

To: **Employment Committee**
7 February 2024

HR POLICY REVIEW
Executive Director of Resources

1 Purpose of Report

- 1.1 The Human Resources team have an established programme in place to review/update existing HR policies/procedures and guidance. As part of this process, policies and procedures are being consolidated, wherever possible, and new policies and procedures created to reflect changes to legislation or best practice.

2 Recommendation(s)

- 2.1 That Employment Committee review and agree the following revised policy and procedures:
- a) Disciplinary Procedure
 - b) Lone Working Policy
 - c) Performance Improvement/Capability Procedure
 - d) Time off for Public Duties Procedure
 - e) Time off for Dependants and Carer's Leave Policy

3 Reasons for Recommendation(s)

- 3.1 To ensure relevant and up-to-date guidance is available to assist managers throughout the Council in effectively managing and, where necessary, supporting their workforce, whilst complying with legal requirements and best practice.

4 Alternative Options Considered

- 4.1 To retain the existing content for the policies and procedures listed in section 2.1 above.

5 Supporting Information

- 5.1 It is recognised that the HR policies and procedures require regular reviews to ensure they; remain up to date and meet current legislation, follow best practice, effectively support managers in dealing with associated cases and meet the Council's legal duties. As a result, a schedule has been established to review the current HR policies and procedures. This current cycle of this process has resulted in the review of the policies and guidance documents outlined in section 2.1 above.
- 5.2 The process for reviewing the policies has included engagement with; stakeholders, trade unions, the equalities group and DMTs, as well as checks against current legislation/best practice provided by ACAS and the CIPD.

5.3 The following amendments have been made to the Disciplinary Procedure:

- Clarification that where allegations are minor no formal investigation is undertaken and instead the matter is dealt with by the manager as a discussion.

- Clarification and amendment to the wording relating to the ability to appeal. The proposed wording is intended to simplify the process
- Section added on the use of CCTV in disciplinary investigations

5.4 **The following amendments have been made to the Lone Working Policy:**

- Overall revision of the policy to expand on the process for risk assessments and more focus on mental health
- A greater focus on home working being a type of lone working.
- Moved to new template
- Equality statement added.

5.5 **The following amendments have been made to the Performance Improvement/Capability Policy:**

- Previously there was an informal stage, formal stage 1, formal stage 2 and formal stage 3 this has now been amended to reduce the number of stages to; Informal, formal stage 1 and formal stage 2
- The appeal process has been amended to mirror the appeals in disciplinary – ie appeals against Director decision is to another Director.

5.6 **The following amendments have been made to the Time off for Public Duties Procedure:**

- Moved to new template,
- Equality statement added,
- Stipulating that time off for public duties can only apply to holding one position of this type, the current policy does not cover people holding more than one position which could lead to high levels of additional time off.
- In addition, added that the days allowed are calculated on a pro-rata basis if the person is part time.

5.7 **The following amendments have been made to the Time off for Dependants & Carers Leave Policy:**

- Moved to new template,
- Equality statement added,
- Inclusion of new legislation relating to Carers Leave which is effective from April 2024 both within the policy and to the title of the policy.
- Changes to terminology which are more inclusive.

5.8 It is recognised that policy and procedure alone does not provide the confidence and competence to manage workforce situations. The HR/OD Team are supporting the effective management of these policies and procedures, through a programme of manager briefing training sessions and dedicated manager induction sessions.

6 Consultation and Other Considerations

6.1 Legal Advice

As a responsible employer it is necessary for the Council to ensure that it has in place clear policies, procedures and guidelines which provide a framework for enabling it to discharge its legal responsibilities in the field of employment law. These responsibilities are framed around a need to ensure employees have access to fair and transparent HR processes. The updated guidance documents provide a

framework for decision making which (when followed) will mitigate the risk of successful legal challenges.

6.2 **Financial Advice**

Not required for this paper

6.3 **Other Consultation Responses**

6.4 The policies have been through a consultation exercise with trade unions and the equalities team. Any comments or suggestions received have either been incorporated into the policy or an explanation provided as to why it was felt inappropriate to do so.

Groups across the Council have had the opportunity to consider and comment on the policies including the Equalities Group.

6.5 **Equalities Impact Assessment**

6.4 An EIA is not required for the guidance documents referred to in this report as there are no significant changes to the content of the guidance documents.

6.5 **Strategic Risk Management Issues**

The policies being presented could have a significant impact on the Council where either poor people management or failure to follow due process could present legal challenges. This is aside the personal impact this can have on either individuals or wider teams where these important areas are not addressed well.

6.6 **Climate Change Implications**

The recommendations in Section 2 above are expected to have no impact on emissions of CO₂.

The reasons the Council believes that this will have no impact on emissions are the fact that these are employment procedures in place to support attendance and fair treatment for staff at work.

6.7 **Health & Wellbeing Considerations**

It is recognised that implementation of these policies can create significant challenges for all staff involved. It is essential that consideration for the health and wellbeing for staff is always considered and the appropriate support is provided including involvement with occupational health.

Background Papers Links to Policy:

Disciplinary Procedure

[Disciplinary procedure FINAL Dec 2023.docx](#)

Lone Working Policy

[Lone working policy December 2023 Final .docx](#)

Performance Improvement/Capability Policy:
[Performance Improvement Capability - December 2023 Final.docx](#)

Time off for Public Duties Procedure:
[Time off for Public Duties December 2023.docx](#)

Time off for Dependants & Carer's Leave Policy:
[Time off for dependants Policy Dec 2023.docx](#)

Contact for further information

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