

Notice of Meeting

Employment Committee

Councillor Leake (Chairman),
Councillor Allen (Vice-Chairman),
Councillors Angell, Bhandari, Dudley, Neil, Porter, Tullett and Wade
Councillor Heydon (Non-Voting Co-Optee)

Wednesday 16 October 2019, 7.30 - 9.30 pm
Council Chamber - Time Square, Market Street, Bracknell, RG12 1JD



Agenda

Item	Description	Page
1.	Apologies	
	To receive apologies for absence and to note the attendance of any substitute members.	
2.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
3.	Minutes from previous meeting	3 - 6
	To approve as a correct record the minutes of the meeting of the Committee held on 10 July 2019.	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	
5.	Update from the Chairman of the Local Joint Committee	
	A verbal update from the Chairman of the Local Joint Committee.	
6.	Minutes of Sub Groups	7 - 10

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	The Committee is asked to note the minutes of the Local Joint Committee held on 10 July 2019.	
7.	Social Media Policy	11 - 18
	To receive and approve the Social Media Policy.	
8.	Exclusion of Public and Press	
	To consider the following motion: That pursuant to Section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of the following item 9 which involves the likely disclosure of exempt information under the following category of Schedule 12A of that Act: (3) Information relating to the financial or business affairs of any particular person.	
9.	HR Policies Review	19 - 38
	To note and approve the updated HR Policies.	

Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Stevenson, 01344 352308, hannah.stevenson@bracknell-forest.gov.uk, so that any special arrangements can be made.

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EMPLOYMENT COMMITTEE
10 JULY 2019
7.30 - 8.10 PM

Present:

Councillors Leake (Chairman), Allen (Vice-Chairman), Angell, Bhandari, Neil, Porter, Tullett and Wade

Non-Voting Co-optee Present:

Councillors Heydon

4. Declarations of Interest

There were no declarations of interest.

5. Minutes from previous meeting

RESOLVED that the minutes of the meeting held on 13 February 2019 be approved as a correct record and signed by the Chairman.

6. Urgent Items of Business

There were no urgent items of business.

7. Update from the Chairman of the Local Joint Committee

The Chairman advised that he had met with Trade Union colleagues earlier to discuss tonight's meeting and their comments would be brought up as the items were discussed.

8. Minutes of Sub Groups

The Committee noted the minutes of the Local Joint Committee held on 13 February 2019.

9. Social Media Policy

The Committee received a report on the Council's Social Media Policy.

Trish Barnard, Head of HR and Employee Experience advised that at the Chairman's briefing meeting, it had been decided by the Chairman, Vice-Chairman and Chief Executive that the Policy required a thorough review and potential re-write and feedback was therefore required from the Committee in order to do so.

As a result of the member's comments and questions, the following points were made:

- Feedback from Trade Union colleagues was that the Policy was too lengthy and should just be presented as guidance.

- Trade Union representatives had felt the requirement for staff to be ‘politically neutral’ with regard to joining in with community conversations online could be considered contentious.
- Posts regarding vulnerable people on the ‘We Love Bracknell’ Facebook page should be removed.
- With regard to complaints about social media content not involving staff, the Policy stated that the communications and marketing team would work with Thames Valley Police and ‘internally’ if the posts broke the law or put vulnerable people at risk, but the Committee felt the Council’s legal team should also be involved in such cases.
- No incidents involving officers on social media had been reported but there had been incidents involving members which had come to light.
- It was felt the Policy placed too much emphasis on GDPR and should instead be more generic in relation to the Data Protection Act in anticipation that the UK’s departure from the EU would mean that many of the derogations would not come into effect - although 95% of the Council’s staff had already undertaken GDPR training.
- Staff were restricted from using social media sites on council provided IT equipment, which included accessing personal bank accounts, for example, which meant there should be no significant impact on the bandwidth and internet speed affecting the council’s e-mail system and data platforms.

RESOLVED that the Council’s Social Media Policy in its current form be not approved but would be brought back to the Committee in October 2019 in a shortened format with supplementary guidance for further review.

10. **Exclusion of Public and Press**

RESOLVED that pursuant to Section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of the following items which involve the likely disclosure of exempt information under the following category of Schedule 12A of that Act:

- (1) Information relating to any individual (Items 9 & 10).

11. **Recruitment and Retention**

The Committee received a report on the current developments led by HR in relation to Recruitment and Retention including the Council’s current approach to the use of market premia payments.

Members were advised that market premia payments were evaluated on an annual basis but that a more robust job evaluation system was being worked towards with the aim of making market premia payments unnecessary. This was because an annual market premia review was a large piece of work and time consuming with regard to obtaining market evidence, in particular because the market did not change much over a 12-month period. However, there were four roles for which market premia payments were currently being paid, three of which were last reviewed in 2010, which were therefore in urgent need of review:

- Principal Procurement Officer
- Principal Building Control Surveyor
- Senior Building Control Surveyor
- Head of Audit & Risk Management

The Report detailed the comparative data which had been collated in support of retaining the market premia payment in the above roles. Members were advised that the role could not be moved into a higher band – which would remove the need for the a market premia payment – without changing the role as that would leave the Council open to a challenge of equal pay for equal value.

Members were advised that market premia payments were not pensionable.

The Chief Executive said that when new vacancies arose, the position should not be re-advertised twice without the market premia as a means of testing the market – as set out in Appendix A of the Report – and therefore asked that this was removed. Instead, the market should be tested by way of searching for the equivalent role on various search engines and other platforms including other local authorities recruiting to the same post. The resultant data would provide the comparative evidence required by CMT to substantiate whether the role should continue to receive the market premia payment.

RESOLVED that

- i. The significant developments to date led by HR to advance the image of the Council and attract/retain quality candidates be noted.
- li That the following positions retain the market premium payments:
 1. Principal Procurement Officer - 12.5%
 2. Principal & Senior Building Control Surveyors – 15%
 3. Head of Audit and Risk Management - 15%
- iii. The principles outlined in the report be agreed and the document in Appendix 1 outlining the market premia principles be endorsed.
- iv. Approval for Market Premia payments to officers be delegated to CMT, in consultation with the Chairman of the Employment Committee, within the parameters outlined in the market premia principles.
- v. The review of the job evaluation process and reduction in market premia be noted.

All market premia reviews be consolidated with the next review for all market premia positions (including Children's Social Care) to be presented to the Employment Committee in March 2020 in line with the Children's Social Care review.

12. HR Policy Review

The Committee received a Report which provided details of how the centralised HR structure supported directorates and which also detailed progress on the review of HR policies and guidance which had commenced in late 2018.

Approximately 50 policies were under review which would be carried out in order of priority with managing sickness absence and the grievance and disciplinary policies being the most urgent. Once any changes had been made to policies and/or guidance, they would be brought back to the Committee by way of an executive summary which would set out what the changes were and the implications thereof.

The Report contained a chart showing the HR structure and it was noted that whilst Health & Safety were included in the structure, the department had in fact transferred to Property in 2018.

Members were advised that the review was part of a much larger piece of work aimed at supporting staff and managers to achieve more autonomy so that the HR team could concentrate on the more strategic elements of the function. The work also included staff training and guidance for employees and managers to help prevent things from going wrong and a return to face-to-face contact between HR and staff rather than via e-mail.

It was agreed that the wellbeing of staff needed to be aligned with the Public Health agenda and this would be achieved by maintaining a Health & Wellbeing programme for staff.

CHAIRMAN



**LOCAL JOINT COMMITTEE
10 JULY 2019
4.00 - 4.41 PM**

Present:

Councillors Leake (Chairman), Allen, Angell and Wade

Non-Voting Co-optees Present:

David Allais, UNISON

Also Present:

Councillor

Apologies for absence were received from:

Councillors

Lorna Cameron, UNISON

1. Declarations of Interests

There were no declarations of interest.

2. Minutes from Previous Meeting

The minutes from the meeting held on 13 February 2019 were approved as a correct record.

3. Urgent Items of Business

There were no urgent item's of business.

4. Employment Committee: Agenda and Related Matters

i) Social Media Policy

The Head of HR and Employee Experience reported that the council had several protocols and policies that cover staff personal and professional use of social media. Therefore, a fully policy had been drafted to enable staff to understand their responsibilities and what the council considers to be appropriate use of social media both personally and professionally.

The Committee raised a number of points in regards to the Social Media Policy which included:

- The policy needed to be straight forward and simple, the current format tried to include too much.
- UNISON were concerned about the term "politically neutral" as no definition of this was provided nor did it include what was, or what was not acceptable.
- The reference to We love Bracknell was questioned, as surely all groups of this nature should be covered rather than just singling out one. The consensus was it should not be referenced at all.
- All feedback from both LJC and Employment Committee needed to be fed back to the author, to inform a rewrite of the Policy. It was also important that

the author be able to come to the Committee to present the report once rewritten.

- There were concerns that legal were not listed as being involved in any breaches of Law. The Head of HR and Employee Experience stated that if this were to occur then HR and Police would be involved rather than the Communications team, as the Legal department wouldn't be involved with every issue unless necessary.
- UNISON requested that some definitions need to be included. The Head of HR and Employee Experience suggested these should be discussed in CMT.
- It was requested that the document be more user friendly or even an Executive summary be provided.

The Employment Committee did not approve the policy. It should be brought back to the next Employment Committee in October.

ii) Recruitment and Retention

The Head of HR and Employee Experience stated that report outlined the current developments led by HR in relation to Recruitment and Retention. This included the project being undertaken to attract candidates through Branding, Employee Value Propositions (EVP) and the mechanisms available to the Council as tools to enhance the salary package to meet market rates where required to help fill job gaps.

The report also looked at current market premia rates and principles, Job Evaluation as part of a recent review and outlined the principles adopted.

The report asked the Employment Committee to retain market premium payments on the three positions listed within the report and to agree the principles which outlined the Market Premia principles. This included delegating approval of market premium payments to CMT in consultation with the Chairman if there was a need in between Employment Committee meetings, so that potential candidates weren't lost. Only CMT would make these decisions, rather than SLT which had been included in the report in error, this would be amended. There would also be one market premia annual review, which would be brought to the Committee in March 2020

UNISON commented that there needed to be a different solution in place for people that had been receiving Market Premia's for years. UNISON also commented that in regard to the Job Evaluation process there still didn't seem to be a roll for staff to provide feedback. The Head of HR and Employee Experience stated that staff could request and contribute to a regrade and that this could form part of staff appraisal's, as these should cover and look at individual job specifications.

Members stated that the report needed to be simplified and be a factual representation of the required decision and should refer to other documents at the end of report so it is known that it's one of a number of policies which correlate. It was suggested that a simple link would suffice.

iii) HR Policy Review

The Head of HR and Employee Experience explained that the reported provided details of the Human Resources Team including analysis of how individual HR teams supports the Council The report outlined several of the projects currently being undertaken within the team and various priority areas to be explored in the short term.

The policies would be reviewed in order of importance and formed part of a much wider transformation review

5. **Matters to be Raised by Trade Unions**

CHAIRMAN

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To: **Employment Committee**
16 October 2019

Social Media Policy **Director of Organisational Development, Transformation and HR**

1 Purpose of Report

- 1.1 The council currently has several protocols and policies that cover staff personal and professional use of social media. This has led to a limited assurance audit result, so a one stop policy is required to satisfy the auditor's recommendations.
- 1.2 To enable staff to understand their responsibilities and what the council considers to be appropriate use of social media both personally and professionally, a full policy has been drafted. Guidance has also been drafted to complement the policy. The policy and associated guidance reflect comments made by an auditor following the council's first social media audit last year and comments made by the Employment Committee at its July 2019 meeting.

2 Recommendation

- 2.1 **To approve the Social Media Policy attached at Appendix A.**

3 Reasons for Recommendation

- 3.1 Bracknell Forest Council currently has a Social Media Protocol, which sets out correct business and expectations for corporate accounts. It provides limited guidance on how staff should use it in a personal capacity. The council's Employee Handbook also references social media usage in a personal capacity. However, there is currently no cohesive policy.
- 3.2 Case work and case law continue to evidence the need for a clear social media policy to ensure staff are clear on the corporate stance and have the appropriate guidance.
- 3.2 The social media audit made suggestions regarding the current Social Media Protocol, these have been incorporated in the collaborated policy, addressing all the auditor's comments. The policy ensures compliance with the action points set out by the auditor within the timescale specified.
- 3.3 As social media usage continues to grow, Bracknell Forest Council staff need clear and concise guidance on what the council expects of them online. Even if they are not acting in an official capacity, staff need to understand and take ownership of everything they do and say on social media as it can have reputational and legal ramifications for the council. This policy provides such guidance.

4 Alternative Options Considered

- 4.1 Continue with separate guidance in the Employee Handbook and Social Media Protocol, which would be updated to reflect the auditor's comments on business use.

5 Supporting Information

- 5.1 Bracknell Forest Council had its first social media audit in summer 2018, which was formalised and agreed in December 2018. As it was rated 'limited assurance', a review is planned for autumn 2019. One of the actions that was flagged as a priority one red action was the Social Media Protocol, which had started to be redrafted but hadn't been completed prior to the visit. In redrafting this guidance, which focussed primarily on business/corporate use, it seemed prudent to update guidance to staff so that a clear policy was available, with all information in one place.
- 5.2 Social media is growing with new platforms and trends coming onstream continuously. In the UK, there are approximately: 42m Facebook users; 16m Twitter users; 21m LinkedIn users; and 14m Instagram users. It's estimated that there are 36m UK visitors to YouTube each month; globally it is estimated that a billion hours of video is watched on the site each day.
- 5.3 Bracknell Forest Council has been successfully using social media, primarily Facebook and Twitter, since 2008 with YouTube, Instagram and LinkedIn accounts added more recently. These are split between corporate 'BFC' accounts and more service-led accounts, for example highways and children's centres. There is a confirmed process for any service wishing to create and maintain a service-led social media account, with the corporate accounts owned and managed by the council's communications and marketing team. This is reflected in the current social media protocol.
- 5.4 The current Social Media Protocol is outdated and has a limited section on staff using social media in a professional and personal capacity; it is general in approach. It does not adequately cover key areas.
- 5.5 Whilst the council recognises staff are entitled to their own opinions and should be ambassadors for the organisation, especially on professional channels like LinkedIn, it also recognises that whatever they say and do online could have ramifications for the organisation, community and them personally. Therefore, this policy aims to keep staff safe and reduce any conflict of interest. It gives staff and managers a clearer understanding of what is not acceptable and sets out employees' responsibilities as well as making it clear that non-compliance can lead to disciplinary proceedings, if appropriate.
- 5.6 The social media policy has been redrafted since its previous iteration was presented to the Employment Committee in July 2019. It reflects the comments made by the committee, including making it more concise. The policy is supported by social media guidance, which will be available to staff on the intranet.

6 Consultation and Other Considerations

Legal Advice

- 6.1 There are a number of legal and reputational risks to officers, Members and the organisation arising out of inappropriate use of social media which this policy seeks to mitigate.

Financial Advice

- 6.2 There are no financial implications arising from this report.

Other Consultation Responses

6.3 N/A

Equalities Impact Assessment

6.4 N/A

Strategic Risk Management Issues

6.5 Adoption of the proposed policy and guidance will help ensure that risk to the Council's reputation from inappropriate or unauthorised social media posts from staff is minimised.

Background Papers

Appendix A – Social Media Policy

Contact for further information

Alana Razzell, Communications and Marketing, 01344 352171
alana.razzell@bracknell-forest.gov.uk

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Social Media Policy

Last updated September 2019

Background and purpose

This policy sets out Bracknell Forest Council's agreed approach to social media in terms of both personal and corporate use.

The term social media covers a wide range of interactive online tools and sites including, but not limited to, Twitter, Facebook, Instagram, LinkedIn, Pinterest, Snapchat, YouTube, blogs, WhatsApp.

This policy must be considered with the full social media guidance, which can be found on DORIS.

Staff personal and non-corporate use

Policy for staff using social media in a personal capacity

Staff should:

- Consider all social media participation as being in the public domain, even if it is a private message/ closed group, permanently available and open to being republished in other media. This includes sharing and creating content.
- Preserve the professional relationship between you and your colleagues, customers and partners.
- Staff who work in an area where there is a recognised code of professional conduct will need to follow this in respect of contact with clients through social media. For example, it is not appropriate to 'friend' vulnerable clients on social media and professional boundaries must be maintained at all times.
- Be politically neutral if it is a requirement of your job role/ part of your contract.
- Never post personal, confidential or sensitive information you have been privy to as part of your role, this includes in 'private messages' or closed forums, for example Messenger and WhatsApp.
- Not share any information you get in a professional capacity on social media – direct or in passing. This is to ensure there is no conflict of interest.
- Remember their commitment to safeguarding and promoting welfare. Professional boundaries must be maintained at all times.

Inappropriate employee conduct, even if in a personal capacity, can be grounds for disciplinary action, if it could:

- bring the council into disrepute,
- damage working relationships,
- damage relationships with clients or other third parties.

Policy for staff using social media in a professional but non-corporate capacity

There are many cases where participation on social media sites in a professional capacity can be beneficial, for example LinkedIn.

This activity is not proactively monitored by the council but council policies including, but not limited to, the code of conduct and Equality Act apply.

The principles below should be followed whenever using social media in a professional capacity:

- Clearly identify yourself and your role and make it clear your view is not the council's official view and that you are not an official spokesperson.
- Always be politically neutral.
- Be credible, cordial, accurate, fair and transparent.
- Be consistent.
- Be responsive. Respond to communication and share the insight you gain.
- Be legal.
- Be aware of your association with the council in online spaces. Think about the implications for the council of 'liking', 'befriending' or 'favouriting' people, brands, campaigns or pages, or of expressing personal opinions.
- Be aware of child and adult safeguarding issues – social media sites are often misused by offenders. If you have any concerns, report them to the safeguarding lead in your department.
- All requests for recorded information received via social media should be passed to Information.Compliance-Officer@bracknell-forest.gov.uk.

Policy for corporate use

Local Government Communications states:

'Social media is...online technologies, channels and practices used to share opinions and information, promote discussion and build relationships.'

Corporately, social media is a useful means to:

- raise awareness of and provide access to services,
- strengthen and improve our reputation by developing a two-way conversation,
- increase the number of residents accessing services online.

The council's communications and marketing team leads the council's approach to social media and manages the council's corporate Facebook, Instagram, YouTube and Twitter accounts, working closely with customer services and digital services.

Operational teams with a need to get out borough-wide messages with significant impact, for example highways, can access the corporate channels via the council's agreed social media management platform – subject to satisfactory training and licensing arrangements.

Staff should not set up a social media page or account for business use without express permission. Non-compliance may result in disciplinary proceedings.

Council social media accounts and pages must not take on paid for advertising from third parties. This could be in breach of the publicity code, social media terms and conditions and the council's third party publicity protocol.

Governance

The social media group shares operational best practice; it does not have any formal decision-making or strategic responsibilities. New terms of reference and governance arrangements were adopted in 2019 with any decisions fed in to the Head of Communications and Assistant Director of Customer Experience.

Employee responsibilities

Employees are responsible for ensuring their posts on any form of social media, both business and personal, do not compromise the council, professional relationships with clients, customers or partner organisations, or working relationships with colleagues. No personal details or references should be made in terms of clients, customers or partner organisations. Employees are responsible for ensuring anything posted/ shared/ commented on does not bring the council in to disrepute.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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