

To: **EMPLOYMENT COMMITTEE**
11 July 2024

HR POLICY REVIEW
Executive Director: Resources

1 Purpose of Report

- 1.1 The HR 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 policies and procedure:
- 1) Paternity and Maternity Support Leave Procedure
 - 2) Agile Working Policy
 - 3) Smoke Free Workplace Policy
 - 4) Maternity Pay & Leave Policy
 - 5) Organisational Change Policy
 - 6) Flexitime Scheme Procedure
 - 7) Managing Absence 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.

Amendments that have been made to the policies/procedures and guidance are shown below:

5.3 **Paternity & Maternity Support Leave Procedure:**

- Procedure created to consolidate different guidance documents
- Moved to new template, which includes the BFC equality statement
- Amended to reflect changes to legislative changes on the taking of paternity leave and notice required which are effective from April 2024: Paternity Leave (Amendment) Regulations 2024
- Inclusion of reference to Parental Bereavement Leave – Section 9.0

5.4 **Agile Working Policy:**

- Moved to new template, which includes the BFC equality statement
- Guidance on working abroad (Section 12 of the policy) expanded to include the requirement for employees to check if the country is safe and that ICT may restrict countries from which it is considered safe to work due to security information.
- The requirement that new starters/leavers are required to attend Time Square to collect/return ICT equipment being added, following cases where IT equipment has been shipped at the Council's expense to employee's homes.
- Strengthened wording around departments that cannot Agile Work.
- Reference to Lone Working policy

5.5 **Smoke Free Workplace Policy:**

- The policy has been renamed from No Smoking Policy to reflect the greater scope of the policy.
- Moved to new template, which includes the BFC equality statement
- Inclusion of other forms of smoking within the policy, such as vaping, e-cigarettes.
- To reflect increase agile working, policy amended to include requirement to refrain from smoking/vaping when working away from office and attending virtual meetings on Teams/Zoom, etc.

5.6 **Maternity Pay & Leave Policy**

- The policy has been created to provide more concise guidance - previously two separate guidance documents existed.
- Moved to new template, which includes the BFC equality statement
- Amendment have been made to reflect legislative changes for the taking of neonatal leave and parental bereavement leave.
- Breastfeeding guidance incorporated.

Employment Committee are requested to consider implementing paid neonatal leave, ahead of new legislation in April 2025. The Neonatal Care (Leave and Pay) Act 2023 will make it a day one right for eligible employed parents, whose babies are admitted to neonatal care, to receive up to 12 weeks of paid neonatal leave. This is in addition to other entitlements such as maternity and paternity leave.

5.7 **Organisational Change Policy**

- Moved to new template which incorporates the BFC equality statement

- Amendments to reflect legislative changes to give greater protection for employees who are pregnant or on maternity leave.
- Clarification on the selection process and when At Risk letters are issued
- A draft consultation document template and a Sequence of Events timeline added for greater clarity.
- Guidance added on employee support and family leave protection.
- Organisational design principles included

5.8 Flexitime Scheme Procedure

- A procedure has been created to supplement the intranet page, which was previously the only source of reference/guidance for the Council's Flexitime scheme.
- Procedure is on the BFC standard template, which incorporates an equality statement.
- Amendment to the requirement to take breaks which are in line with Working Time Regulations (1998) i.e. a minimum 20-minute break after 6 hours working. The BFC Flexitime procedure requires a 30-minute break after 6 hours to support employees' health and wellbeing
- Simplifying of the rules around number of hours required to work in a day
- Referenced to Agile Working policy.

5.9 Managing Absence Policy

- Moved to new template which incorporates the BFC equality statement
- Additional guidance included on reasonable adjustments for employees with a disability/long-term condition – Section 7.0. This includes the recording of time off for medical treatment (Section 7.1).
- Updated guidance on handling repeated long-term sickness i.e., 20 days or more, and the handling of such absences under performance improvement and capability procedure.

5.10 It is recognised that policy and procedure alone does not provide the confidence and competence to manage workforce situations. The HR/L&D 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

The policies have been through a consultation exercise which has included; trade unions, the equalities group and DMTs. 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.

6.4 Equalities Impact Assessment

EIA are included as Appendix A for all policies/procedures.

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 created 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, referring employees to the Council's Staff Counselling Service, Mental Health First Aiders.

Background Papers Links to Policy:

[Agile Working Policy July 2024.docx](#)

[Paternity and Maternity Support Leave Procedure July 2024.docx](#)

[Smoke Free Workplace Policy July 2024.docx](#)

[Maternity Pay and Leave Policy July 2024.docx](#)

[Organisational Change Policy July 2024.docx](#)

[Flexitime Procedure July 24.docx](#)

[Managing Attendance Policy](#)

Contact for further information

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APPENDIX A: EQUALITY IMPACT ASSESSMENTS

[EIA - Agile working policy.docx](#)

[EIA - Flexitime scheme.docx](#)

[EIA - Managing attendance.docx](#)

[EIA - Smoke free workplace.docx](#)

[EIA - Organisational change.docx](#)

[EIA - Maternity and Paternity leave.docx](#)