and Inclusion, Honoraria and Acting Up which require updating. The review also includes the introduction of two new policies: Sexual Harassment and Secondments.

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 six review of HR Policies which fall into the category of Volunteering, Dignity, Equity and Inclusion, Honoraria and Acting Up which require updating. The review also includes the introduction of two new policies: Sexual Harassment and Secondments. The introduction of the sexual harassment policy specifically relates to a new obligation to prevent sexual harassment, and whilst secondments are something which have been used in the Council previously, there is no respective HR policy.
- 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, 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 some of 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 Volunteering

- 2.1 The Volunteering policy is a relatively new policy (Nov 2022), albeit without the more recent branding changes and is still one which requires updating as it is just coming up to the two-year mark.
- 2.2 There have been no substantive changes to the policy, other than to reposition the employee, line manager, HR and Council responsibilities to the front of the policy to ensure consistency with the balance of our HR policies.
- 2.3 Following the Joint Consultative Committee, the purpose has been updated to include the following: The purpose of the policy is also to support the voluntary sector where we recognise that we may not be able to financially support external organisations, but where we acknowledge our biggest resource, our staff may be able to help.

3.0 Sexual Harassment

- 3.1 Sexual harassment is not an existing HR policy. It has been recommended that organisations introduce a specific sexual harassment policy (in a manner consistent with that proposed) to ensure that we are appropriately considering the brand-new obligation on employers to *prevent* sexual harassment. The obligation goes beyond just the implementation of the policy itself, but the attached policy is the proposed HR policy approach by LCC.
- 3.2 The policy informs employees about what sexual harassment is and sets out a zero-tolerance approach to sexual harassment. It encourages best practice behaviours from everybody, and for everybody to report any concerns they might observe, with the assurance that they will not be victimised for having brought a complaint of sexual harassment (either about themselves or somebody else).
- 3.3 There is both an informal and formal complaints process. This utilises the existing grievance process to ensure consistency of process whenever a formal complaint is received.
- 3.4 Following feedback at the JCC meeting, two more minor revisions were made a) to include members within the scope of the policy and b) to revise an employee encouragement to report sexual harassment to an employee expectation.

4.0 Dignity, Equity and Inclusion

- 4.1 There is an ongoing exercise in respect of LCC's approach to diversity and inclusion. The findings of this piece of work are not currently available, so there may be suggested changes to the proposed approach in the near future. Notwithstanding, the Dignity at Work, and the Diversity and Equality policies have not been reviewed for quite some time, and it is important that these are kept up to date regularly in light of the risks of neglecting these policies.
- 4.2 Given that the Dignity at Work policy (ostensibly a policy on bullying and harassment) made direct reference to the Diversity and Equality policy and vice versa, we have sought to combine them, so that one does not have to be read by reference to the other. What the Dignity at Work policy requires is the absence of bullying and harassment, and whether or not this is on the basis of a protected characteristic, the now Dignity, Equity (as opposed to Equality) and Inclusion policy requires a total absence of bullying and harassment but includes all of the information previously held in relation to diversity and inclusion. It is a one-stop shop for a zero-tolerance approach to bullying, harassment and discrimination.

- 4.3 The policy explains the different types of discrimination, and also makes clear what might be considered bullying and continues to set forth a zero-tolerance approach by introducing a specific provision covering breaches of the policy.
- 4.4 Following feedback at the JCC, a new clause 5.9 has been incorporated as follows: It is important to remember that religious and philosophical beliefs are protected by the Equality Act, and that sometimes those beliefs may conflict with others. We want to encourage a workplace where colleagues feel comfortable to exercise their beliefs, but all colleagues must also understand the importance of dignity and respect and understand that complaints of bullying, harassment or discrimination will be taken seriously.

5.0 Honoraria and Acting Up

- 5.1 The Honoraria and Acting Up policy had not been reviewed by Personnel Committee since 2010. Since then, there have been some organisational changes which have led to the deletion of some of the roles previously mentioned such as the HR Service Manager. Therefore, the process for Acting Up and Honoraria has been clarified, and to summarise, this is for the line manager to fill out a change of conditions form, to discuss this and have it endorsed by a HR Business Partner, which will then go to finance for budgetary approval, the relevant chief officer and then the Chief Executive.
- 5.2 Save for clarifying the roles involved in approving Honoraria and Acting Up, there have been no substantive changes to the policy, other than to reposition the employee, line manager, HR and Council responsibilities to the front of the policy to ensure consistency with the balance of our HR policies.
- 5.3 Following feedback from JCC, the following has been included at 2.1: We aim to develop talent that is prepared to lead and sustain organisational priorities over time. Honoraria and Acting Up can be useful ways to enable employees to gain new skills and experience while meeting short-term staffing needs.

6.0 Secondments

- 6.1 Despite the existing use of secondments as an internal opportunity for development, there is not an existing secondment policy. This policy is recommended not only to set out the respective obligations of employees, line managers, HR and the council, but also to make employees aware that they are able to apply for fixed term vacancies and be considered for a secondment opportunity i.e. to develop their skills whilst their substantive post is kept open for them.
- 6.2 The policy (and associated guidance) encourages managers to ensure that they give due and proper consideration to whether or not an employee is able to go on secondment, and they must have a good business reason to not approve a secondment opportunity. The Council recognises that secondment opportunities are crucial for the development of skills, and this also feeds into our talent and succession planning.
- 6.3 The process is simple. A fixed term opportunity is advertised in the usual way (sometimes this will be internally only, and sometimes this will be both internally and externally depending on the nature and niche of the role), and any employee who has been offered the post (with the prior approval of their line manager to release them) will be seconded into that role and their substantive position kept open for them. If there are any organisational changes likely to have an impact on their substantive post, they will

be consulted with by their substantive line manager, but they are otherwise managed day-to-day by their seconded line manager and continuity of employment is preserved.

- 6.4 The arrangement will be documented either in a secondment agreement or letter, which captures pay details and the duration of the secondment. Typically, a secondment will be for no longer than 2 years (save for in exceptional circumstances) and any extensions also need to be approved by the substantive line manager.
- 6.5 Following feedback from JCC, the recruitment policy has been cross-referenced.
- 6.6 Following feedback from the monitoring officer, it has been made clear that an external secondment will be permissible with Chief Officer authority only.

7.0 Options

- 7.1 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.
- 7.2 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.

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.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):</p>
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<p>Please see associated Equality Impact Assessment in respect of the proposed policies. 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.</p>

<p>LEGAL IMPLICATIONS</p>

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

<p>FINANCIAL IMPLICATIONS</p>

<p>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.</p>
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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.

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