

To: Councillor Emberson (Chair)
Councillors Brock, Lovelock, Page and
Skeats

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9 March 2021

Your contact is: **Richard Woodford - Committee Services**

NOTICE OF MEETING - PERSONNEL COMMITTEE 17 MARCH 2021

A meeting of the Personnel Committee will be held on Wednesday, 17 March 2021 at 6.30 pm via Microsoft Teams. The Agenda for the meeting is set out below.

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1. DECLARATIONS OF INTEREST		
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Present: Councillor Emberson (Chair);
Councillors Brock, Lovelock, Page and Skeats.

Also Present: Teresa Kaine and Shella Smith; Alison McNamara and Miriam Palfrey (for items 1 to 4).

1. MINUTES

The Minutes of the meeting held on 7 November 2019 were confirmed as a correct record subject to it being noted that the proceedings of the Local Joint Forum meeting held on 16 October 2019 had not been considered and consequently Miriam Palfrey and Alison McNamara were present at the meeting for items five and six.

2. PROCEEDINGS OF THE LOCAL JOINT FORUM

The Chief Executive submitted the proceedings of the Local Joint Forum meeting held on 16 October 2019.

Resolved - That the proceedings of the Local Joint Forum meeting be received.

3 REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES

The Assistant Director of HR and Organisational Development submitted a report, presenting the Committee with thirteen Employment Policies which had been reviewed jointly and agreed with the Joint Trade Unions. The review of the Council's employment policy framework aimed to ensure that all employment policies were clear, easy to understand, up to date and reviewed regularly. The following appendices were attached to the report:

Appendix A	Annual Leave Policy
Appendix B	Code of Conduct
Appendix C	Disruption to Normal Working Arrangements Policy
Appendix D	Recruitment and Selection Policy
Appendix E	Guidance on Recruitment and Retention of People with a Disability
Appendix F	Whistle Blowing Policy
Appendix G	Transgender Policy
Appendix H	Alcohol and Substance Misuse Policy
Appendix I	Long Service Awards
Appendix J	Family Leave Policy
Appendix K	Overpayment Recovery Policy
Appendix L	Gifts and Hospitality Policy
Appendix M	Volunteering Policy
Appendix N	Equality Impact Assessment

The report explained that all employment policies would be reviewed by the HR and Organisational Development Team before the end of March 2021 and submitted to the Committee, following negotiations with the Joint Trade Unions. The policies had been prioritised because they did not reflect current best practice or were out of date and

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hence put the Council at risk. A Transgender Policy, Alcohol and Substance Misuse Policy, Overpayment and Recovery Policy and Volunteering Policy were missing from the current policy framework; this had been addressed and new policies covering these areas were now included.

The report included a table that set out in summary terms for each of the revised policies the issues which had been addressed together with additional key changes that had been agreed with the Joint Trade Unions. Once the policy review was complete, hyperlinks would be added to the policies where they cross-referenced with other policies. The report also included a summary of the new policies and a table that set out the process that had been followed for agreeing the policies with the Joint Trade Unions. A communications plan was also in place to communicate the revised policies to managers and employees.

The Committee discussed the report and the Employment Policies and specifically the Volunteering Policy and the requirement for the voluntary work to take place in the Borough when many people might not live in Reading or just over its borders. It was agreed that this part of the Policy should be reviewed in 12 months' time.

Resolved:

(1) That the following revised/new HR policies, as set out in Appendices A to M attached to the report, be approved:

- Annual Leave Policy;
- Code of Conduct;
- Disruption to Normal Working Arrangements Policy;
- Recruitment and Selection Policy;
- Guidance on Recruitment and Retention of People with a Disability;
- Whistle Blowing Policy;
- Transgender Policy;
- Alcohol and Substance Misuse Policy;
- Long Service Awards;
- Family Leave Policy;
- Overpayment Recovery Policy;
- Gifts and Hospitality Policy;
- Volunteering Policy;

(2) That the requirement in the Volunteering Policy that the voluntary work take place in the Borough be reviewed in 12 months' time.

4. EQUALITY AUDIT 2019/20

The Assistant Director of HR and Organisational Development submitted a report, presenting the Committee with an Equality Audit for 2019/20, which provided a summary of equalities monitoring data for the Council's current workforce and job applicants, and monitored trends over time. The report also provided the Committee

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with an update on progress that had been made towards meeting the requirements set out in the Tackling Employment Inequality Motion that had been moved and carried at the meeting of Council on 20 October 2020. The Equality Audit 2019/20 was attached to the report at Appendix 1, a summary of the Business in the Community Race at Work Charter was attached at Appendix 2 and the ongoing initiatives to increase diversity and inclusion in the workforce was attached to the report at Appendix 3.

The report stated that the percentage of the workforce who identified as being from Black, Asian and Ethnic Minority backgrounds (BAME) had remained relatively stable in the previous two years and stood at 14.2% in 2019/20 (the percentage of BAME people in the economically active population within the Borough boundaries was 23%). The percentage of BAME job applicants in 2019/20 was 30.9% and the percentage of candidates from BAME backgrounds who were appointed in the same period was 17.2%. At the meeting of Council on 20 October 2020 a motion had been moved and carried on Tackling Employment Inequality, this had included a signatory to Business in the Community (BITC) Race at Work Charter, the commitments were as follows:

- Appoint an Executive Sponsor for Race;
- Capture ethnicity data and publicise progress;
- Commit at board level to zero tolerance of harassment and bullying;
- Make clear that supporting equality in the workplace was the responsibility of all leaders and managers;
- Take action that supported ethnic minority career progression.

The report stated that the Council employed more female staff, with 59.1% females and 40.9% males, although this had reduced in the previous three years. The Council still attracted more applications from women than men, however, these numbers were now more closely aligned than in 2018/19 with almost equal proportions of applications from men and women in 2019/20 (52.5% female and 46.1% male).

A slightly larger percentage of applicants stated that they had a disability (3.9%) than the existing workforce (3.7%), this compared with a 6% economically active population within the Borough. The report detailed the work that had previously been carried out in this area and the actions that were suggested to increase the number of disabled staff.

The report explained that the Council had already carried out a number of initiatives to support diversity and inclusion at work. A Team Reading Diversity and Inclusion Action Plan was being created which brought together actions from the various equality strands to enable more effective monitoring and reporting to the Corporate Management Team and to Personnel Committee. The Action Plan would include steps that were being taken to address the staffing issues that had not already been covered in the report which were contained in the motion to Council in October 2020. The Action Plan would also be informed by the findings of the more detailed equality audit to be carried out with assistance from BITC.

Shella Smith informed the Committee that work was ongoing with the Joint Trade Unions to agree a final version of paragraph 4.4 of the Equality Audit; when agreed this

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would be included in the final version of the Audit. Shella also reported that the Council had received around 10,000 applications for jobs since January 2020, with 30% being from applicants who had identified themselves as being from BAME backgrounds. However, the applicants were not getting through to successful posts in the same percentages, so work needed to be done in helping those from BAME backgrounds with, for example, CVs and interview techniques, with the aim of creating a 'level playing field' for all applicants.

Resolved:

- (1) That the Equality Audit for 2019/20, attached to the report at Appendix 1, be noted;**
- (2) That the Council had signed the Business in the Community (BITC) Race at Work Charter, attached to the report at Appendix 2, and the work underway to explore working with BITC to carry out a more in-depth equality audit at the Council, the results of which would be used to develop actions to create a more inclusive culture at the Council, be noted;**
- (3) That an Ethnicity Pay Gap Report for 2020, alongside the Gender Pay Gap Report for 2020, be submitted to the meeting on 17 March 2021.**

5. EXCLUSION OF THE PRESS AND PUBLIC

Resolved -

That pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following items, as it was likely that there would be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) to that Act.

6 EARLY RETIREMENTS AND REDUNDANCIES

The Assistant Director of HR and Organisational Development submitted a report, which provided a monitoring statement of all termination costs that had been incurred due to employees leaving the Council on either early retirement or redundancy grounds between 1 October 2019 and 30 September 2020. There had been no early retirements on the grounds of efficiency during this period. Termination costs that had been incurred due to employees leaving the Council on redundancy grounds between 1 October 2019 and 30 September 2020 were attached to the report at Appendix 1 and a summary of reforms of local government exit pay was attached to the report at Appendix 2.

Resolved That it be noted that the total termination costs incurred due to employees leaving the Council on redundancy grounds between 1 October 2019 and 30 September 2020 was £300,218.54.

7. FLEXIBLE RETIREMENT REQUEST

The Assistant Director of HR and Organisational Development and the Executive Director of Resources submitted a joint report, which set out a request for flexible retirement of A and B and the payment of pension benefits through the Local Government Pension Scheme. The proposal, together with the financial implications, was set out in a schedule appended to the report.

Resolved -

- (1) That the flexible retirement of employees A and B on the terms set out in the schedule appended to the report and the payment of pension benefits through the Local Government Pension Scheme be approved;**
- (2) That the proposal be approved on the basis of the financial implications as set out in paragraphs 7.1 of the report, and that authority to conclude the individual package be delegated to the Executive Director of Resources, the Monitoring Officer and Assistant Director of HR and Organisational Development (acting jointly).**

(Exempt information as defined in paragraphs 1 and 2).

(The meeting commenced at 6.30pm and closed at 7.03pm).

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PERSONNEL COMMITTEE MINUTES - 27 JANUARY 2021

Present: Councillor Emberson (Chair);
Councillors Brock, Page and Stanford-Beale (substitute for
Councillor Skeats).

Apologies: Councillors Lovelock and Skeats

Also Present: Michael Graham, Peter Sloman and Shella Smith; Kiaran
Magee.

8. DESIGNATION OF DEPUTY CHIEF EXECUTIVE

The Chief Executive submitted a report, which set out details of a proposal to restructure the Corporate Management Team which would enable delivery of the Council's ambitious agenda through increased capacity in several key areas. The following documents were attached to the report:

- Appendix 1: Current Corporate Management Team structure
- Appendix 2: Proposed Corporate Management Team structure
- Appendix 3: Senior officers' salary benchmarking
- Appendix 4: Proposed amendments to Article 12 of the Constitution

The report proposed that the current post of Executive Director of Resources be re-designated as Deputy Chief Executive, with responsibility for delivering the Council's ambitious plans in relation to social inclusion, anti-poverty and the 'levelling up' agenda, and to undertake the statutory functions of the Deputy Head of Paid Service in the absence of the Chief Executive. The report also proposed that, following an unsuccessful attempt to fill the post of Assistant Director of Finance, a new Director of Finance post be created. This role would take responsibility for being the Chief Finance Officer and Section 151 Officer, which was currently under the remit of the Director of Resources. The Financial Planning and Strategy Manager would then be re-designated as the Deputy Chief Finance Officer and Deputy Section 151 Officer.

The report explained that a benchmarking exercise had been carried out for the salaries of the Deputy Chief Executive and the Director of Finance, which was attached at Appendix 3 to the report and that the additional costs could be met from existing salary budget.

The report also explained that Article 12 of the Council's constitution would need to be amended to reflect the changes to the officer roles and responsibilities, and requested that the Committee approve the changes set out in Appendix 4 of the report for onward submission to Council. The Committee noted that this Appendix would be further amended before submission to Council to ensure that the titles of Executive Director roles were consistent throughout the document and to keep the role of Executive Director of Resources in section 12.1.2b to allow this role to be refilled in future if required.

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Resolved:

- (1) That the Corporate Management Team structure set out at Appendix 2 to the report be approved in principle, and a new Director of Finance post be created;
- (2) That the designations in the amended Article 12 of the Constitution attached at Appendix 4 to the report be submitted to Council for approval.

(The meeting commenced at 6.30pm and closed at 6.42pm).

Present:

Councillors Emberson, Brock, Page and Stanford-Beale

H Caney	GMB
A Elliott	Unison
A Jemmott	Unison
P Kenny	Unison
K Magee	Unite
A McNamara	National Education Union (NEU)
M Palfrey	Unison, Branch Secretary
B Reynolds	Unison
A Solera	Unison
J Hazell	Committee Services
S Smith	Assistant Director of HR and Organisational Development

1. ELECTION OF CHAIR

Kieran Magee was elected to serve as Chair of the Forum for the remainder the Municipal Year 2020/2021.

2. PROCEEDINGS OF THE LOCAL JOINT FORUM MEETING HELD ON 16 OCTOBER 2019

The Proceedings of the Local Joint Forum meeting held on 16 October 2019 were confirmed as a correct record.

3. PAY POLICY STATEMENT 2021/22

The Assistant Director of HR and Organisation Development submitted a report, that would be submitted to Personnel Committee on 17 March 2021, providing a Pay Policy Statement, attached at Appendix 1, for 2021/22 for approval by Council on 23 March 2021.

The report stated that the Pay Policy Statement for 2021/22 had been updated with the following changes:

- To show the updated pay multiples in section 8;
- To reflect the changes that had been agreed by Council regarding the senior management structure of the Council;
- Annex B had been reduced by removing extracts lifted from the Constitution and instead provided relevant references as to where the relevant information on the governance arrangements for pay and conditions of service for Council could be found in the Constitution;
- Annex D (council employees in salary bands) had been updated with data for 1 April 2020 and paragraph 10 (Pay Profile) had been updated to reflect this.

The report explained that further updates might be required to the Pay Policy Statement, such as new pay scales and pay ratios and new employer contribution rates for the Local Government Pension Scheme, after discussions between national employers and joint trade unions had been concluded. Delegated authority was sought

PROCEEDINGS OF THE LOCAL JOINT FORUM - 25 FEBRUARY 2020

for the Assistant Director of Human Resources and Organisational Development, in consultation with the Lead Member for Corporate and Consumer Service, to make these updates.

The report also explained the legislation which governed local authorities in developing their Pay Policy Statement, as set out in the Localism Act 2011, as well as relevant guidance on the publication of the organisation's pay.

The Assistant Director of Human Resources and Organisational Development advised the Forum that it was likely that any news about the pay award would not be received until after the May 2021 elections.

AGREED -

That, subject to Personnel Committee's consideration of the report at its meeting on 17 March 2021, the draft Pay Policy Statement for 2021/22 would be recommended to Council on 23 March 2021 for approval, be noted.

4. EQUALITIES, DIVERSITY AND INCLUSION - PROGRESS UPDATE

The Assistant Director of HR and Organisation Development submitted a report providing the Forum with an update on the work being done to advance Equality, Diversity and Inclusion at the Council. These included the following actions:

- Promotion of the Equality Audit for 2019/20 - promoted to staff through the Chief Executive's weekly email and on the intranet.
- Signing the Business in the Community's (BITC) Race at Work Charter in November 2020 - an initiative designed to improve outcomes for black, Asian and minority ethnic (BAME) employees in the UK. Partner organisations had received a letter from the Leader of the Council and the Chief Executive to confirm that the Council had signed the Charter and set out the organisation's commitment to ensure that the Council was an employer that showed leadership and ambition in employment and equality.
- Commissioning Business in the Community (BITC) to review the Council's approach to Equality, Diversity and Inclusion. As part of this process, BITC would be carrying out a review of the Council's policies, processes and initiatives through interviews with key stakeholders, as well as running five staff focus groups - each providing an opportunity for 10-12 colleagues to come together to discuss their perceptions and experiences of inclusion at the Council. The focus groups had been advertised in the Chief Executive's email on the intranet.
- Cultural Unity, Diversity and Inclusion network - the first meeting of a group of staff from different ethnic and cultural backgrounds had taken place on 10 December 2020; the group was currently considering their terms of reference and key areas of interest.
- Health and Ethical Workplace - instigation by the Director of Social Care and Health of a culture change programme running over two years within the directorate. The Organisational Development (OD) and Learning team within HR was supporting the roll out of the culture change programme, which was due to begin in May 2021. Members of the HR and OD team had also received

PROCEEDINGS OF THE LOCAL JOINT FORUM - 25 FEBRUARY 2020

training and support from Ethical Reading to be able to deliver the Healthy and Ethical Workplace workshops in other directorates.

The report also presented the Council's Gender Pay Gap Report for 2020, attached to the report at Appendix 1, for comment, before it was due to be submitted to Personnel Committee on 17 March 2021. Appendix 1 showed that the mean gender pay gap was 4.71% and the median was 2.53%. This was based on data at the snapshot date of 31 March 2020. Overall, the Council's pay gap figures and median gender pay gap figures compared well to other local authorities.

Finally, the report explained that the Council was also due to publish an Ethnicity Pay Gap Report for the first time this year. The report was to be presented to the Corporate Management Team (CMT) on 2 March 2021 and then to the Joint Trade Unions for comment, before the final report was submitted to Personnel Committee on 17 March 2021.

The report set out the next steps in terms of creating a Team Reading Equality, Diversity and Inclusion Plan so as to enable more effective monitoring and reporting to CMT and Personnel Committee. The Plan would be created using insights from the BITC Equality, Diversity and Inclusion audit findings, as well as the Equality Audit 2019/20 and the Gender and Ethnicity Pay Gap reports.

AGREED -

- (1) That the progress made to advance Equality, Diversity and Inclusion at the Council be noted.
- (2) That the Gender Pay Gap Report for 2020 be noted.
- (3) That the Forum notes that the Council will publish an Ethnicity Pay Gap report for 2020 which will be presented to Personnel Committee on 17 March 2021.

5. JOINT STATEMENT BY THE UNIONS REGARDING PROPOSED CHANGES TO STAFF'S TERMS AND CONDITIONS

With the agreement of the Forum, M Palfrey read out a statement on behalf of the Unions regarding proposed changes to staff's terms and conditions, and the possible threat that the Council may adopt a "fire and re-hire" approach. In response Councillor Brock gave his assurances that he, on behalf of the Council, would give a full undertaking on the points raised by the Unions in their statement.

(The meeting opened at 5.00 pm and closed at 5.41 pm).

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READING BOROUGH COUNCIL

REPORT BY ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT

TO:	PERSONNEL COMMITTEE		
DATE:	17 MARCH 2021	AGENDA ITEM:	4
TITLE:	REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES		
LEAD COUNCILLOR:	CLLR ELLIE EMBERSON	PORTFOLIO:	CORPORATE AND CONSUMER SERVICES
LEAD OFFICER:	SHELLA SMITH	TEL:	74697 / 0118 937 4697
JOB TITLE:	ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT	E-MAIL:	shella.smith@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 A review of the Council's employment policy framework is underway which aims to ensure that all employment policies are clear, easy to understand, up to date and reviewed regularly. This report presents twelve policies, all of which have been reviewed jointly and agreed with the Joint Trade Unions.

1.2 The report includes the following appendices:

- Appendix A: Equality, Diversity and Inclusion Policy
- Appendix B: Flexible Retirement Policy
- Appendix C: Learning and Development Policy
- Appendix D: Probation Scheme Policy
- Appendix E: Reimbursement of Expenses Policy
- Appendix F: Bullying and Harassment Policy
- Appendix G: Disciplinary Policy
- Appendix H: Managing Poor Performance Policy
- Appendix I: Managing Sickness Absence Policy
- Appendix J: Social Media Policy
- Appendix K: Flexible Working Policy
- Appendix L: Grey Fleet Policy
- Appendix M: Equality Impact Assessment

2. DECISION

2.1 That Personnel Committee approve the following revised/new HR policies (detailed in Appendices A to L of this report):

- Equality, Diversity and Inclusion Policy
- Flexible Retirement Policy
- Learning and Development Policy
- Probation Scheme Policy
- Reimbursement of Expenses Policy
- Bullying and Harassment Policy
- Disciplinary Policy
- Managing Poor Performance
- Managing Sickness Absence Policy
- Social Media Policy
- Flexible Working Policy
- Grey Fleet Policy

3. POLICY CONTEXT

- 3.1 Good employment policies should support a culture based on trust, fairness and inclusion. They can also speed the decision-making process by ensuring that clear guidance is readily available to cover a range of employment issues. Further, they can assist in avoiding involvement with employment tribunal claims by providing guidance for managers that reflects accurately current employment law and good practice. It is therefore important that employment policies are clear, easy to understand, up to date and reviewed regularly.
- 3.2 Of the twelve policies covered in this report, the majority have extended beyond their normal review date and have been updated to reflect changes in employment law and the latest Codes of Practice and guidance issued by the Advisory, Conciliation and Arbitration Service (ACAS).
- 3.3 ACAS Codes of Practice give authoritative advice in key areas of employment practice. A failure to follow the Code does not, in itself, make a person or organisation liable to proceedings. However, employment tribunals will take the Code into account when considering relevant cases. Tribunals will also be able to adjust any awards made in relevant cases by up to 25% for unreasonable failure to comply with any provision of the Code (by an employer or an employee).

4. POLICIES COVERED UNDER THIS REVIEW

- 4.1 All employment policies will be reviewed by the HR and Organisational Development team and presented for approval to Personnel Committee in July 2021, following consultation and negotiation with the Joint Trade Unions. The policies listed below have been reviewed because they do not reflect current best practice or are out of date and hence put the Council at risk. A Grey Fleet Policy was missing from the current policy framework. This has been addressed and a new policy covering this area has now been included. The policies included in this report are:

- Equality, Diversity and Inclusion Policy
- Flexible Retirement Policy
- Learning and Development Policy
- Probation Scheme

- Reimbursement of Expenses Policy
- Grey Fleet Policy

4.2 The following policies were originally updated in December 2018 and have been reviewed in line with the two-year review schedule and updated with current job titles and gender-neutral language:

- Bullying and Harassment Policy
- Disciplinary Policy
- Managing Poor Performance
- Managing Sickness Absence
- Social Media Policy
- Flexible Working Policy

4.3 The remaining new and residual policies which require review will be brought forward for approval in July 2021.

4.4 Principles used for conducting this review

4.4.1 The policies have been written with the following principles in mind:

1. They must reflect current employment law and the ACAS Codes of Practice and/or guidance where relevant.
2. They must be easy to understand and written in plain English
3. They should be concise. Any information which is not germane to the operation of the policy has been removed. For example, management guidance notes are not included in the policies, but available separately.
4. There should be a consistency of approach across related policies (e.g. same period of notice given to employees to attend formal meetings where relevant)
5. They should use gender neutral language

4.5 In future, all employment policies will be reviewed every two years or sooner if legislation requires it.

5. KEY ISSUES AND CHANGES PROPOSED

5.1 The table below sets out in summary terms for each of the revised policies the issues which have been addressed together with additional key changes agreed with the Joint Trade Unions. Once the policy review is complete, hyperlinks will be added to the policies where they are cross-referenced with other policies.

Revised Policies - Issues to be Addresses

Equality, Diversity and Inclusion - Appendix A
<ul style="list-style-type: none">• Changed policy name from 'Equal Opportunity in Employment policy' to 'Equality, Diversity and Inclusion in Employment Policy'• Included hyperlinks to relevant legislation• Changed layout to include additional information under key headings, i.e. discrimination, positive action, reasonable adjustments• Added section on equalities monitoring• Added section on good practice for recruitment, promotion and training
Flexible Retirement - Appendix B
<ul style="list-style-type: none">• Simplified and concise wording, making the application process easier for staff to follow• Removed flowchart of the application process as this did not align with the new simplified process• Removed the template change of contract letter for managers to send to the employee once they agreed on the application, as HR would issue this• Formatted to reflect standard RBC HR policies• Updated contact details for the Pension Schemes
Learning and Development - Appendix C
<ul style="list-style-type: none">• Previous policy dated from April 2009 so new policy created to reflect more current approach to Learning and Development including purpose, scope and statement• Key roles and responsibilities updated for CMT, OD and Learning team, managers and employees
Probation Scheme - Appendix D
<ul style="list-style-type: none">• Review and update of language and content to simplify and make clearer for users• Main content reviewed and some content moved to new appendices where non-essential and needed more for reference as follows:<ul style="list-style-type: none">▪ Appendix A - iTrent user guide▪ Appendix B - Guidance on probation review meetings▪ Appendix C- Guidance on terminating employment during the probation review scheme• Removal of probation review form as included in new Appendix A - iTrent user guide
Reimbursement of Expenses - Appendix E
<ul style="list-style-type: none">• Updated to ensure policy aligns with the use of iTrent
Bullying & Harassment - Appendix F
<ul style="list-style-type: none">• Last reviewed in 2018 so only needed minor updates to job titles and to ensure gender neutral language
Disciplinary - Appendix G
<ul style="list-style-type: none">• Last reviewed in 2018 so only needed minor updates to job titles and to ensure gender neutral language
Managing Poor Performance - Appendix H
<ul style="list-style-type: none">• Last reviewed in 2018 so only needed minor updates to job titles and to ensure gender neutral language
Managing Sickness Absence - Appendix I
<ul style="list-style-type: none">• Last reviewed in 2018 so only needed minor updates to job titles and to ensure

for gender neutral language
Social Media - Appendix J
<ul style="list-style-type: none"> Last reviewed in 2018 so only needed minor updates to job titles and to ensure gender neutral language
Flexible Working - Appendix K
<ul style="list-style-type: none"> Amended qualification period for application for flexible working to be from day one of employment rather than week 26. Last reviewed in 2018 so only needed minor updates to job titles and to ensure gender neutral language

New Policies

5.2 Grey Fleet Policy (Appendix L)

This policy sets out Reading Borough Council's approach to management of the Grey Fleet (i.e. Council employees who use their own cars for business purposes) and how it should be used.

6. PROCESS FOR AGREEING THE NEW AND REVISED POLICIES

6.1 The process for agreeing the policies with the joint trade unions has been as follows:

16 November 2020	The first 5 draft policies (A-E) were uploaded to a shared site that trade union representatives have access to, requesting initial feedback on the policies by 30 November 2020, ahead of first meeting on 2 December.
2 December 2020	First meeting with trade unions, HR Services Manager and Senior HR Advisers to review feedback from the trade unions and incorporate changes.
7 December 2020	Issued revised policies to the trade unions.
19 February 2021	The remaining 7 draft policies (F - L) were uploaded to the shared site for review by trade union representatives, requesting comments on the policies prior to the scheduled review meeting on 26 February 2021.
26 February 2021	Meeting with trade unions, HR Services Manager and Senior HR Advisers to review feedback from the trade unions.
5 March 2021	Final meeting with trade unions, HR Services Manager and Senior HR Advisers to agree final amendments.
8 March 2021	Issued revised policies to the trade unions.

6.2 A communications plan is in place to communicate the revised policies to managers and employees. This will include:

- Daily news items on the intranet and iTrent Employee Self Service (the HR system used by all staff to book leave, submit mileage claims etc) to highlight the revised policies and who to speak to about any queries (i.e. their line manager or HR)
- Being highlighted in the Chief Executive's weekly email to all staff
- Strategic HR and OD Business Partners/Senior HR Advisers will highlight the revised policies and their implications (for staff and managers) when they attend department management team meetings and 1-1 meetings with managers.
- An email from HR to all line managers to highlight the new policies and explain the changes, and to ask that they discuss them with their staff in team meetings, tool-box talks, 1-1s etc.

7. CONTRIBUTION TO STRATEGIC AIMS

7.1 The new and revised HR policies help to ensure that the Council can meet its Corporate Plan priority, specifically ensuring that the Council is fit for the future.

8. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

8.1 There are no environmental or climate change implications.

9. COMMUNITY ENGAGEMENT AND INFORMATION

9.1 The Joint Trade Unions have been consulted on the revised policies. All the changes they proposed have been incorporated into the final versions.

10. EQUALITY IMPACT ASSESSMENT

10.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2 An Equality Impact Assessment (EIA) has been carried out (see Appendix M) and has found no differential impact on any groups with protected characteristics.

11. LEGAL IMPLICATIONS

11.1 Certain employment policies and procedures are specifically needed to comply with legal requirements, for example, a written health and safety policy. Even where a policy or procedure is not specifically required by law, employers

often find it helpful to have a policy in place to provide clear guidance that reflects the legal framework for handling the issue in question and it also helps employees to be clear about the organisation's stance on a particular subject. The proposed policies presented in this review reflect current employment law and ACAS Codes of Practice and/or guidance where relevant.

- 11.2 The Council's Constitution confirms that Personnel Committee is responsible for determining the terms and conditions on which staff hold office. The proposed policies will therefore be presented to Personnel Committee for approval, following consultation and negotiation with the trade unions.

12. FINANCIAL IMPLICATIONS

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

13. BACKGROUND PAPERS

- 13.1 None

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Equality, Diversity and Inclusion in Employment Policy

November 2020



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1. Purpose and Scope

Reading Borough Council is committed to creating a working environment that is inclusive and free from discrimination or harassment.

This policy acts as a guide for all staff, managers, councillors, volunteers and those who are working on behalf of Reading Borough Council, to the Council's approach to equality, diversity and inclusion in employment. It also outlines the Council's duty to comply with relevant equalities legislation and guidance.

The main objectives of this policy are to:

- Embed the principles of equality, diversity and inclusion in all aspects of employment including: advertising vacancies, recruitment and selection, terms and conditions of employment, training and personal development and monitoring of reasons for ending employment.
- Ensure that no person or group of persons applying for employment, services or contracts with the Council is treated less favourably than any other person or group of persons on the grounds of their gender, age, disability, race, sexual orientation, gender reassignment status, religion and belief, pregnancy and maternity, marriage and civil partnership status or any other protected characteristic.
- Support the creation of a work environment that is free from discrimination, harassment and bullying, where everyone is treated with dignity and respect.
- Outline the main requirements of the [Equality Act 2010](#) that relate to employment, provide best practice guidance and the role of HR in meeting the requirements of this policy.

Any claims of discrimination or harassment will be investigated and dealt with under the relevant policy.

2. Public Sector Equality Duty

The [Equality Act 2010](#) places an equality duty on public bodies and organisations carrying out public functions. Its main aim is to support good decision-making by ensuring public bodies consider how different people will be affected by their activities. It also helps to deliver policies and services that are efficient and effective, accessible, and that meet different people's needs, as much as is reasonably possible.

The Council has a Public Sector Equality Duty under the [Equality Act 2010](#) which places a duty on public bodies to pay due regard to:

- the need to eliminate unlawful discrimination,
- advance equality of opportunity and
- foster good relations between different groups of people.

3. Responsibilities

It is the responsibility of all staff, managers, councillors, volunteers and anyone else who works for or on behalf of the Council to apply the principles of this policy in their day to day working practices.

Every member of staff is responsible for their own compliance with this policy. Breaches of the Equality, Diversity and Inclusion Policy will be regarded as misconduct and could lead to disciplinary action against employees and termination of contracts for services of contractors or agency staff.

Employees who feel they have been discriminated against should raise the matter with their line manager. Initially the employee and manager should aim to resolve the matter informally. It may be that discriminatory action is unwitting and easily resolved once the problem is clear.

Human Resources & Organisational Development (HR&OD)

The role of the HR&OD is to ensure that managers, employees and all relevant parties are aware of the commitment to equality, diversity and inclusion and to work to achieve a more open, inclusive and diverse organisation.

HR&OD will advise staff and managers on a range of areas including:

- Ensuring that there are bias free methods of selection and handling of any allegations of discrimination.
- Different ways of encouraging employment applications from disadvantaged or underrepresented groups.
- Promoting career progression within the authority for underrepresented groups.
- How to make necessary reasonable adjustments
- Provision of equalities monitoring data about the Council's workforce on at least an annual basis to help understand whether the workforce reflects the demographic of the wider community and, if not, how inroads can be made to achieve this over time. This will include Gender and Ethnicity Pay Gap Reports.

4. Discrimination

The Council strives to ensure that discrimination of any kind is prevented. If discrimination does occur, specific steps will be taken to tackle it, whether it is direct, indirect, associative or perceptible, harassment, third party harassment, victimisation or any other kind of unlawful behaviour. See [Section 10](#) for links to other key policies.

For more information on these and other types of discrimination identified in the Equality Act 2010, please see specific guidance on the [Equality and Human Rights Commission](#) website.

Advice and support on how to prevent or tackle discrimination will be given by HR&OD in the instance that it is needed.

5. Commitment to accessibility

The Council aims to remove barriers to access and will provide specific support to people with a disability by making reasonable adjustments, where it is necessary and reasonably possible to do so.

The aim of this action is to ensure that any person with a disability, including staff, councillors, volunteers or anyone else who works for or on behalf of the Council has access to everything that they need to carry out their work.

For more information on reasonable adjustments, please see specific guidance on the [Equality and Human Rights Commission](#) website. The Council's [Tailored Access Agreement](#) and [Reasonable Adjustments Guide](#) also provides additional information, along with the guidance on Recruitment and Retention of People with a Disability

6. Positive Action

The Council seeks to overcome or minimise disadvantages that people who share a protected characteristic may experience. An example of this is being a '[disability confident](#)' employer, which includes the commitment to interviewing all disabled applicants who meet the minimum essential criteria for the post.

The Council may take 'positive action' to encourage people from groups with different needs, or with a past track record of disadvantage or low participation, to apply for jobs, particularly in service areas where certain groups are underrepresented.

The Council is committed to support working groups and forums within the organisation to make this Equality, Diversity and Inclusion Policy effective.

7. Equalities Monitoring

To improve understanding of local communities the Council collects and analyses local population and staff data relating to the nine protected characteristics included in the Equality Act 2010: age, race, disability, sex, gender reassignment, pregnancy and maternity, religion and belief, sexual orientation and marriage and civil partnership.

Areas that are monitored include:

- Job applications
- Recruitment
- Promotion
- Age profile of workforce
- Disability profile of workforce
- Ethnicity profile of workforce

- Staff turnover
- Provision of training
- Salary and grading/status distribution
- Provision of employee benefits
- Grievances, particularly relating to harassment
- Disciplinary action
- Capability action
- Part-time working
- Action taken in relation to discriminatory behaviour

Ongoing monitoring of the Council's workforce data is essential to work towards having a workforce that is more representative of the local community. The results of equality monitoring are shared with the recognised trade unions.

The policy will be reviewed on an ongoing basis consulting with recognised trade unions to reflect changes in the law, demographics and service delivery requirements.

8. A Good Practice Guide

Recruitment and Selection

The Council endeavours to have a representative workforce and ensure fair treatment through the recruitment and selection process, this includes:

- Checking that job descriptions and person specifications are non-discriminatory.
- Shortlisting based on the requirements of the job.
- Ensuring at least two employees on an interview panel.
- Keeping records of the recruitment and selection process, such as interview notes.
- Monitoring recruitment and selection activities against protected characteristics.

Promotion

Promotion decisions must be made on the basis of the individual's ability and skills in line with the person specification and job description, rather than assumptions based on age, disability, gender, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief or sexual orientation. Clear and transparent records should be kept to evidence all decision-making processes.

Training

Training must be accessible to all employees and reasonable adjustments will be made, where necessary and possible, to enable the employee to perform their role to the best of their abilities. A range of training methods will be used, such as e-learning and face to face training sessions to ensure that everyone has equal access to training irrespective of disability, location or hours of work.

All staff undertake equality, diversity and inclusion training at induction and periodically thereafter.

9. Data Protection and Confidentiality

The use of personal information will be treated with appropriate levels of confidentiality and will be fair and lawful. Reading Borough Council will ensure that personal information is accurate; not kept for longer than is necessary; secure; and adequate, relevant and not excessive. All information will be processed in accordance with the data protection rights of the individual. Inappropriate access or disclosure of personal data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

10. Links to Other Key Policies

Below are policies which link to this Equality, Diversity and Inclusion in Employment Policy (the list is not exhaustive):

- [Tailored Access Agreement](#)
- [Reasonable Adjustments Guide](#)
- [Whistleblowing Policy](#)
- [Bullying and Harassment Policy](#)
- [Flexible Working Policy](#)
- [Employee Wellbeing in the Workplace Policy](#)
- [Recruitment and Selection Policy](#)
- [Recruitment and Retention of People with a Disability](#)

Flexible Retirement Policy

November 2020



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1. Purpose

- 1.1 The policy covers the flexible working options available to employees who wish to continue working past retirement. A phased retirement can support employees with financial and social advantages that work may bring, as well as for those who have a medical condition and may form part of an adjustment to their work duties.
- 1.2 Flexible retirement is where employees change their work pattern prior to their planned retirement date. It can assist employees and the Council by:
 - Enabling the transfer of skills and knowledge;
 - Providing the opportunity for better succession planning and mentoring;
 - Facilitating the retention of expertise and knowledge.

2. Scope

- 2.1 The policy applies to all employees of Reading Borough Council.
- 2.2 For members of the Local Government Pension Scheme (LGPS) or the Teachers' Pension Scheme (TPS), the Scheme provisions relating to 'Flexible Retirement' and 'Phased Retirement' apply. Where there is no direct cost to the Council / School, the considerations relating to the impact of reduced hours on service provision will apply (see below).

3. Retirement age

- 3.1 There is no default retirement age for Council employees. Employees can plan for their retirement date in accordance with their personal circumstances and subject to the provisions of the relevant pension scheme they have membership of (where relevant). Before an employee commits to reducing their working hours or grade, they should consider the effect on their retirement benefits and take appropriate independent financial advice.

4. Flexible retirement options and eligibility

- 4.1 Flexible retirement is aimed at giving employees flexibility to ease their way into retirement and may include options such as reduced hours/days and / or reduced grade.
- 4.2 On or after age 55, employees who have three or more months' membership in the LGPS (including transferred rights) can reduce their hours of work or grade in which they are employed and draw their accrued LGPS pension benefits whilst continuing in employment and (optionally) building up further benefits in the pension scheme – enabling them to ease into retirement.
- 4.3 Employees should be aware that their pension benefits will normally be reduced if paid early (in line with LGPS Regulations). However, the Council will consider granting flexible retirement with unreduced pension if sufficient financial benefit to the

Council can be demonstrated through the individual's proposed change to working hours / grade.

- 4.4 Employees must be 55 or over on the date that any proposed changes are to take effect to be eligible to make a flexible retirement request (reduction in hours and / or grade) under this policy irrespective of whether they are in membership of a pension scheme.

5. The tests

- 5.1 When an employee makes an application to vary their pattern of working under this policy the following tests will be applied:

TEST 1 - The 'Pension Cost Test': (only applicable to employees who are members of a pension scheme).

An assessment will be done to weigh the costs of unreduced pension against any savings as a result of the change to working arrangements. In general, the basic test of covering costs within a period of two years will need to be met. This test should include any direct and indirect additional costs arising from the application such as re-training, recruitment etc. If this test is not met, then it is unlikely that approval will be given by Personnel Committee unless one of the published discretions is applied (see [here](#)).

TEST 2 - The 'Service Impact Test': (applicable to all employees).

This is an evaluation of the impact of the proposed change on the service, taking into account (where applicable):

- Impacts on the ability of the service to meet the demands of customers, quality or performance generally.
- The feasibility of re-organising work within the existing workforce where necessary.
- How these proposals link to other short to medium term plans for the service (including any additional costs that may be incurred).

A summary of the above evaluation will be reported to Personnel Committee if consent to waive the reduction in pension benefits is sought.

6. The application

- 6.1 Employees requesting flexible retirement are required to complete the Flexible Retirement Application Form and submit to their line manager. The manager discusses with the relevant Assistant Director and seeks HR guidance on pension costs plus any other associated costs.

7. The decision

- 7.1 Managers calculate savings / costs and decide whether to recommend approval on financial and other grounds.

- 7.2 If an application has no financial implications for the Council, proposed changes to working arrangements can be agreed with the relevant Assistant and Executive Director. The line manager will need to notify HR of any changes to working arrangements including a reduction in hours, at least four weeks prior to the implementation date, by completing a [contract variation request](#) in iTrent Managers Self-Service.
- 7.3 Where the flexible retirement request has a potential cost to the Council in relation to the release of an unreduced pension and the employee's Assistant Director and Executive Director agree that this may be considered, it will be subject to the Personnel Committee approval. This approval must be given before changes to working arrangements are formally agreed with the employee.
- 7.4 If approved, changes to working arrangements will be permanent.

8. Timescales and representation

- 8.1 Managers should formally acknowledge requests for flexible retirement and hold a meeting with the employee within four weeks to discuss their request. Managers should instigate the necessary financial / operational information as soon as possible. Within eight weeks of the application being made the employee should be notified of the outcome of their application. Should there be any delays in this process, the employee should be kept informed.
- 8.2 At meetings held to discuss any formal application the employee is entitled to be accompanied by their trade union representative or a workplace colleague.

9. Further information

Reading Borough Council's Local Government Pension scheme is managed by The Berkshire Pension Fund – 01628 796 668 or <https://www.berkshirerpensions.org.uk/>

The Teachers' Pension Scheme - <https://www.teacherspensions.co.uk/>

State pension – <https://www.gov.uk/state-pension>

Please read the Council’s Policy on Flexible Retirement **before** completing this form. You should ensure that you submit your application to your manager at least 4 months the date you wish the request to take effect. It is important that you complete all the questions to avoid a delay in the process.

When completing sections 3 & 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues. Once you have completed the form, you should immediately forward it to your manager. Your manager and Assistant Director will then consider your request, and seek necessary approvals if the request entails a cost to the Council. **If the request is granted, this will be a permanent change to your terms and conditions.**

1. PERSONAL DETAILS

Name:	<input type="text"/>	Directorate:	<input type="text"/>
Team:	<input type="text"/>	Job Title:	<input type="text"/>
Manager's Name:	<input type="text"/>	Work Location:	<input type="text"/>
Date of Birth:	<input type="text"/>	Payroll Number:	<input type="text"/>
Length of <u>continuous</u> local government service (yrs/mths)*:			<input type="text"/>

I would like to apply for flexible retirement under the Council’s policy:

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

I am a member of the Local Government Pension Scheme / Teachers Pension Scheme

I am aged 55 or above

I wish to apply for unreduced pension benefits (see below*)

***Pension Benefits** - The Council will consider granting flexible retirement with **unreduced** pension (where applicable) if sufficient financial benefit to the Council can be demonstrated through the individual’s proposed change to working hours / grade. An assessment will be done to weigh the costs of unreduced pension against any savings to be accrued as a result of the change to working arrangements. In general, the basic test of covering costs within a period of two years will need to be met. This test should include any direct and indirect additional costs arising from the application such as re-training, recruitment etc. Members’ consent (Personnel Committee) is required where an employee makes a request for the reduction of benefits to be waived and the Council agrees that this may be considered.

<input type="checkbox"/>
<input type="checkbox"/>

I wish to apply on the grounds of reduced hours (complete remainder of form)

I wish to apply on the basis of a reduction in grade (see below before signing and returning to your manager)**

****Reduction in Grade** - This may emerge as part of a service restructuring or through application for another job in the Council. However, you should note that the Council is not responsible for seeking lower graded jobs as part of a flexible retirement application. It is an employee’s responsibility to seek and be successful in gaining a lower graded job using the Council’s normal recruitment and selection practices. You will have to seek prior approval for flexible retirement from your current line manager who will need to identify the necessary saving. You should identify during application stage that you wish to apply for the (lower graded) position as part of a flexible retirement request.

2. WORKING PATTERNS

Describe your current working pattern (days/hours/times worked):

--

Describe the working pattern you would like to work in future (days/hours/times worked):

--

(continue on a separate sheet if necessary)

I would like this working pattern to commence from :

Date:

--	--

3. IMPACT OF THE NEW WORKING PATTERN

Use this section to describe the possible impact of any changes on your team / work area and how they might be dealt with:

--

(continue on a separate sheet if necessary)

4. OTHER INFORMATION THAT YOU FEEL IS RELEVANT

Other supporting information that you want to provide about your personal circumstances in relation to this application (ie health, welfare or wellbeing issues).

--

(continue on a separate sheet if necessary)

Signed:

Date:

--	--

PLEASE PASS THIS FORM TO YOUR LINE MANAGER

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Learning and Development Policy

November 2020



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1. Introduction

This policy sets out Reading Borough Council's position on learning and development of its employees. The Council recognises our employees are our most valuable resource and the key to our success. The Council is committed to becoming an employer of choice and a great place to work and learn. Personal and professional development for all employees is a key element in developing RBC and its workforce to meet the strategic goals of the organisation and achieve customers' expectations in service delivery.

This policy has been developed in line with the Council's overall vision, reflects our Team Reading values and People Strategy and aims to ensure best quality, value for money learning and development opportunities.

2. Purpose

This Learning and Development (L&D) policy describes the responsibilities of individual employees, Line Managers, Organisational Development (OD) and Learning Team members and our Corporate Management Team in implementing key aspects of the L&D policy and is intended to guide them in meeting these requirements and responsibilities.

3. Scope

This policy applies to all employees of the Council on a permanent, fixed term or temporary contract regardless of role, location or length of service. This policy does not form part of your terms and conditions of employment. It is intended to act as a general framework only and may be varied in any way and at any time where the Council deems it reasonably necessary.

This policy does not apply to agency members of staff or self-employed contractors.

4. Policy Statement

The Council aims to foster a high-performance culture. To achieve this, we strive to provide each member of staff with clear performance objectives, on-going coaching, feedback and personal development opportunities.

The Council is committed to providing L&D opportunities that are strategic, measurable and effective so that every employee is enabled to achieve their personal and organisational objectives and reach their full potential. To fulfil this commitment the Council has a range of L&D opportunities that enhance the capability of its employees based on their learning needs and aligned to the skills, knowledge and behaviours required to deliver the Council's strategic goals

Workplace learning agreement with Trades Unions

The policy is endorsed by the Council's recognised Trades Unions. The Council works jointly with the Trades Unions to reinforce the importance of learning in the workplace.

This policy refers to learning which is accessible to all employees, for work and for life; including those who may have been traditionally excluded from learning. Learning should be flexible and responsive to the needs of learners. Learning is about working together to meet a collective need – be it in the workplace, or in society.

5. Responsibilities

The Human Resources and Organisational Development service (HR & OD) has the responsibility for ensuring the maintenance, regular review and updating of this policy. Any queries or concerns on the application or interpretation of this policy can be discussed with HR & OD

Corporate Management Team (CMT) is responsible for:

- Providing the appropriate mechanisms for employees' development needs to be discussed, recorded and provided
- Ensuring this policy is implemented across the Council
- Promoting a culture of continuous learning
- Evaluating the impact of the policy
- Setting strategic objectives for the OD & Learning team
- Agreeing overall funding for L&D including championing use of the Apprenticeship Levy

Organisational Development & Learning (OD & Learning) are responsible for:

- Commissioning, designing and delivering OD and Learning solutions that develop the behaviours, competencies and capability required for ongoing organisational success aligned to agreed corporate priorities
- Upskilling employees to lead and manage effectively across the Council including change management
- Maximising performance from employees at all stages of their career through ongoing L&D
- Promoting learning opportunities to target audiences and providing advice and guidance
- The evaluation of corporate learning programmes, and reporting this to CMT on at least an annual basis
- OD & Learning corporate budget management and reporting to CMT on at least an annual basis to agree L&D priorities for the forthcoming year
- Ensuring records of centrally arranged learning events are kept and updated by the HR and OD Administration Hub including mandatory corporate training and behavioural development programmes delivered by the team

- Provide assistance to line managers to enable them to effectively evaluate learning needs at a team and directorate level

All managers are responsible for:

- Supporting staff to access appropriate learning opportunities and providing clear objectives for applying the learning to practice
- Encourage staff to prioritise learning and development within their role and ensure attendance on booked learning events
- Ensuring fair and equitable access to learning opportunities
- Ensuring all new staff complete the Council's corporate induction and local inductions during their probation period
- Holding regular discussions and reviews with their team members on their L&D progress and creating development plans for team members
- Prioritising the use of Apprenticeship Levy funded development to meet medium-longer term learning and capability needs
- Ensuring all staff undertaking apprenticeship programmes are provided with the 20% off the job learning requirement
- Promoting the use of the Council's learning management system (eLearning) and on-line library as the first point of contact for skills development
- Ensuring employees hold valid qualifications and certificates where the need for learning is mandatory
- Provide on the job learning for employees within their team/department
- Adherence to L&D budgets managed locally at directorate level

All employees are responsible for:

- Self-assessment of their competencies against their job description and person specification to support creation of personal development plans
- Maintaining and providing evidence of learning ensuring all mandatory training is completed and kept up to date
- Committing to learning opportunities and completion of all learning requirements for a programme including qualification programmes
- Spending time on their own self development
- Undertaking continuous professional development (CPD) where it is a requirement of their membership of a professional organisation or registration
- Taking ownership and having a proactive approach to identifying their development including in discussions with their manager and creation of their personal development plan

Trades Unions are responsible for:

- Encouraging non-traditional learners to return to learning including access to the national Learning at Work programmes and branch organisations
- Provide Union Learning Representatives (ULRs)/Lifelong Learning Advisers (LLAs)). Their role is set out in the Employment Act 2002 and includes:

- identifying learning or training needs

- providing information and advice about learning or training
- promoting the value of learning and training
- consulting the employer about implementing such activities

Professional membership fees

One set of professional fees can be reimbursed where the department's management team considers membership of a professional body is essential or strongly desirable for the role.

Fees may also be payable where an appropriate level of membership is required for an employee who is undertaking training for a professional qualification.

Time for learning

The Council is committed to ensuring employees have reasonable and planned paid time from work to attend work-related learning identified and agreed as either individual or team development needs to support the corporate priorities.

All apprenticeships have a national requirement for 20% "off the job learning" within the employee's contracted working hours; this does not have to be time spent out of the workplace. The OD & Learning Team can provide advice on what activities constitute "off the job" learning.

Study leave for other qualifications should be proportionate to the length and requirements of the course. Guidance is available from the OD & Learning Team.

Travel expenses

Travel expenses incurred in relation to external learning events are funded from the employee's team budget and can be claimed in line with the Council's Reimbursement of Expenses Policy. Mileage to attend training courses where the employee has to travel using their own car can be claimed at the training rate of 24p per mile.

Combating inequality

The Council is committed to working to ensure that policy and practice relating to L&D reflects an equal entitlement to access learning and tackles traditional barriers to learning. Where possible L&D programmes will take account of general employee working patterns. The Council works with Trades Unions and learning providers to identify and address any barriers to equality in access to learning including physical access, and flexibility in learning materials and delivery.

Probation Scheme Policy

November 2020



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1. Introduction

This document sets out the terms and structure of Reading Borough Council's (RBC) Probation Scheme.

2. Purpose of the Probation scheme

This scheme provides a framework to ensure the manager and new employee review and assess core performance and development needs during the initial six months of employment. It is linked to induction and is additional to one to one supervision and team meetings. It must be undertaken and applied in a fair and consistent manner.

The outcome of this process is the confirmation, or not, of employment with RBC.

3. Employees covered by the probation scheme

The scheme applies to all new employees to RBC, including apprentices, with the exception of teachers and staff on Chief Officer terms and conditions (Reading Senior Manager grades).

The requirement to complete probation will only be waived with authorisation of the relevant Assistant Director having consulted the Joint Trade Union Committee (JTUC). A record of the decision must be sent to Human Resources and held on the employee's personal file.

The scheme does not apply to existing RBC employees who are appointed to a new or additional role, but the manager should put in place a development plan to support the employee in the new role. Generally, employees on fixed term contracts, other than apprentices, are exempt from the scheme. However, the scheme may be applied if appropriate for operational and business reasons. It does not apply to casual workers, volunteers or to employees on trainee schemes, but these staff should receive appropriate management support including induction and regular one to one supervision.

4. Length of the scheme

The probationary period is six months. The decision to appoint on a permanent basis will be made subject to completion of a satisfactory probation period.

5. Extension of the probation scheme

The probation period will only be extended in exceptional circumstances and with joint agreement between the manager and the employee. Reasons to extend the probationary period include:

- There are aspects of performance that the manager is not satisfied have been achieved but considers can be achieved with additional support

- Delays in accessing agreed learning and development opportunities
- The employee has had a significant amount of sickness that has impacted on their achievement of objectives during the probationary period

If an extension is necessary, the manager and employee should meet to discuss this and record:

- Length of the extension (extensions will usually not exceed two months at any one time)
- Date the extension will end
- Reason for the extension including details of planned support such as learning and development during the extension period

The employee must be told that if the required standards are not met by the end of the extension, their contract may be terminated.

6. Roles and responsibilities in the probation scheme

a) **Managers** must ensure that:

- The new employee understands what is expected during probation
- All reasonable steps are taken to enable the employee to meet the expected standards
- The four probationary review meetings take place at the recommended intervals
- Records are kept using the corporate process via iTrent.
- Any other correspondence relating to the scheme such as an agreement to extend probation or a letter of termination, is kept on the employee's personal file.

b) **Employees** must:

- Take an active part in the probationary review process
- Take some responsibility for ensuring probationary review meetings are undertaken and recorded
- Make use of support provided by the Council
- Raise and seek action to resolve issues.

7. Probation review meetings

The purpose of probationary review meetings is to monitor progress towards the achievement of agreed objectives and to establish learning support required to achieve these. If any issues arise during the course of employment, they should be dealt with immediately and not left until a formal probationary review meeting.

Regular probationary review meetings must be carried out during the six-month probationary period and recorded using the corporate reporting process on iTrent.

Probationary review meetings should be held:

- At the start of employment (within the first 5 working days)
- One month following appointment
- Three months following appointment
- Five months following appointment

The guidance notes in Appendix B below outline the structure for each meeting and recommendations for setting objectives.

If probation meetings are not held

In the event that probationary review meetings are not carried out, there is an assumption within the scheme that the employee's appointment will be confirmed at the end of the probationary period, unless there is an agreed extension to the time periods.

8. Termination of employment during the probation scheme

If the manager makes a recommendation not to appoint, the recommendation to the Assistant Director should take place no later than 6 months after the employee started work. Further guidance and supporting information are provided in Appendix C.

Appendix A: iTrent user guide for Probation review scheme

Link to the iTrent Probation Process User Guide (on the intranet):

<https://intranet.reading.gov.uk/manual/probation-process-itrent>

Appendix B: Guidance on probation review meetings and setting objectives

Objectives must relate to the job, be realistic and agreed between the manager and the employee at the first meeting. Objectives should cover work performance, behaviour, Team Reading values and learning and development needs.

Before a new employee starts, the manager should identify reasonable standards of work appropriate to the work role and level of responsibility. The core areas to be discussed should include:

- Basic standards of work – meeting targets, accuracy, familiarity with policies and procedures, attendance and time-keeping,
- Initiative – does the employee apply (or demonstrate the potential to apply) initiative as appropriate to the role?
- Customer service and working relationships– has the employee developed positive working relationships with colleagues and customers?
- Equality and diversity – does the employee show an awareness of the Council’s equality statement and its application to practice?

The probation meetings should address any periods of sickness absence but this is not an automatic reason for deciding that the employee has ‘not met’ the overall standards set.

First meeting

The manager and employee should agree and record the following:

- Standards of behaviour expected under the ‘core’ elements
- Performance outcomes that will be used as part of the probationary review
- An initial assessment of learning and development needs
- The timetable for the future review meetings

Second and third review meetings

The manager and employee should:

- Review and record progress in achieving the agreed objectives and agree further actions
- Plan and record further learning and development needs

The manager gives an overall assessment of the employee’s progress. If overall performance is assessed as ‘not met’ the manager and employee should discuss and record a development plan. The employee should be reminded that satisfactory completion of probation is required before their appointment is confirmed and that the consequence of not successfully completing the probationary period could be termination of employment.

Additionally, at the third (Three Month) review meeting, if the employee’s performance is assessed as ‘not met’, the manager must put this in writing. The letter should:

- confirm this assessment
- remind the employee that continued employment is conditional upon the successful completion of the probationary period
- advise the employee that if unsuccessful, this could result in the termination of the employee's employment.
- state where improvement is needed and detail what support is being provided to assist the employee to achieve these requirements

Fourth review meeting

If the overall performance is assessed as 'objectives met', the manager will recommend to their Line Manager that the employee's employment is confirmed, via the iTrent process.

If overall performance is assessed as 'objectives not met', the manager must refer this decision to their Assistant Director, who has authority to suspend and dismiss an employee.

Representation at meetings

Discussions of work performance under the scheme will generally take place between the manager and the employee only. However, at key points there may be the need to involve other representatives or professional advisors (for example, Occupational Health). It is not a right, but it will not be unreasonably refused and each request be judged on its merits.

The employee may be accompanied by a Trade Union representative or workplace colleague at the following points:

- At meetings to discuss extending the probationary period.
- At a meeting which may lead to a decision not to appoint an employee.
- At meetings to review decisions not to appoint an employee.

Appendix C: Guidance on terminating employment during probation scheme

Termination of employment during or at the end of the probation period

The Assistant Director will convene a meeting with the employee and the manager to consider the recommendation not to appoint, and any explanation or representation that the employee may wish to make.

This should take place within 10 working days of the meeting where the verbal notification was given to the employee (unless there are exceptional* circumstances).

*'Exceptional' in this context means that the Assistant Director is unavoidably unavailable or that the employee and/or representative needs time to prepare for such a meeting. The extension will not be for more than a maximum of 2 to 3 working days.

The absence or unavailability of an employee to attend a meeting will not unreasonably delay holding a meeting or reaching a decision on the matter by the Assistant Director.

At the meeting, the Assistant Director will consider the written/verbal representations from the employee/representative and the manager and decide whether to uphold or reject the recommendation of the manager. This decision will be made within 5 working days and a letter confirming the decision will be sent to the employee. The Assistant Director's decision is final.

The employee's contract of employment will be terminated with notice with effect from the date of the decision of the Assistant Director not to appoint on a permanent basis.

Employee appeals against the decision not to appoint

If the employee is unhappy with a decision not to confirm the appointment and to terminate employment, the employee may seek a review of this decision by another Assistant Director. The request must be lodged in writing to the Assistant Director who made the decision within 5 working days of the decision not to appoint/terminate being notified to the employee.

The request for a review must give details of the grounds for the review and refer to the reasons set out in the letter confirming termination.

The review shall normally be conducted and completed within 15 working days of receipt of the request from the employee. Written and/or verbal submissions from the employee, as well as the manager involved in the probationary review process, and the decision not to confirm the appointment as permanent, will be sought. In the event of verbal submissions being made by the employee, a union representative, workplace colleague or friend may represent the employee.

There is no further right of review once this process is completed and the decision given.

Termination of employment before 6 months

The Scheme allows for the possibility that employment may be terminated before the end of the normal probationary review period, but that decision would be exceptional and not the norm. In the event that such a decision is made, the arrangements for recommendation to the Assistant Director (and possible review of a decision to terminate) will be those set out above.

The decision will not be made unless the employee has been told of areas that need improvement, has been given a reasonable opportunity to improve and the relevant local trades union representative has been formally consulted. Before coming to the decision, the manager should also consider the possibility of a move to other duties.

There may be circumstances where an employee has been absent which has resulted in delays to assessment during the probationary period. These absences should be dealt with and managed by using the principles of the Capability (Ill Health) procedure, if health related (attendance is a factor to be assessed under the Probation Scheme). If the absence of the employee would unreasonably delay the application of the Probation Scheme, the Scheme allows for the possibility of termination of employment before all the suggested review stages have been completed. If the employee has taken unauthorised absence from work, following any informal discussions with the employee, the disciplinary procedure may be considered.

Any possibility of the decision to terminate the contract of employment before the full probationary review has been completed should be dealt with reasonably and after discussion with Human Resources. The decision-making process/review applied should be the same as for any other form of termination set out in the Scheme (see above).

What exceptional circumstances could end employment before 6 months?

- Other contractual procedures are applied (for example, disciplinary procedure)
- The performance of the employee is so poor that an early termination of the probationary period (and therefore employment itself) is necessary. The manager must consider if performance is unlikely to improve sufficiently even with further training and management intervention. The provisions of this Scheme relating to the decision not to confirm an appointment (and any review of such a decision) will still apply.
- Where the unavailability of the employee would unreasonably delay the application of this Scheme

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Reimbursement of Expenses Policy

November 2020



Document History	
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1. Objectives and Scope

- 1.1 There are circumstances when employees incur additional expenditure whilst on Council business and employees should not be placed at a financial disadvantage as a result of this. The principles for reimbursing expenditure apply to all Council employees.

2. Principles of Reimbursing Expenditure

- 2.1 Employees should always have confirmation from their manager that any expense will be reimbursed before incurring the expense.
- 2.2 Claims for expenses must be made by submitting a Time & Expenses claim on iTrent Employee Self Service (ESS).
- 2.3 Claims need to be submitted and approved by the 10th of each month for processing in that month's salary.
- 2.4 In order for claims to be eligible for reimbursement they must be submitted as soon as possible after the month in which the expense was incurred and must be no older than 90 days. If this is not practical, written approval for any extension will be required from line managers. The Council reserves the right to withhold any payment where written approval has not been sought.
- 2.5 A VAT receipt must be attached to each expense claim as proof of expenditure. Where this is not possible, another form of proof of expenditure must be attached.
- 2.6 All expenses claims must be authorised by the employee's manager or the appropriate budget holder.
- 2.7 Mileage claims for using a private vehicle for work purposes can only be made if there is no other alternative.

3. Travel Expenses

- 3.1 If you are required to travel for business during your normal working day then you are able to claim back the cost incurred in excess of home to your usual place of work through the Time & Expenses claim on iTrent.
- 3.2 The following considerations must be made prior to every journey, by the employee and their manager, before approval is given for an employee to use their private vehicle for work purposes and to submit mileage a claim.

1. Is the meeting/visit absolutely necessary? E.g. can it be done on the telephone or Teams instead?

2. Is 'active travel' possible as an alternative to using own car, e.g. walking, cycling etc (there is a cycle mileage rate of 37p per mile as an incentive for staff to use their own bicycle for work purposes)
3. Staff must use public transport or a pool car instead of their own vehicle wherever possible, safe and practical.

3.3 Current allowance rates are:

- Car allowance: 45p per mile (25p for any miles above 10,000 in one year)
- Cycle allowance: 37p per mile
- Motorcycle allowance: 40.9 per mile
- Car allowance for travel to training courses: 24p per mile.

3.4 For car and motorcycle claims, the Council must hold a record of your insurance that covers business use and your MOT certificate, and these documents must be checked by your line managers before your first claim, and when they are renewed. If your insurance does not cover business use, then you must not drive on Council business and will be unable claim mileage.

3.5 If employees use public transport to travel on Council business, second class travel should be used. If day returns, season tickets, rail cards or other rail concessions are available, they should be used if a saving would result. Employees should always select the most cost effective form of travel.

4. Subsistence Reimbursement

4.1 Subsistence reimbursements will be paid to employees who are required to travel from their usual place of work and where additional costs for meals are incurred. In this case approved actual expenses, as evidenced by a VAT receipt, will be paid up to the maximum limits, set out below.

4.2 The periods and limit for reimbursement are:

Period	Reimbursement Maximum Limit
Breakfast (Before 7.30am)	£8.73
Lunch	£12.06
Tea (After 6.00pm)	£4.78
Dinner (After 8.30pm)	£14.93

4.3 These maximum limits are reviewed annually by Payroll, in line with guidance received from South East Employers.

4.4 Tea and Dinner allowances cannot be claimed for the same evening.

4.5 Only under exceptional circumstances may an employee claim approved actual costs in excess of the limit. When employees have to stay overnight on Council business then approved expenses will be reimbursed.

- 4.6 No element of costs relating to alcoholic drinks or tips will be reimbursed. However, there may be occasions where hospitality/promotional events may have to be offered by an employee, in the course of Council business. With authorisation of an Assistant Director, these will be reimbursed.
- 4.7 Hotel bills should be paid directly by the Council, or invoiced to the Council, so that the VAT element can be claimed. Private expenditure must be paid by the employee (e.g. private telephone calls).

5. Change in Place of Work

- 5.1 Where an employee is subject to a compulsory change in their place of work, e.g. another Council site, they will be reimbursed the additional costs arising from that move for a period of four years.
- 5.2 Acceptable expenses would include the difference in the cost between the employee's home and the new place of work compared to the employee's home and the previous place of work. For some employees this may mean additional expenses, for others there may be a gain. Only those that incur additional expense can claim for excess travel costs – if you're journey is shorter you cannot claim.
- 5.3 Reimbursement of additional travel costs will be paid on the basis of 2nd class public transport rates or petrol costs, where a private car is used.
- 5.4 **The actual cost of the petrol element will be reimbursed, not a mileage rate.**
- 5.5 The items of expenditure and the period for which the reimbursement is made, is subject to an agreement made with the manager.
- 5.6 Within the three month period in which additional costs are claimed, if an employee returns to their original place of work, or voluntarily moves into another job, then this allowance will cease.

6. Post Entry Training

- 6.1 In approved cases, employees that enter into post entry training, requiring attendance at college/university, may claim travel and subsistence expenses where additional costs have been incurred.
- 6.2 This also applies to the purchase of approved essential course textbooks, not every item on the recommended reading list. In all cases, receipts for these must be produced for reimbursement purposes.
- 6.3 Each case must be agreed and signed off by the manager sponsoring the employee. The principle for any claim should be to claim the lowest amount of expenditure.

- 6.4 Staff attending training or study courses will be reimbursed 24p per mile if they need to use their private vehicle.

Bullying and Harassment Policy



www.reading.gov.uk



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1. Objectives and scope

- 1.1 This policy applies to all employees, contractors, agency staff and anyone else engaged to work at Reading Borough Council (the 'Council'). It does not apply to schools based staff who may be covered by separate procedures. The Council is committed to protecting the dignity and equality of opportunity for all employees at their place of work and will treat seriously all complaints of bullying and harassment. This policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, for example business trips or any work-related social events.
- 1.2 The Council aims to support the creation of a work environment that is free from discrimination, harassment and bullying, where everyone is treated with dignity and respect and no one is treated less favourably than any other person or group of persons on the grounds of their sex, age, disability, race, sexual orientation, gender reassignment status, religion and belief, pregnancy and maternity, marriage and civil partnership status or any other characteristic.
- 1.3 The purpose of this policy is to ensure a working environment in which bullying and harassment are unacceptable and where individuals have the confidence to complain about bullying and harassment should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly. Complaints will be treated seriously and dealt with swiftly and confidentially ensuring the rights of all are protected. This policy has been agreed with the Joint Trade Unions as the most effective means of resolving a concern about bullying or harassment. No employee will be made to feel disadvantaged in any way because they have raised or pursued a concern in good faith.
- 1.4 Any incident(s) of bullying and harassment should initially be reported to the line manager who will advise the employee. If the concern relates to their line manager then the employee can speak to any other manager and/or seek support from any of the support services available to staff detailed in [section 7](#) of this policy. If the complaint relates to a Councillor, employees should speak to their line manager and refer to the Protocol on Member/Officer Relations in the [Council's Constitution](#).
- 1.5 In complying with the Equality Act 2010, the Council has a legal obligation to ensure that harassment does not take place at work, as this is discrimination. In addition, it has a duty of care towards employees under the Health and Safety at Work Act 1974.

1.6 Responsibilities

- 1.6.1 **All employees** have a responsibility to behave in ways which support a working environment that is not intimidating. They should play their part in making the Council's policy a reality and be prepared to take appropriate action if they observe or have evidence that someone else is being bullied or harassed. Individuals can be prosecuted under criminal as well as civil law and they could be personally liable and have to pay compensation themselves, in addition to any payment the Council may be ordered to make.
- 1.6.2 **Additionally, managers** must aim to uphold a working environment in which harassment and bullying do not occur. They must take immediate action if bullying

and/or harassment is suspected or identified, whether or not a complaint has been made, and provide support to the employee. Allegations of bullying and harassment received either informally or formally through this policy must be taken seriously and dealt with promptly and sensitively.

2. Definitions

2.1 General information

- 2.1.1 In this policy **“Complainant”** refers to the employee experiencing the bullying or harassing behaviour; **“Respondent”** and/or **“Perpetrator”** refers to the person against whom the complaint is brought. The term **“parties”** refers to the complainant and the person against whom the complaint is brought.
- 2.1.2 Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), social media, email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all employees.
- 2.1.3 The lists below are not exhaustive nor in order of importance. Anyone who is perceived as different or who is in a minority, or who lacks organisational power, runs the risk of being bullied or harassed. Health, physical characteristics, religious or personal beliefs etc. may lead to victimisation, bullying or harassment and this can occur between people of the same sex or opposite sex.

2.2 Bullying

- 2.2.1 Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Some examples of bullying behaviour are:
- spreading malicious rumours, or insulting someone by word or behaviour
 - copying memos that are critical of someone to others who do not need to know
 - ridiculing or demeaning someone – picking on them or setting them up to fail
 - exclusion or victimisation
 - unfair treatment
 - overbearing supervision or other misuse of power or position
 - unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected, sexual harassment
 - making threats or comments about job security without foundation
 - deliberately undermining a competent employee by overloading and constant criticism
 - preventing individuals progressing by intentionally blocking promotion or training opportunities.

2.3 Harassment

2.3.1 People can be subject to harassment on a wide variety of grounds including:

- race
 - ethnic origin or nationality
 - gender or sexual orientation
 - religious or political convictions
 - willingness to challenge harassment, leading to victimisation
 - membership, or non-membership of a trade union
 - disability or learning difficulty
 - status as an ex-offender
 - age
 - real or suspected infection with HIV/AIDS.
- I. In the Equality Act 2010 harassment is defined as ‘unwanted conduct related to a relevant protected characteristic (sex, disability, race, gender reassignment etc.), which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual’.
 - II. **Racial Harassment** can include jokes about, or the derogatory treatment of, staff because of their physical appearance or cultural background, racist name calling, discriminatory remarks which cause a member of staff to feel threatened, racially motivated behaviour which interferes with job performance or creates a threatening work environment.
 - III. **Disability Harassment** can include jokes about, or at the expense of, someone's disability (which can include conditions affecting physical or mental health) or the disabled group to which the member of staff belongs. Remarks of an abusive or unfavourable character about people with disabilities are also classified as harassment.
 - IV. **Harassment Because of a Person's Sexuality** or gender reassignment status can include jokes about, or at the expense of, the member of staff's sexuality or transgender status. The use of names or titles which give offence is also classified as harassment.
 - V. **Sexual Harassment** involves unwanted and unwelcome attention of a sexual nature. This may be physical or verbal or involve the denigration of an individual on sexual grounds or by sexual means. Any unwelcome behaviour of a sexual nature which creates an intimidating, hostile or offensive environment for the recipient may be regarded as sexual harassment. It affects both men and women. Sexual harassment can happen in any number of ways, including:
 - written or verbal comments of a sexual nature, such as remarks about an employee's appearance, questions about their sex life or offensive jokes
 - displaying pornographic or explicit images
 - emails with content of a sexual nature

- unwanted physical contact and touching
- sexual assault

2.4 Sexual assault and physical threats

2.4.1 Some types of sexual harassment, such as sexual assault and other physical threats, are a criminal matter as well as an employment matter. Criminal matters should be reported to the police.

- Call 999 if you or someone else is in immediate danger, or if the crime is in progress.
- Call 101 to contact the police if the crime is not an emergency.
If a complaint is reported to the police, or criminal court proceedings are being pursued, a manager must still investigate the complaint as an employment matter. A manager may then follow the disciplinary procedure, without awaiting the outcome of criminal proceedings, provided this can be done fairly.

2.5 Employment tribunal

2.5.1 Employees are usually expected to try and resolve the problem in the workplace first. If that does not work, employees can contact the ACAS Helpline before going to an employment tribunal (see [section 8](#) on Getting Support for further information about ACAS).

2.6 Historic allegations

2.6.1 Complaints of harassment will usually only be considered at an employment tribunal if the employee makes a claim within three months of when the incident took place. A pattern of behaviour which took place before the final incident can be referred to still. The Council's [Grievance Policy](#) contains the same timescale for raising a concern. Sometimes a complaint of harassment will be reported much later than this. A manager should always take such a complaint seriously. They should handle things in a way that is sensitive and fair to the employee who has made the complaint, anybody who has witnessed it and anybody who is being accused of harassment. It is usually helpful for the employee and the manager to discuss what outcome is desired in these circumstances - sometimes it might be that the employee now feels confident enough to speak out and wants to make sure nobody else in their workplace experiences what they went through.

2.7 What is Not “Bullying” or “Harassment”?

2.7.1 There is a need for employee performance to be managed in order to achieve the aims of the Council and this policy does not seek to diminish a manager's ability to do this. Evidenced, constructive and fair criticism of an employee's performance or behaviour at work is not bullying or harassment. However, it is unacceptable to condone bullying behaviour under the guise of a particular management style, such as micro-management. Effective management obtains results whilst ensuring that employees are treated with dignity and respect.

3. Investigating complaints of bullying and harassment

- 3.1 Managers investigating complaints of bullying and harassment will do so in accordance with the Council's [Grievance Policy](#). Where the allegation is proven, the [Disciplinary Policy](#) will guide the outcome for the perpetrator. Proven cases of bullying and/or harassment will always be treated as a disciplinary offence, and the Council's [Disciplinary Policy](#) may be invoked at any stage where there is a case of bullying or harassment to answer.
- 3.2 Employers investigating claims of bullying and harassment should consider all the circumstances before reaching a conclusion. In any allegation, it is not the intention of the perpetrator that is key in deciding if harassment or bullying has occurred, but whether the behaviour is unacceptable by *reasonable normal standards*, and is disadvantageous or unwelcome to the person or people subjected to it or witnessing it.

4. How to raise concerns

- 4.1 In the event that an individual considers that they are experiencing bullying or harassment they have a number of options open to them.
- I. They can seek advice from a trade union representative or fellow employee, or from their line manager or any other manager at the Council, or from a member of the HR Team;
 - II. They can speak directly to the individual concerned or write a letter or email to him/her expressing their concerns, requesting that the unacceptable behaviour stop immediately;
 - III. Alternatively, or subsequently if they achieve no success, they may wish to talk to someone in order to obtain another perspective on the situation and to ensure that someone else knows about the unacceptable behaviour. If the allegation is related to the conduct of the line manager, the manager's manager or HR can be approached; or
 - IV. They can make a formal complaint without following the informal approach.

5. Stage 1 – Informal Action

- 5.1 In the first instance the line manager, after seeking advice from HR, should try and resolve the matter informally. Separate meetings should be convened with both parties. In the case of a bullying or harassment allegation it is inappropriate that both parties meet to try to resolve the situation until investigations have been conducted and conclusions drawn. Either party is entitled to bring a representative to these meetings and this should be confirmed to them by the line manager.
- 5.2 If, and only if, it is agreeable to the complainant, it may be helpful for a HR Representative to facilitate a meeting between both parties to give the complainant the opportunity to talk to the respondent about the offending behaviour.
- 5.3 The informal action outlined above may be appropriate in many cases and will often be sufficient to resolve matters. A formal complaint should only be considered as a

final option if the unacceptable behaviour begins again or in exceptional circumstance where the nature of the incident(s) warrants a more formal approach.

- 5.4 The HR team will help to resolve difficulties by providing independent confidential advice and support. Intervention such as professional mediation or counselling can be provided at any stage in the process. By choosing an informal resolution or mediation an employee does not prejudice their right to have a complaint investigated and considered formally should the issue not be resolved and the alleged harassment or bullying continues.
- 5.5 A note to file must be provided by the line/investigating manager, following the conclusion of the informal stage of the procedure.

6. Stage 2 – Formal Action

- 6.1 Formal action will begin if, after monitoring, the informal action has not been acceptable to the complainant, or if the complainant wishes to progress straight to the formal stage.
- 6.2 The purpose of the formal stage is to ensure that the perpetrator stops the unwanted and unacceptable behaviour. The [Grievance Policy](#) will be used to investigate the case of the complainant and provide a resolution. A thorough and impartial investigation must be undertaken with care and sensitivity.
- 6.3 Should the hearing find there is a case to answer, the [Disciplinary Policy](#) will be invoked, as appropriate.
- 6.4 The Council must protect the rights of both the respondent as well as the complainant during the investigation, and therefore confidentiality is crucial. The procedure for taking and admitting witness statements will follow the [Grievance Policy](#). Witnesses can request anonymity and this will be granted if appropriate, but ideally it is preferable for witnesses to be known in the interest of openness and natural justice.

7. Follow-up

- 7.1 Following a formal bullying or harassment complaint, either party may be concerned about working with the other again. Due regard of such views should be taken into account when offering counselling or mediation and a transfer of one or both parties to another section or department may be appropriate in some cases and where feasible. The situation should be monitored carefully by the line manager going forward, in discussion with both parties.
- 7.2 If either the complainant or the respondent believes they have not been dealt with fairly, they should appeal using the [Grievance Policy](#).

8. Getting Support

- 8.1 The Council's Employee Assistance Programme (EAP) provides free, confidential telephone counselling and support and is available 24/7. Telephone 0800 243 458

and (You will be asked where you work and you should say 'Reading Borough Council'). Support is also available online at [Workplace Options website](#).

- 8.2 Trade Union – members of a trade union can speak to their local representative if they have any concerns. You can find the contact details for trade union representatives on the Council's [intranet](#).
- 8.3 HR and managers - You can also speak to your line manager or to a member of the HR team. You can find the contact details for HR on the Council's intranet or by following this [link](#).
- 8.4 ACAS (Advisory, Conciliation and Arbitration Service). You can contact the ACAS Helpline for free and impartial advice, whether you are an employer, employee or representative. The telephone number is 0300 123 1100. It is available Monday to Friday 8am to 6pm. You can also use the [ACAS Helpline Online](#) tool.
- 8.5 Samaritans - A charity who can provide emotional support for employees who are struggling to cope and need somebody to listen to them. They can be found at www.samaritans.org.

9. Data protection and retention of employee records

- 9.1 The Council will maintain records of investigations into alleged incidents of harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken, in accordance with its data protection policy. Such data is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to such complaints. It will be held on an individual's personal record file, where appropriate, which is retained for seven years after their date of leaving the Council. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's [Disciplinary Policy](#).

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Disciplinary Policy

January 2021

Document History	
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Additional Guidance

- Guidance on the process to be followed at a formal hearing
- Guidance on the process to be followed at an appeal hearing

(The additional guidance is not part of the policy but is available to assist those involved in the policy. It can be found on the intranet or by clicking on the links above)

1. Objectives and scope

- 1.1 This policy applies to all employees of Reading Borough Council, including those on permanent, temporary or part-time contracts, job sharers, and individuals on non-standard terms of employment, with the exception of those below.
- 1.2 The policy does not apply to:
- the Head of Paid Service, Section 151 Officer and the Monitoring Officer for whom separate procedures apply.
 - agency staff and interims
 - staff employed by schools who may be covered by separate terms and conditions relating to their employment.
- 1.3 The policy will be applied fairly in all instances where disciplinary action is regarded as necessary by the Council's management.
- 1.4 The Council reserves the right to implement the policy at any stage as set out below, taking into account the alleged misconduct of an employee. Employees will not ordinarily be dismissed for a first disciplinary offence, except in cases of gross misconduct.
- 1.5 Where time limits are referred to in the course of this policy they may be varied by agreement between the employee and the Council.
- 1.6 The Council's [Code of Conduct](#) sets out clear advice on the standards expected of everyone who works for the Council, including casual workers, agency workers and self-employed consultants i.e. everyone who carries out work for or on behalf of the Council. The standards it sets out are consistent with the Councillors' Code of Conduct and the Values and Standards in Public Life included within the Nolan Committee Report 1996. All staff are expected to ensure that they have read and understand the Code of Conduct and if they have any questions, they should speak to their manager.
- 1.7 The following important principles are encompassed within this policy:
- it is based on established case law and has been agreed between the Council and the recognised trade unions
 - it will not contradict any current or future national agreement
 - employees will be informed of the Council's policy, in particular through the induction process.
 - employees will be informed of the standards expected of them
 - employees will be given an opportunity to state their case before any decision is reached
 - the informal process will have been exhausted before the formal procedure is initiated
 - an employee may be accompanied by a trade union representative or a work colleague

- there will be a right of appeal against formal action taken

2. Responsibilities

2.1 Employees should:

- in addition to the Code of Conduct and other Council rules, make themselves aware of and understand any rules, procedures and standards applicable to their role and function
- maintain high standards of behaviour, attitude and conduct in keeping with the interests and standing of the Council at all times
- act with responsibility, judgement and good faith when doing their job
- carry out any reasonable instruction given by the Council's managers
- not bring the Council into disrepute

2.2 Additionally, managers should ensure that:

- all staff are aware of and understand any rules, procedures and standards applicable to their role and function
- induction, probation and supervision processes are applied appropriately and consistently in order to communicate the standards of conduct and behaviour expected
- employees are aware of the consequences of not complying with these rules, procedures and standards
- where necessary, guidance and training is given to employees to enable them to meet these standards
- they address any concerns with staff conduct promptly, explaining what the employee should do to improve, while keeping a record of what has been discussed
- if they consider it inappropriate to use informal methods, or if that approach has been unsuccessful, they should follow the formal stages of this policy

3. Disciplinary offences

3.1 Matters that the Council views as amounting to disciplinary offences include (but are not limited to) those listed below (see also section 8.6 on gross misconduct). In all cases an investigation will be conducted before further action is considered to establish the facts.

- failure to comply with the Council's Code of Conduct
- persistent bad timekeeping;
- unauthorised absence;
- damage to the Council's property;
- failure to observe the Council's procedures;
- abusive behaviour;
- unreasonable refusal to follow an instruction issued by a manager or supervisor;

- poor attendance;
- data protection breaches and misuse of the Council's information;
- smoking or use of an e-cigarette in non-designated areas of the Council's premises;
- bribery offences under the Bribery Act 2010;
- bringing the Council into disrepute

4. The authority to take disciplinary action

4.1 The table in 4.2 details the 'designated officers' who are authorised to chair disciplinary meetings, suspend, issue disciplinary sanctions and hear appeals depending on their seniority.

Line manager

4.2 The immediate line manager or supervisor will be responsible for informal action and may be responsible for the investigation under the formal stages of this policy.

Table showing the 'designated officers' who are authorised to chair disciplinary meetings, suspend, issue disciplinary sanctions and hear appeals depending on their seniority

Disciplinary action in respect of:	A Director (other than Section 151 Officer and Monitoring Officer)	An Assistant Director (other than Section 151 Officer and Monitoring Officer)	All other employees
Investigate allegations	Assistant Director of HR and Organisational Development/ Chief Executive	Assistant Director	An officer authorised by the Assistant Director
Chair disciplinary hearing where dismissal is not a possible outcome	Sub Committee of Personnel Committee	Director	An officer authorised by the Assistant Director
Chair disciplinary hearing where dismissal is a possible outcome	Sub Committee of Personnel Committee	Director	Assistant Director
Chair appeal hearing where the decision being appealed	Sub Committee of Personnel Committee (with members not	Chief Executive or a Director not previously involved in the case, Chair	Assistant Director not previously

is anything other than dismissal	involved in the original hearing)	of Personnel Committee and one other member of Personnel Committee, or a substitute member(s)	involved in the case
Chair appeal hearing against a decision to dismiss	Sub Committee of Personnel Committee (with members not involved in the original hearing)	Chief Executive or a Director not previously involved in the case, Chair of Personnel Committee and one other member of Personnel Committee, or a substitute member(s)	Assistant Director not previously involved in the case, Chair of Personnel Committee and one other member of Personnel Committee, or a substitute member(s)

5. Allegations against Trade Union representative

- 5.1 Where the Disciplinary Policy is to be applied to accredited trade union representatives, no formal action should be taken until the case has been discussed with a full-time trade union representative of the recognised trade union who is employed by the Council, or an official employed by the recognised trade union.
- 5.2 Removal from the workplace and/or suspension if necessary may occur without this prior discussion (as is the case for all other employees – see 8.2 below). The Head of HR and Organisational Development must be informed of these cases and the appropriate Designated Officer (see 4.2 above) must ensure the trade union official is informed as quickly as possible.

6. Relationship with the Grievance Procedure

- 6.1 A grievance raised by an individual in response to an investigation and/or management action into his or her alleged misconduct may be addressed in a number of ways, depending on the nature and timing of the grievance.
- 6.2 This could include:
- commissioning an independent investigation
 - considering both issues at the same time in a single disciplinary/grievance meeting
 - pausing the investigation/formal management action, while the grievance is heard

7. Informal management of disciplinary issues

- 7.1 Many potential disciplinary issues can be resolved by the line manager intervening at an early stage as part of their normal day-to-day responsibilities: 'A quiet word is often all that is required to resolve an issue' ([ACAS Code of Practice](#)).
- 7.2 In cases of minor breaches of discipline (e.g. lateness for work, careless mistakes, lack of attention to detail/instructions/procedures), the immediate line manager should discuss these concerns with the employee to ensure that the employee is:
- aware of the concerns
 - knows what is required to meet expected standards of conduct
 - made aware of the timescale over which an improvement is required
 - made aware of the consequences of not achieving the required standard
- 7.3 This is not a stage in the formal Disciplinary Policy. It is part of the standard day-to-day relationship between managers and the people they manage.
- 7.4 However, in certain circumstances it will be necessary for the discussion and improvement required to be confirmed in an 'improvement plan' letter, as it may become necessary to pursue the issue through the formal Disciplinary Policy if there is a re-occurrence or a failure to improve to the required standard.
- 7.5 The objective of the informal approach is to address minor misconduct, seeking improvement to the required standard. Where it becomes clear that the misconduct is more serious managers should consider taking formal disciplinary action under this policy.

8. Formal management of disciplinary issues

8.1 Investigating the facts

- 8.1.1 An employee's line manager will promptly and thoroughly investigate any matter that is reasonably suspected or believed to contravene any of the Council's policies or rules or may otherwise be a disciplinary matter. The employee will be informed in writing as soon as possible as to the fact of an investigation, the allegations being investigated and when it has been concluded, including if there is no further action to be taken.
- 8.1.2 Depending on the circumstances of the case, the employee may be invited to attend an investigation interview. If such an interview is held prior to a disciplinary hearing, the employee will be informed at the outset that the interview is an investigation interview. The Council allows employees to be accompanied to investigation meetings by a fellow employee or trade union representative.
- 8.1.3 If the allegations involve criminal behaviour and/or harm to vulnerable adults or children then HR advice must be sought before any action is taken.

8.2 Suspension

- 8.2.1 There may be instances where suspension with full pay is necessary while investigations are carried out. The Council has the right to suspend with pay where there are reasonable grounds for concern that evidence may be tampered with, destroyed or witnesses pressurised before the disciplinary hearing, or if there is a potential risk to the business or other employees or third parties in allowing the employee to remain at work. Such a suspension is precautionary; it is not disciplinary action in itself and does not imply any prejudgement of the outcome of the investigation.
- 8.2.2 Suspension will be confirmed in writing to the employee by their manager within five working days. The letter will confirm who the employee's point of contact will be for support during their period of suspension, including if they need assistance preparing their response to the allegations, and any restrictions on them attending their usual place of work.
- 8.2.3 The suspended employee must remain available to assist with, or participate in, the disciplinary process unless they have booked and agreed annual leave.

8.3 Disciplinary meeting

- 8.3.1 Where, upon completion of an investigation, there are reasonable grounds to believe that an employee has committed an act of misconduct, the employee will be invited to attend a disciplinary hearing. The hearing will be chaired by an appropriate 'designated officer' with the authority to take disciplinary action, as detailed in paragraph 4.2 of this policy. The hearing manager will be advised by an HR professional and a note taker will also be present. A guidance note for the process to be followed at a formal disciplinary hearing is available on the intranet or by clicking [here](#).
- 8.3.2 The Council will give the employee a minimum of five working days' advance notice of the hearing in writing. The letter will include the following details:
- the purpose of the hearing and that it will be held under the Council's Disciplinary Policy;
 - the employee's right to be accompanied at the hearing by a fellow worker or trade union official;
 - details of the nature of his/her alleged misconduct; and
 - provide to the employee all relevant information which will be relied upon during the hearing which should include statements taken from any fellow employees and/or the names of any witnesses that will be asked to attend.
- 8.3.3 The employee and their companion should make every effort to attend the hearing. Where the employee is unable to attend and provides a good reason for this, the hearing will be adjourned to another day. Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged hearing, it will take place in the employee's absence. The employee's fellow worker or trade union

official may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

- 8.3.4 Where the chosen companion is unavailable on the day scheduled for the hearing, it will be rescheduled, provided that the employee proposes an alternative time within five working days of the scheduled date. If an alternative date is proposed by the employee, it will not be unreasonably refused.
- 8.3.5 If the employee wishes to call witnesses to the hearing then they or their chosen companion must provide the names of any witnesses to the hearing manager at least three working days before the hearing. The employee or their chosen companion will be responsible for arranging the attendance of his/her witnesses. If the employee wishes to submit any documentary evidence to be considered at the hearing then they or their chosen companion must provide copies of this to the hearing manager at least three working days before the hearing.
- 8.3.6 At the hearing, the employee will be given a full explanation of the case against him/her. They will be permitted to set out his/her case and answer any allegations. The employee will also be given the opportunity to raise points about any information provided and to call his/her own witnesses.
- 8.3.7 The Council may adjourn the disciplinary proceedings if it appears necessary or desirable to do so (including for the purpose of gathering further information). The employee will be informed of the period of any adjournment. If further information is gathered, the employee will be allowed a reasonable period of time, together with his/her fellow worker or trade union official, to consider the new information prior to the reconvening of the disciplinary proceedings.
- 8.3.8 Following the meeting the Chair will decide whether or not disciplinary or any other action is justified. In all cases the outcome will be confirmed in writing to the employee within three working days of the meeting.

8.4 Right to be accompanied

- 8.4.1 Individuals have a statutory right to be accompanied at formal disciplinary hearings. The chosen companion may be a fellow worker, a trade union representative, or an official employed by a trade union. Reasonable adjustments may be needed for a worker with a disability (and possibly for their companion if they are disabled); for example, the provision of a support worker or advocate with knowledge of the disability and its effect, in addition to the right to be accompanied by a fellow worker or a trade union representative. The employee must tell the hearing manager whether they will be accompanied, at least three working days before the hearing.
- 8.4.2 The Council considers it is good practice to allow the chosen companion to participate as fully as possible in the meeting, including putting questions to witnesses if appropriate. However the companion will not answer questions on the individual's behalf, or to address the meeting if the individual does not wish it. The companion should also not have any conflicts of interest.

8.5 Disciplinary sanctions - misconduct and serious misconduct

- 8.5.1 Broadly, where misconduct is confirmed, it is usual to give the employee a **first written warning**. The letter confirming the first written warning will set out the nature of the offence(s) committed and inform the employee that further misconduct is liable to result in further disciplinary action under this policy. A first written warning will usually remain live for six months from the date it is issued. The letter will also confirm the employee's right to appeal (see below).
- 8.5.2 Where an employee commits a further disciplinary offence(s) after a first written warning has been issued and remains live, then a **final written warning** will be issued. As an alternative, consideration may also be given to extending the first written warning. A final written warning may also be appropriate for more serious cases of misconduct where the Council would consider dismissal if the misconduct was repeated, without having given a first written warning beforehand. A final written warning will usually be live for 12 months from the date it is issued. A longer period may be given in certain circumstances (e.g. misconduct verging on gross misconduct, where there has been a history of warnings or where there are health and safety implications). The letter confirming the final written warning will set out the nature of the offence(s) committed and inform the employee that further misconduct is likely to result in dismissal. The letter will also confirm the employee's right to appeal (see 8.7 below).
- 8.5.3 Where the employee has committed further acts of misconduct (these being acts of misconduct other than gross misconduct) following a final written warning which remains live, the employee may be **dismissed with notice or with pay in lieu of notice**. The letter confirming dismissal will set out the nature of the offence(s) committed and will also confirm the employee's right to appeal (see 8.7 below).

8.6 Disciplinary sanctions - gross misconduct

- 8.6.1 Gross misconduct is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between the employee and the Council. In the event that an employee commits an act of gross misconduct, the Council will be entitled to terminate summarily the employee's contract of employment without notice or pay in lieu of notice.
- 8.6.2 The Council will treat seriously any employee who is charged with a criminal offence, although being charged with, or convicted of, a criminal offence away from work does not automatically lead to dismissal. It would depend on the offence, its seriousness and the effect on the employee's ability to continue in the job, or on the Council's credibility with the public.
- 8.6.3 Matters that the Council views as amounting to gross misconduct include (but are not limited to):
- Persistent and wilful refusal to carry out a reasonable management instruction
 - Serious or deliberate failure to comply with:

- the Council's Code of Conduct for employees
- Financial regulations and standing orders
- Corporate or Directorate Safety Policies and Practices
- Physical violence, threats or assault of, or towards, a member of the public, service users, Council Members or staff
- Theft or attempted theft of cash or property belonging to the Council's service users, an employee of the Council or the Council itself
- Cash shortage by reason of negligence in relation to money within the employee's responsibility
- Serious or persistent acts of discrimination or harassment against employees, clients or members of the public, on any grounds
- Conduct of a fraudulent nature, including falsification of time sheets, claim forms and persistent misuse of the flexitime scheme, time sheets and fraudulently recording arrival on behalf of other employees, or inappropriate application of the Council's services
- Wilful and irresponsible actions or omissions which would endanger people or property
- Conduct liable to cause serious loss of confidence in the Council or considered contrary to the interests of the Council, in addition to those mentioned in the Code of Conduct; this includes criminal offences outside of work, which may affect the continued performance of the employee's contract of employment
- Interference with, or misuse of, Council computer systems, hardware, software or data, in such a way as to threaten the continued operation, integrity or security of the Council's systems
- Unauthorised removal and use of Council property
- Sexual offences / misconduct at work
- Improper use of an official position for private gain, including seeking and accepting bribes
- Unauthorised use and/or disclosure of information relating to the Council's business, its members, staff or service users (contrary to the Code of Conduct)
- Serious failure to discharge obligations in accordance with statute or contract of employment
- Sleeping on duty unless expressly permitted
- Serious incapability through the result of the influence of alcohol or other drug misuse
- Deliberately accessing internet sites containing pornographic, offensive or obscene material
- Serious insubordination
- Bringing the Council into serious disrepute
- Serious breach of health and safety rules
- A serious breach of confidence

8.7 Appeal

8.7.1 An employee may appeal against any disciplinary sanction imposed against him/her under the formal stage of this policy. The appeal will be heard by a senior manager who has not been involved in the decision to impose a warning on the employee, in line with the authority to take disciplinary action, as detailed in paragraph 4.2 of the

Disciplinary Policy. If the appeal is against dismissal, the appeal will be heard by a panel which will be chaired by a senior manager who has not been involved in the decision to impose dismissal on the employee, together with the Chair of Personnel Committee and one other member of Personnel Committee or their substitute(s). The hearing manager/panel will be advised by an HR professional and a note taker will also be present.

- 8.7.2 The employee must provide written notice of an appeal within five working days of receiving the written confirmation of the disciplinary sanction being imposed against him/her. The appeal should be sent to the manager who made the original decision. When lodging an appeal, the employee should state:
- the grounds of appeal; and
 - whether they are appealing against the finding that they have committed the alleged act or acts of misconduct, or against the level of disciplinary sanction imposed, or both, or against the procedure not being followed correctly.
- 8.7.3 Appeal hearings will normally take place within 14 days of receipt of the employee's written notice of appeal. A guidance note for the process to be followed at the appeal hearing is available on the intranet or by clicking [here](#). If the employee wishes to submit any documentary evidence to be considered at the appeal then they or their chosen companion must provide copies of this to the appeal panel at least three working days before the hearing.
- 8.7.4 The appeal hearing will not be a re-hearing of the whole disciplinary case. However, if the employee contends that the earlier disciplinary proceedings were fundamentally flawed, the Appeal Officer or panel will have discretion to arrange for a re-hearing of the case at appeal stage. It will be for the employee and/or their trade union representative to state clearly why they believe the proceedings were fundamentally flawed if this is alleged.
- 8.7.5 The appeal manager/panel is obliged to consider any representations made by the employee and the employee's fellow employee or trade union official. They must also consider representations made by the manager who conducted the investigation and the manager who conducted the disciplinary hearing and imposed the disciplinary sanction. The appeal manager/panel must decide on the basis of both sets of representations, together with any subsequent facts that may have come to light, whether or not to uphold the disciplinary sanction. In the event that they find for the employee, all records of the disciplinary sanction shall be removed from the employee's record. In the event that the appeal manager/panel does not accept the representations made by or on behalf of the employee, they must uphold the disciplinary sanction.
- 8.7.6 Upon completion of the appeal, the appeal manager/panel will convey their decision to the employee. The decision will be confirmed in writing within three working days.
- 8.7.7 The outcome of the appeal is final. There is no further right of appeal.

8.8 Referrals to external bodies

- 8.8.1 The Council will comply with regulations that require it to refer formal disciplinary action taken under this policy to other relevant bodies as appropriate.
- 8.8.2 There is a statutory requirement for the Council to comply with the provisions of the Safeguarding of Vulnerable Groups Act 2006 when dismissing a member of staff working with children or vulnerable adults, where the dismissal has occurred on grounds of misconduct which harmed, or placed at risk of harm, a child or vulnerable adult.
- 8.8.3 Where an individual is dismissed in these circumstances (or would have been dismissed had they not resigned, retired, been made redundant or transferred to a post not involving regulated activity) and where the circumstances of the case meet the relevant thresholds, the details of the case must be referred to the Disclosure and Barring Service (DBS). In certain circumstances it may be appropriate to refer the individual to the DBS before the disciplinary hearing has taken place.
- 8.8.4 Where a registered manager, social worker or occupational therapist is suspended or dismissed on grounds of misconduct or professional capability, his/her Assistant Director must ensure that the Health Care Professions Council (HCPC) is notified.
- 8.8.5 Where adopted by schools and a teacher is dismissed (or would have been dismissed had they not resigned) on the grounds of misconduct which could be considered 'unacceptable professional conduct', the case should be referred to the National College of Teaching and Leadership (NCTL).

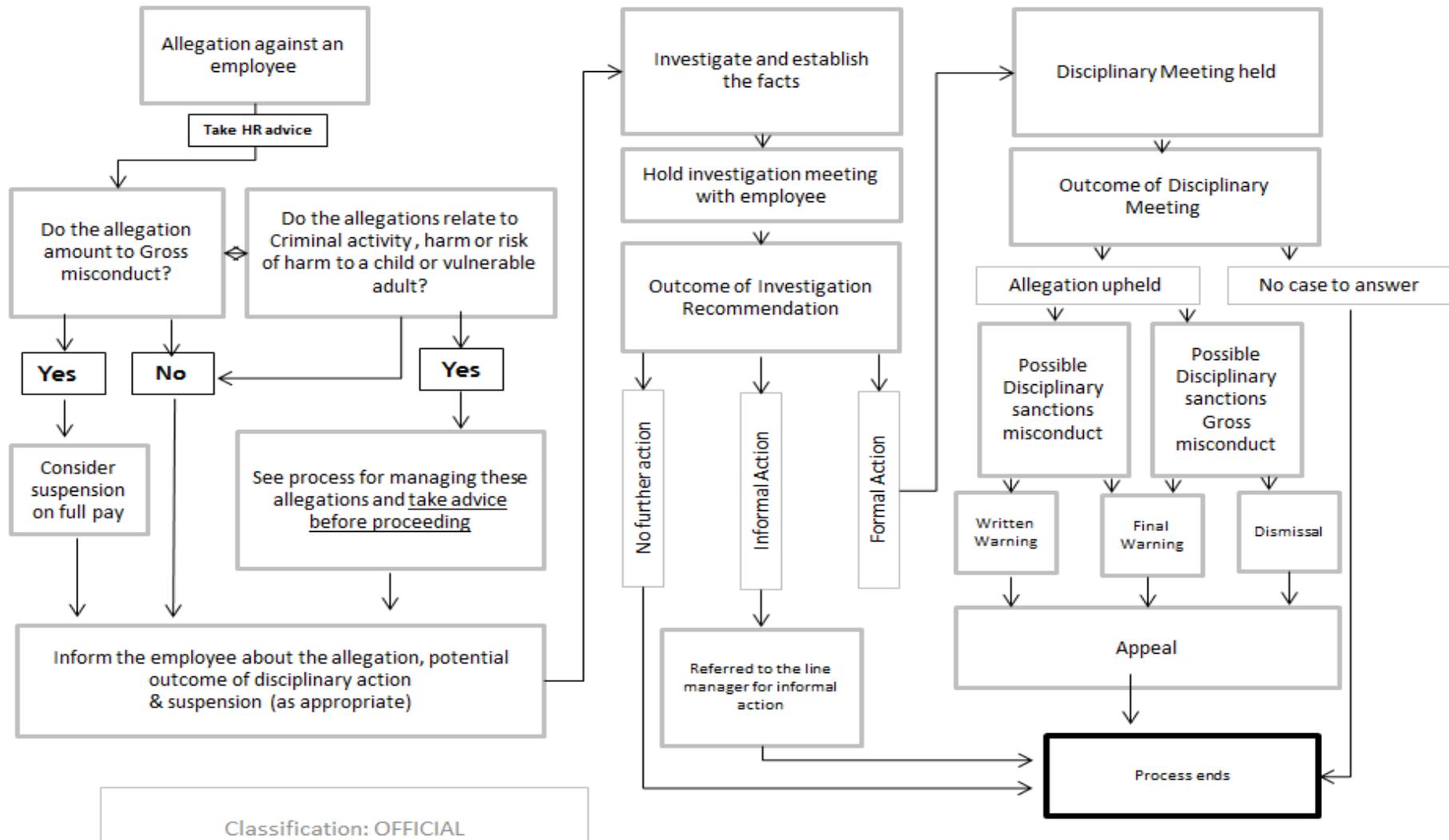
9. Data protection and retention of employee records

- 9.1 The Council processes personal data collected during informal action and the formal Disciplinary Policy in accordance with its data protection policy. Such data is held securely and accessed by, and disclosed to, individuals only for the purpose of the Disciplinary Policy. It will be held on an individual's personal record file which is retained for seven years after their data of leaving the Council. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's Disciplinary Policy.

Appendix A

Managing Formal Disciplinary Action

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Managing Poor Performance Policy



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Document History	
Version	2.0
Status	Review in progress
Date	January 2021
Target audience	All employees of Reading Borough Council with the exception of employees in their probationary period of service Schools-based staff, the Head of Paid Service, Section 151 Officer and the Monitoring Officer for whom alternative procedures apply
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Additional Guidance

- Guidance on the process to be followed at an appeal hearing

(The additional guidance is not part of the policy but is available to assist those involved in the policy. It can be found on the intranet or by clicking on the links above)

1. Objectives and scope

- 1.1 Reading Borough Council (the 'Council') aims to encourage all of its employees to maintain high standards of performance at work, and managers to pro-actively manage the performance of staff.
- 1.2 The purpose of this policy is to ensure that poor work performance is managed in a timely, effective, fair, consistent and supportive way in order to help employees achieve the required standard. This policy provides a constructive and standardised framework to support managers in intervening where poor performance has been identified.
- 1.3 The Council will ensure that employees are given the opportunity to improve and are provided with support and training, where appropriate, to help them reach the required level of performance.
- 1.4 All members of staff need to be clear what is expected of them in their role and have clear objectives set at their appraisal meetings, as well as regular feedback on their performance at 1-1/supervision meetings throughout the year.
- 1.5 The Council defines poor performance as (see also section 3.4):

“The gap between the Council’s expectations of the job holder in respect of their job role, as defined by the job description, person specification and objectives, and the employee’s actual performance in their job.”
- 1.6 Where poor performance is due to behaviour which indicates a deliberate or wilful lack of care and attention, or negligence, the Council’s [Disciplinary Policy](#) should be followed. Concerns about an employee’s capability which are the result of sickness absence or related to a long term health condition should be dealt with under the Council’s [Managing Sickness Absence Policy](#).
- 1.7 This policy applies to all those working for the Council, including those on permanent, temporary or part-time contracts, job sharers, and individuals on non-standard terms of employment.
- 1.8 The policy does not apply to:
 - the Head of Paid Service, the Section 151 Officer or the Monitoring Officer
 - employees in their probation period (covered by the [Probation Scheme](#))
 - staff employed by schools who are covered by separate terms and conditions relating to their employment.
- 1.9 The following important principles are encompassed within this policy:
 - it is based on established case law and has been agreed between the Council and the recognised trade unions
 - it will not contradict any current or future national agreement
 - employees will be informed of the Council's policy, in particular through the induction process.

- employees will be informed of the standards expected of them
- employees will be given an opportunity to state their case before any decision is reached
- the informal process will have been exhausted before the formal procedure is initiated
- an employee may be accompanied by a trade union representative or a work colleague
- there will be a right of appeal against formal action taken

2. Responsibilities

2.1 Employees will:

- ensure that they perform the tasks and responsibilities of their role to the best of their ability seeking to achieve the standards of performance required by the Council;
- bring to their managers attention any issues which may affect their performance as soon as they occur, so support, if appropriate, can be given;
- raise training and development issues with their line manager as part of their appraisal and one to ones;
- co-operate with any discussions or reviews into their poor work performance;
- co-operate with any training or support offered to assist in bringing their performance up to the standard required.

2.2 Managers will:

- ensure that new staff are properly inducted into the Council and service area;
- make rigorous use of the [Probation Scheme](#) to ensure new employees have the right capabilities, attitudes and behaviour;
- ensure that all staff have a job description, which reflects what is required of their role and is reviewed and updated as necessary;
- that all staff are appraised on an annual basis, ensuring that staff are given clear SMART (specific, measurable, achievable, realistic, time bound) objectives and have a Personal Development Plan (PDP) which supports their development;
- ensure that staff have regular feedback on their performance through one to ones, that the standards expected are clear, have been effectively communicated and are consistent with other like roles;
- bring any concerns about an employee's performance to their attention as soon as the issue becomes apparent;
- establish the reasons for the poor performance, where an investigation is required ensuring this is undertaken in a fair and timely manner;
- ensure that corrective informal action is taken where appropriate;
- seek advice from HR where it is likely that action will be taken under the formal stages of the Managing Poor Performance Policy.

3. Informal management of poor performance

- 3.1 Informal action should be used in the first instance to improve performance before formal action is considered. It is anticipated that the majority of poor performance issues will be dealt with informally.
- 3.2 The exception will be where unsatisfactory performance is sufficiently serious to warrant bypassing the informal stage altogether (see 4.6 below).
- 3.3 Line managers are best placed to talk to their employees, to listen to their concerns, coach and support them, and check they meet their targets, as well as ensuring they are engaged and committed.
- 3.4 Before considering formal action for poor performance, managers should consider the following:
- are the workload, duties and responsibilities, within the range of reasonable expectations for the individual's role, and if the employee has raised concerns about these issues, have they been given reasonable consideration?
 - does the individual understand their job duties/responsibilities?
 - are there any other external factors in the work environment which may be impacting on performance, like organisational change or poor work relationships?
 - are there any personal issues that may be temporarily impacting on performance?
 - are there any health issues affecting performance and has Occupational Health advice been obtained/any suitable adjustments been implemented and monitored?
 - does the individual have access to the appropriate equipment/resources/facilities to carry out their role?
 - have they been provided with adequate personal development, including training, learning and development and on the job coaching?
 - has the annual appraisal taken place and have SMART performance targets been set?
 - have they received an appropriate level of supervision and/or regular feedback?
 - Has the individual been made aware their level of performance is unacceptable?
 - is there any evidence that poor performance is the result of a lack of motivation, poor attitude or the employee choosing not to perform (which may be better dealt with under the Council's [Disciplinary Policy](#))?
- 3.5 Having considered the potential causes of poor performance, managers should remedy any issues within their control that are impacting on performance, and escalate any issues to a more senior manager for resolution if required. This should be formally recorded at the next one to one and appraisal and as appropriate in a letter to the individual.

- 3.6 Informal action is part of the normal discussions between employees and their managers. It is not part of the formal Managing Poor Performance Policy and as a result, individuals are not entitled to representation at any meetings to discuss their performance at the informal stage, although they may find it helpful to seek advice and support from a trade union representative or a fellow employee.

4. Formal management of poor performance

4.1 Initial meeting

- 4.1.1 If, having taken reasonable steps to address the performance issues under the informal stages of this policy, performance still remains poor, the line manager must arrange a formal meeting with the employee to discuss their performance. The manager will seek HR advice and attendance at meetings under the formal stage.
- 4.1.2 Where the Managing Poor Performance Policy is to be applied to accredited trade union representatives, no formal action should be taken until the case has been discussed with a full-time trade union representative of the recognised trade union who is employed by the Council, or an official employed by the recognised trade union.
- 4.1.3 An invitation to an initial meeting under the formal stages of this policy must be in writing, setting out the date, time and location of the meeting, giving a minimum of five working days' notice. It should also set out a clear explanation of the reasons for calling the performance meeting and the possible outcomes.
- 4.1.4 The letter must also state that the employee has the right to be accompanied at the meeting by a Trade Union representative or workplace colleague. Reasonable adjustments may be needed for a worker with a disability (and possibly for their companion if they are disabled); for example the provision of a support worker or advocate with knowledge of the disability and its effect, in addition to the right to be accompanied by a fellow worker or a trade union representative. The employee must tell the Council whether they will be accompanied at least three working days before the meeting.
- 4.1.5 If the representative cannot attend on the proposed date for a meeting, an alternative representative should be nominated or the meeting re-arranged to a time and date which is no more than five working days after the original date. The Council is obliged to rearrange the meeting only once; however, if an alternative date is proposed by the employee, it will not be unreasonably refused. It is the responsibility of individual employees to arrange representation and if this cannot be arranged within the timescales set out above, and there are no extraordinary or mitigating circumstances, then the manager should proceed with the scheduled meeting.
- 4.1.6 The Council considers it is good practice to allow the chosen companion to participate as fully as possible in the meeting. However the companion will not answer questions on the individual's behalf, or address the meeting if the individual does not wish it.

- 4.1.7 If the employee is not accompanied, the manager will check that they understand they have the right to be. If they decline to be accompanied, a note will be made to that effect.
- 4.1.8 The intent of the initial meeting is to try and understand why the problem exists and what (if any) the trigger was for the poor performance. The tone of the meeting should be consensual, seeking to understand the situation and to come up with a joint solution.
- 4.1.9 The manager will clearly explain the issues/problems and consequences of poor performance (see section 3.4 for guidance on what should be covered). This will include clear examples of where the performance has not met the required standard.
- 4.1.10 The employee will be given an opportunity to respond to any criticisms of his/her performance and to put forward any explanation they may have for the matters identified by the manager as amounting to poor performance.
- 4.1.11 The outcome of the initial meeting may be:
- a decision to take no further action;
 - the implementation of an improvement plan, designed to bring the employee's performance up to an acceptable level, and the issue of a first written warning;
 - a decision to consider flexible working to assist the employee, on either a temporary or permanent basis (see the Council's [Flexible Working Policy](#));
 - a decision to refer the matter for investigation under the [Disciplinary Policy](#);
- 4.1.12 The outcome of the meeting will be confirmed in writing to the employee within three working days of the meeting. If appropriate, it will include a first written warning that performance is currently not acceptable. It will warn of the possible consequences of failure to reach the satisfactory improvement level/standards (i.e. progression to the next stage of this policy which could result in a final written warning and ultimately to dismissal). The first written warning will be live for six months from the date it is issued. If appropriate, the letter will also confirm the employee's right to appeal against the decision to issue a first written warning (see 4.5 below).
- 4.1.13 If appropriate, the letter will include details of the improvement plan which will set out:
- the improvement required and timescale within which it is to be achieved i.e. 6 – 8 weeks
 - any further investigation into health issues and any reasonable adjustments that may assist improvement
 - the support arrangements agreed including the additional supervision and/or training which will be provided during the review period
 - a first written warning
 - the time and date of the first review meeting to discuss the Improvement Plan

4.2 Review meeting

- 4.2.1 At the end of the period of time set out in the Improvement Plan, a review meeting will be held to consider if the employee has reached the required standard of performance. The invite to the review meeting must be in writing, setting out the date, time and location of the meeting, giving a minimum of five working days' notice. It should also set out a clear explanation of the possible outcomes of the meeting. The employee will have the right to be accompanied to the review meeting by a trade union representative or workplace colleague. The provisions in paragraphs 4.1.3 to 4.1.7 will also apply when arranging the review meeting.
- 4.2.2 The outcome of the first review meeting may be:
- a decision to take no further action;
 - a decision to refer the matter for investigation under the [Disciplinary Policy](#);
 - a further period of monitoring/adjustments to the improvement plan and the issue of a final written warning
 - a decision to explore opportunities for redeployment to an alternative role
- 4.2.3 If the performance has reached a satisfactory standard no further action will be taken. However, it may be appropriate to set a further review date to ensure that performance is maintained. The first warning remains live for six months and any further poor performance in that period may lead to a final written warning being issued.
- 4.2.4 It is possible that the employee may be making a concerted effort to improve and has the potential to perform the job satisfactorily but has not quite reached the standard required. In these circumstances it may be reasonable to review whether the targets are achievable and to extend the duration of the period set for the employee to reach the required standard and adjust timescale and review dates accordingly.
- 4.2.5 If there is limited and/or insufficient improvement, the reasons for the lack of improvement should be investigated further. This will include reviewing whether the targets set are achievable. The intent is again to try and understand why the problem continues to exist.
- 4.2.6 The outcome of the meeting where there has been limited and/or insufficient improvement will be a further period of monitoring, adjustments to the Improvement Plan as appropriate and the issue of a final written warning. The final written warning will be live for 12 months from the date it is issued and will make it clear that failure to reach an acceptable standard of performance within the additional monitoring period, may lead to a capability hearing at which the employee may be dismissed.
- 4.2.7 The outcome of the first review meeting will be confirmed in writing to the employee within three working days of the meeting. If appropriate, the letter will also confirm the employee's right to appeal against the decision to issue a final written warning (see 4.5 below).

4.3 Alternatives to dismissal

- 4.3.1 If, after a final written warning, the individual has still failed to make sufficient improvement despite being given a reasonable opportunity and support to do so, the possibility of transferring the individual to another job that is more suited to their capabilities should be explored. The employee will need to consent to redeployment and to any possible reductions in grade and salary.
- 4.3.2 If it becomes clear that there are no suitable alternatives or the employee rejects the offer, a capability hearing should be arranged.

4.4 Capability hearing

- 4.4.1 If an employee has been issued with a final written warning under this policy that remains live and the employee's manager believes that his/her performance is still not acceptable, the matter will be referred to a capability hearing.
- 4.4.2 The notice to attend a capability hearing must be in writing, with the letter setting out the date, time and location of the hearing, giving a minimum of five working days' notice. It should also set clearly an explanation of the reason for calling the meeting and possible consequences, which include the employee's dismissal. It must also state that the employee has the right to be accompanied by a Trade Union representative or workplace colleague. The provisions applying to the companion in paragraphs 4.1.3 to 4.1.7 also apply to the capability hearing.
- 4.4.3 The capability hearing will be chaired by a senior manager who has not been involved in the matter and with authority to dismiss (see paragraph 4.2 of the [Disciplinary Policy](#)). The manager chairing the meeting will be advised by an HR professional and a note taker will also be present.
- 4.4.4 The purpose of the capability hearing is to consider:
- if there has been a thorough and reasonable investigation into the reasons for the poor performance.
 - if the lack of performance is fully supported by reliable evidence
 - the interventions which have been put into place (where appropriate) to help the employee improve
 - if the timescales for improvement were reasonable
 - the attempts that have been made to explore a transfer to an alternative role
 - the likelihood that a further period of monitoring would lead to acceptable performance (in which case the meeting could be adjourned to enable this)
 - any submissions that the individual or their representative may wish to make
- 4.4.5 If the manager chairing the capability hearing concludes that they reasonably believe in the light of the evidence that the employee's skill set is a poor fit to the role, or if the prospect of the employee improving within a reasonable timescale is unlikely, making them unsuitable for the job with no prospect of that changing, they will dismiss the individual.

4.4.6 The outcome of the hearing will be conveyed in writing within three working days of the capability hearing setting out in full the reasons for their dismissal and their right to appeal. Where the decision to dismiss is made, the dismissal will be with appropriate contractual notice.

4.5 Appeal

4.5.1 An employee who is given a warning or is dismissed under this policy has the right of appeal. The appeal should be sent in writing to the manager who made the original decision and set out the grounds on which the employee believes that the decision was flawed, unfair or the sanction inappropriate (providing supporting evidence where appropriate). The appeal must be made within five working days of receiving written confirmation of the written warning or dismissal.

4.5.2 The appeal will be heard by a senior manager who has not been involved in the decision to impose a warning on the employee, in line with the authority to take disciplinary action, as detailed in paragraph 4.2 of the [Disciplinary Policy](#). If the appeal is against dismissal, the appeal will be heard by a panel which will be chaired by a senior manager who has not been involved in the decision to impose a warning/dismissal on the employee, together with the Chair of Personnel Committee and one other member of Personnel Committee or their substitute(s). The hearing manager/panel will be advised by an HR professional and a note taker will also be present.

4.5.3 Appeal hearings will normally take place within 14 days of receipt of the employee's written notice of appeal. The employee will be entitled to be accompanied by a Trade Union representative or workplace colleague. A guidance note for the process to be followed at the appeal hearing is available on the intranet or by clicking [here](#).

4.5.4 The appeal manager/panel will consider any representations made by the employee and the employee's companion. They must also consider representations made by the manager who imposed the written warning/dismissal being appealed against.

4.5.5 At the hearing, the decision to impose the sanction will be reviewed and the employee will be entitled to make representations about the appropriateness of that decision.

4.5.6 Upon completion of the appeal, the appeal manager/panel will convey their decision to the employee. The decision will be confirmed in writing within three working days.

4.5.7 The outcome of the appeal is final. There is no further right of appeal.

4.6 Acts of Gross Incapability/Negligence

4.6.1 Where an employee commits an act of gross incapability or gross negligence which is so serious as to endanger the welfare and safety of colleagues, service users or residents, or that results in the loss or significant damage to a Council asset, a full investigation will take place. While the investigation is being conducted it may be

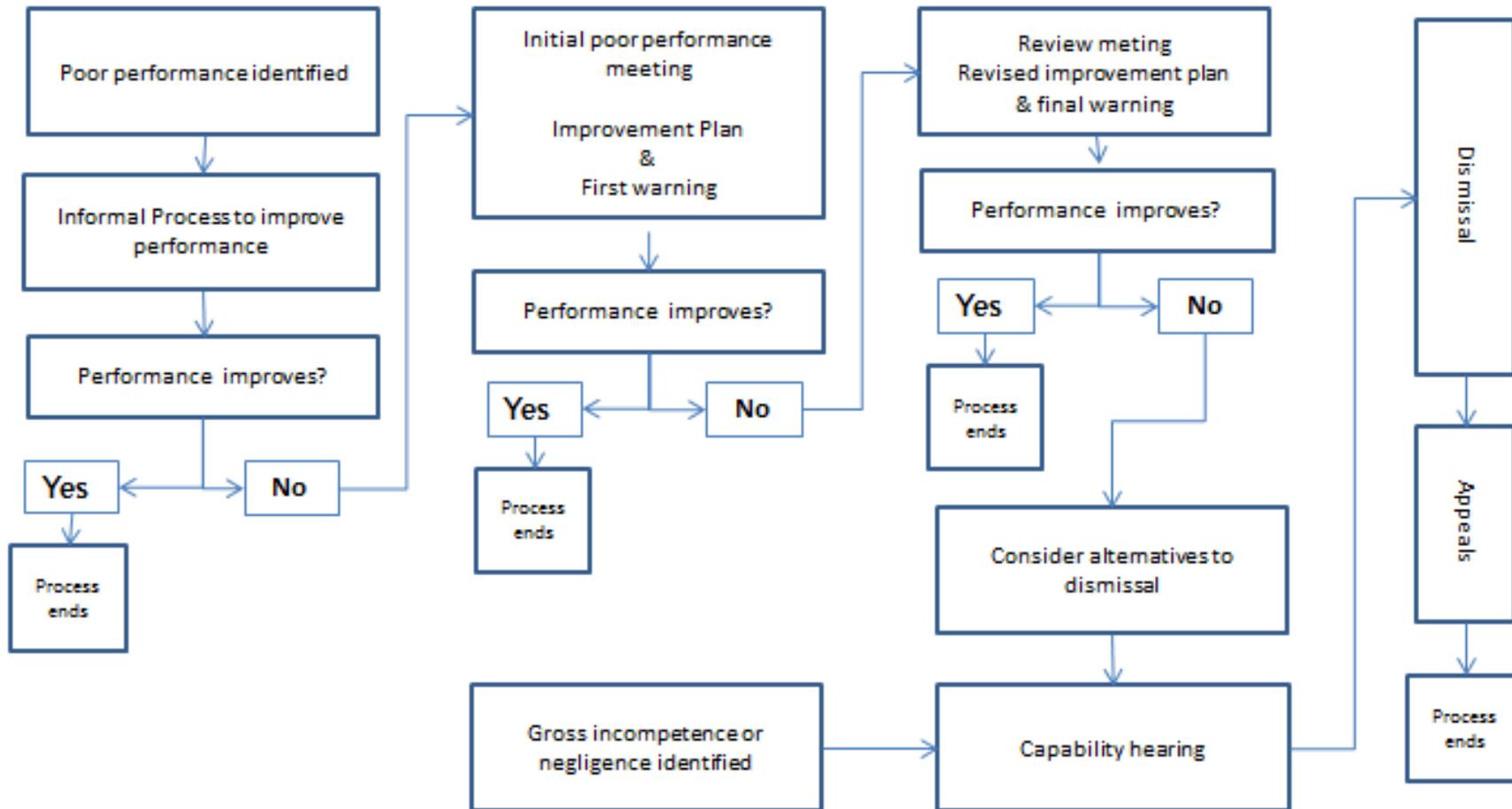
necessary to suspend the employee from duty following the same process used in the [Disciplinary Policy](#) (section 8.2).

- 4.6.2 Where the matter relates to an accredited trade union representative, removal from the workplace and/or suspension if necessary may occur without prior discussion of the case with a full-time trade union representative of the recognised trade union who is employed by the Council, or an official employed by the recognised trade union (as is the case for all other employees). The Assistant Director of HR and Organisational Development must be informed of these cases and the appropriate Designated Officer (see section 4.2 of the [Disciplinary Policy](#)) must ensure the trade union official is informed as quickly as possible. See also section 4.1.2 of this policy.
- 4.6.3 Should the investigation conclude that it is likely to be an act of gross incapability/negligence (rather than gross misconduct) a formal capability hearing for gross incapability should take place. This may result in the individual being summarily dismissed (i.e. dismissed without notice).

5. Data protection and retention of employee records

- 5.1 The Council processes personal data collected during informal action and the formal Managing Poor Performance Policy in accordance with its data protection policy. Such data is held securely and accessed by, and disclosed to, individuals only for the purpose of the Managing Poor Performance Policy. It will be held on an individual's personal record file which is retained for seven years after their data of leaving the Council. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's Disciplinary Policy.

Managing Poor Performance



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Managing Sickness Absence Policy

January 2021



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Document History	
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Additional Guidance

- [Guidance on conducting a return to work interview](#)
- [Guidance on making reasonable adjustments and evaluation form](#)
- [Guidance on the menopause and work](#)
- [Guidance on the process to be followed at an appeal hearing](#)

(The additional guidance is not part of the policy but is available to assist those involved in the policy. It can be found on the intranet or by clicking on the links above)

1. Objectives and Scope

- 1.1 The Council recognises that there will be occasions when individuals will be prevented from attending work through ill health. By implementing this policy, the Council aims to strike a balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.
- 1.2 The objective of this policy is to ensure that sickness absence is managed in a timely, effective, fair and consistent manner across the Council. It aims to encourage all employees to maintain good attendance at work, and for managers to provide a supportive work environment.
- 1.3 This policy applies to all those working for the Council, including those on permanent, temporary or part-time contracts, job sharers, and individuals on non-standard terms of employment. The policy does not apply to:
 - employees in their probationary period of service (covered by the Probation Scheme)
 - staff employed by schools who may be covered by separate terms and conditions relating to their employment.
- 1.4 If the Council suspects there to be misconduct then the Council's Disciplinary Policy will apply. For example if:
 - the absence is not genuine or not for the reason provided;
 - the employee is undertaking inappropriate activities while off sick, such as carrying out work for another organisation; or
 - the correct sickness absence notification and evidence procedure has not been followed.
- 1.5 This policy does not form part of employees' terms and conditions of employment and may be subject to change.
- 1.6 The following important principles are encompassed within this policy:
 - it is based on established case law and has been agreed between the Council and the recognised trade unions
 - it will not contradict any current or future national agreement
 - employees will be informed of the Council's policy, in particular through the induction process.
 - employees will be informed of the standards expected of them
 - employees will be given an opportunity to state their case before any decision is reached
 - the informal process will have been exhausted before the formal procedure is initiated
 - an employee may be accompanied by a trade union representative or a work colleague
 - there will be a right of appeal against formal action taken

2. Responsibilities

2.1 Employees should:

- if they are unable to attend work because of ill health, notify their manager by telephone as soon as reasonably practicable and continue to notify and keep in touch with their manager while unable to attend work;
- attend a return to work interview with their manager each time the employee returns from a period of sickness absence or absence due to treatment related to a disability;
- be open with their manager about the reasons for their absence, to give the manager the opportunity to provide support where possible;
- tell their manager of any extenuating circumstances, for example personal or family problems or an unmanageable workload;
- bear in mind that the Council may seek a medical report, for example from the employee's doctor or the Council's Occupational Health Adviser; and
- cooperate with the Council with regard to the possible implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a doctor or Occupational Health.

2.2 Line managers should take responsibility for managing their employee's attendance and absence, and;

- ensure employees understand who they should notify about sickness absence and when, and maintain a proper record of each employee's sickness absences;
- conduct a return to work interview each time the employee returns from a period of sickness absence or absence due to treatment related to a disability;
- speak to the employee about the absence and the reason for it in a fair and factual way;
- be supportive towards the employee and, where appropriate, seek to identify ways in which to assist the employee to improve his/her attendance in the future, making it clear that continuing frequent absences from work are unacceptable;
- be alert to patterns of absence, for example frequent absences on Fridays or Mondays, before or after rest days for shift workers, or immediately before or after public holidays;
- try to establish any underlying reasons for frequent absences and, where the underlying cause is identified, take steps to help the employee to manage the cause;
- seek medical advice from Occupational Health, if appropriate, to determine whether or not there is any underlying medical cause for the employee's frequent absences;
- be sensitive when absences are caused by personal or family problems;
- check whether or not the employee's absences are in any way work related, for example as a result of workplace stress;

- ensure that confidential records of all absences, including discussions and medical certificates are sent to HR for the employee's personal record file;
- be aware of the potential for discrimination when managing absence, particularly where the employee's ill health is related to pregnancy, disability, the menopause or to a terminal illness (see sections 9 to 12);
- consult with the HR and Occupational Health if unsure about anything or special circumstances arise, for example if it appears that the employee may have a disability and keep in mind the Council's duty to make reasonable adjustments for disabled people when managing absence (see section 10);;
- be alert to signs of mental ill health which may present as physical symptoms; and
- Take responsibility for the wellbeing of their employees.

3. Health and Wellbeing

- 3.1 The Council recognises its responsibility for employee wellbeing as detailed in the [Employee wellbeing in the workplace policy](#).
- 3.2 The Council seeks to support and encourage employees to take responsibility for their own health and wellbeing and provides a number of resources to support this.
- 3.3 The Council also recognises that mental wellbeing is a significant cause of absence and acknowledges the need for a clear corporate approach to supporting this. The Council has a number of resources on its [Stress and Well-Being Resources for Individuals](#) intranet pages. Employees should speak to their manager or HR if they do not have access to these pages at work.
- 3.4 Information on a number of health and wellbeing initiatives can be found on the [Health and Wellbeing Pod](#) intranet pages. These pages include a comprehensive list of external links to health organisations, links to fitness apps and health information web sites, information on the cycle to work scheme and a calendar of regular healthy events across the Council such as five-a-side football, fitness classes and running groups.
- 3.5 In addition to health and wellbeing initiatives, the Council encourages a healthy work-life balance and offers various options with regards to flexible working (where possible) to those who request it. Further information is available on the [Work life balance Pod](#)
- 3.6 The Council's Employee Assistance Programme (EAP) provides free, confidential telephone counselling and support and is available 24/7. Freephone 0800 243 458 (minicom 020 8987 6574), email assistance@workplaceoptions.com. Support is also available online at www.workplaceoptions.com

4. Notification and evidence of sickness

- 4.1 On the first day of sickness absence, the employee must inform his/her manager as soon as reasonably practicable and ideally prior to their start time, that they will not be working because of illness or injury.
- 4.2 The employee should provide a clear reason for the absence and the likely duration. The employee should also be prepared to discuss briefly any consequences of his/her absence, for example if customer appointments need to be cancelled or any essential work needs to be covered. The regulatory of updates after the first day of absence will be subject to agreement between the manager and the employee depending on the reason for the absence and the likely duration.
- 4.3 Notification of sickness absence should ideally be via telephone, rather than text message, email or social media. In exceptional circumstances where the employee is unable to telephone (for example, because of hospitalisation), another person such as a friend or relative can contact the Council on his/her behalf.
- 4.4 If an employee comes to work, but needs to leave during the day because of ill health, they should inform his/her manager before leaving work. If the manager is unavailable, the employee should inform the next most appropriate person within the department.
- 4.5 Sickness absence that begins part way through the day will count as one full day's sickness absence if the employee leaves before completing 50% of his/her working day. Where sickness absence begins after the employee has completed 50% of his/her working day, this should be recorded as half a day's absence.
- 4.6 The first seven calendar days of sickness can be self-certificated. If the employee's sickness lasts for eight calendar days or more, the employee must provide a fit note from his/her doctor as soon as possible. A doctor's fit note may state that the employee:
- is "not fit for work", in which case the employee should remain off work; or
 - "may be fit for work", if the doctor's recommendations are followed (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).
- 4.7 The manager should take what the employee's doctor has written seriously and it give fair consideration - in consultation with the employee, HR and Occupational Health - as to whether or not any of the changes recommended by the doctor can be accommodated.

5. Sick pay

- 5.1 The Council operates a contractual sick pay scheme that is more generous than statutory sick pay (SSP). The amount of sick pay that employees receive will be based on their length of continuous local government service as follows:

During 1 st year of service	1 month's full pay and (after completing 4 months' service) 2 months' half pay
During 2 nd year of service	2 months' full pay and 2 months' half pay
During 3 rd year of service	4 months' full pay and 4 months' half pay
During 4 th & 5 th years of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

- 5.2 The Council reserves the right to withhold or suspend sick pay under its contractual sick pay scheme at its discretion. Circumstances in which contractual sick pay may be withheld include where:

- the employee has failed to comply with the Council's sickness absence notification and evidence requirements;
- the employee refuses to attend an Occupational Health appointment at the reasonable request of the Council based on advice from an HR professional;
- the employee's incapacity has been caused by any other occupation they have;
- the employee makes or produces any misleading or untrue statement or document concerning his/her fitness to work;

- 5.3 The employee will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although the Council can withhold or suspend SSP if it is not satisfied that the employee is ill, and no evidence of sickness is provided. Employees will be given written notice if their SSP or contractual sick pay is being withheld or suspended. In such cases the [Disciplinary Policy](#) may also need to be followed.

- 5.4 Sick pay under the Council's scheme is subject to the usual deductions for PAYE, national insurance, pension contributions, etc.

6. Sickness absence and annual leave

- 6.1 Where an employee falls sick or is injured while on holiday, the Council will allow the employee to transfer to sick leave and take replacement holiday at a later time. This policy is subject to the following strict conditions:

- The total period of ill health must be fully certificated by a qualified medical practitioner. The cost will be borne by the Council
- The employee must contact their line manager (by telephone if possible) as soon as they know that there will be a period of sickness during a holiday.
- The employee must submit a written request no later than ten days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time.
- Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of a medical certificate.

6.2 Where the employee fulfils all of the above conditions, the Council will grant the employee the same number of days' replacement annual leave as the number of leave days lost due to sickness or injury.

6.3 An employee who is absent on sick leave will continue to accrue his/her contractual holiday entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year, if they do not take their contractual leave entitlement due to being on sick leave. In such cases the amount of annual leave that can be carried forward to the next leave year will not be capped at the number of hours equivalent to the employee's one working week, i.e. 37 hours for full-time staff.

6.4 An employee on sick leave may apply to take his/her holiday entitlement while on sick leave. The holiday dates must be approved in accordance with the procedure set out in the Council's Annual Leave Policy.

7. Medical appointments

7.1 Employees should wherever possible try to arrange medical appointments in their own time (e.g. outside flexi time core hours of 10am to 12pm and 2pm to 4pm). If this is not possible, employees should try to make appointments at times that will cause the minimum amount of absence from work or inconvenience to the Council. However, it is recognised that where hospital or treatment appointments are needed this might not be possible.

7.2 Provided that the employee gives his/her line manager reasonable notice of the date and time of an appointment, time off with pay will normally be granted.

7.3 Employees must obtain approval from their line manager in advance of any appointment wherever possible. The line manager may also, at his/her discretion, ask the employee to produce confirmation of the appointment.

7.4 Employees who are pregnant have the statutory right not to be unreasonably refused paid time off work for antenatal appointments where the employee's attendance has been recommended by a registered medical practitioner, midwife or nurse. Paid time off in such circumstances will automatically be granted, although employees should endeavour to arrange appointments outside working hours. Nevertheless, the employee should give reasonable notice of the date and time of the appointment to his/her line manager where possible and the line manager will still have the right to

request to see the confirmation of the employee's second appointment and any subsequent appointments. See section 9 for more detail.

- 7.5 A prospective father, or partner of a pregnant woman, has the statutory right to take unpaid time off to attend up to two antenatal appointments.

8. Return to Work Interview

- 8.1 On the first day back at work after any period of sickness absence, the employee's line manager will arrange to meet informally with the employee. Guidance on conducting a return to work interview is available on the intranet or by clicking [here](#).

- 8.2 If this is not possible on the employee's first day back (for example, for operational reasons or because the manager is not available), the informal meeting should take place as soon as reasonably practicable.

- 8.3 The return to work interview should take place in a private place, and all discussions between the employee and the manager should be private and confidential.

- 8.4 The line manager should:

- welcome the employee back to work;
- explain to the employee that the purpose of return to work interview is to manage and monitor employees' absence and attendance to identify any problem areas and offer support where appropriate;
- ask the employee to update iTrent with their last day of sickness absence for the line manager to approve (or the line manager can do this);
- ask the employee about the reasons for his/her absence, ensuring that the question is asked in a supportive way without any suggestion that the employee is "to blame" for the absence;
- ask the employee whether or not they have consulted a doctor or attended hospital;
- if the employee's sickness lasts for eight calendar days or more, ensure that the employee has provided a fit note from their doctor, and this has been passed on to HR; and
- inform the employee if they have hit a trigger point, and the consequences of having done so (see section 15 below).

- 8.5 The line manager should complete the return to work interview section of the [sickness report form](#) and ask the employee to sign and date it also. The completed form should be uploaded by the line manager onto the employee's iTrent record. It is very important that the manager completes this form each time the employee returns to work so that the Council can keep track of the employee's pattern of absence.

- 8.6 There may be occasions when the underlying reasons for the employee's absence are not easily classifiable. For example, the employee may have more than one health condition, or the employee may have been feeling unwell because of a bereavement. If there is any doubt as to the reasons for the employee's absence, the

manager should consult HR to determine the most appropriate reason for the absence record.

9. Pregnancy-related absences

- 9.1 Pregnant employees who are off work because of pregnancy-related ill health must abide by the Council's sickness absence reporting procedure. For example, a pregnant employee is subject to the usual notification and evidence requirements, and will be asked to attend a return to work interview when returning to work.
- 9.2 However, any sickness absence by a pregnant employee for a pregnancy-related reason should not be included when checking to see if the need for formal action under this policy has been triggered.
- 9.3 If the manager is in any doubt as to whether or not a pregnant employee's absence is related to her pregnancy, the manager should contact HR or Occupational Health for clarification.

10. Disability-related absence

- 10.1 Where an employee gives as the reason for absence an underlying health issue that could amount to a disability under the Equality Act 2010, the manager must seek advice from HR, who may advise that referral to Occupational Health is appropriate. Disability is defined as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on a person's ability to do normal daily activities. 'Substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed. 'Long-term' means 12 months or more.
- 10.2 Managers should remember that the Council is under a duty to make reasonable adjustments for disabled employees. Access to time off for medical attention (treatment, assessments and tests, respite, recuperation etc in connection with support and / or treatment of an illness or condition) can be regarded as a reasonable adjustment under the Equality Act. Such time off will not be included for the purposes of assessing performance, promotion, attendance, or selection for redundancy. It will not count as sick leave, but as paid leave of absence. Where the absence is wholly or partly for a disability-related reason, the trigger points referred to in this policy may need to be modified to take proper account of the employee's disability.
- 10.3 Guidance on making reasonable adjustments and an evaluation form for recording adjustments made and considered is available on the intranet or by clicking [here](#). Managers should contact HR for advice and clarification regarding disability-related conditions.

11. Absence related to the menopause

- 11.1 The changing age of the UK's workforce means that between 75% and 80% of menopausal women are in work. 25% women experience symptoms that are serious

and have a significant impact on their lives, such as hot flushes, night sweats, insomnia, anxiety and poor concentration which can also impact on work. Yet research shows that the majority of women are unwilling to discuss menopause-related health problems with their line manager, nor ask for the support or adjustments that they may need.

- 11.2 The Council has produced guidance for use by employees and managers to help ensure that women receive the right support to manage menopausal symptoms at work. The guidance is available on the intranet or by clicking [here](#). Managers must ensure that menopausal-related sickness absence is treated and recorded as an ongoing health issue rather than as repeated short-term absence (see section 16).

12. Absence related to a terminal illness

- 12.1 A terminal illness is a disease that cannot be cured or adequately treated and there is a reasonable expectation that the person will die within a relatively short period of time. Usually, but not always, they are progressive diseases such as cancer or advanced heart disease.
- 12.2 Sometimes the nature of the illness is such that the person is unlikely to be able to work again. In other cases, a person may decide that they do not want to work anymore and would rather spend their remaining time with their family and friends, getting their affairs in order, or simply doing what they want. However, a lot of workers with a terminal diagnosis decide that they want to continue working as long as they can, either because they need the financial security or because they find that their work can be a helpful distraction from their illness.
- 12.3 The Council will support employees who are diagnosed with a terminal illness and provide them with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss. The Council's Employee Assistance Programme (EAP) can provide support to any person with a terminal illness, including access to counselling and financial advice.

13. Occupational Health

- 13.1 Occupational Health (OH) is a branch of medicine which specialises in the relationship between work and health. It is an advisory service, and provides advice to both employees and employer. Its main objectives are:
- To identify and help prevent illness caused by work
 - To advise on the fitness of an employee to do their job
 - To improve and maintain the health of the workforce to the mutual benefit of both employee and employer
- 13.2 The OH Adviser is an independent, objective specialist assessing and advising on what appears best for both employee and employer in relation to an individual's health

and their work. They will sometimes seek a report from the employee's GP before offering advice.

13.3 It may be appropriate to seek OH advice in the following circumstances:

- Where an employee advises their manager that they have been diagnosed with a condition or disability that may impact on their attendance or performance at work
- If an individual has been or is likely to be unable to work for a period of four weeks or more and there is a need to understand from a medical perspective the likely duration and prognosis, and if any adjustment would facilitate a return to work.
- If an individual has had frequent short term periods off work and agrees at an Attendance Review Meeting with the manager to a referral to OH. The purpose of the referral would be to understand if there are potentially any underlying medical conditions which could affect attendance.
- If an individual produces a Fit Note for a return to work with adjustments recommended by their GP and the manager needs advice and guidance on accommodating or making those adjustments.
- In cases of long term ill-health OH can advise on the appropriateness of medical retirement.

13.4 Ultimately it is a matter for the responsible manager, with support from HR, to decide how the Council responds to OH advice and whether any advice is implemented, particularly in relation to determining job adjustments.

13.5 Where an individual refuses to attend a medical assessment, or refuses to give consent for the Council to receive a summarised report of the medical assessment, a decision will be made on the basis of the information available.

14. Formal sickness absence

14.1 Many of the mechanisms for managing sickness absence are common to both short and long term sickness. Some actions like ill-health retirement apply only to long term sickness absence, as outlined in section 22.

14.2 Almost all individuals will be absent at some point in their employment for short periods due to colds, seasonal flu, viruses, etc. These periods should be recorded in the normal way (see section 4) but will warrant no other action.

14.3 Managers are responsible for recognising however, when repeated short bouts of absence are impacting on service provision and they must address the potential underlying issues in a timely manner. This should be managed in a systematic and professional way escalating to each stage where appropriate. To facilitate this, managers will need to be pro-active and attentive to the reasons for absence and ensure adequate Return to Work Interviews are held each time the employee returns to work (see section 8).

15. Triggers

- 15.1 The following triggers should prompt the manager to examine an employee's absence record and consider if an Attendance Review Meeting should be held:
- Ten or more days absence in the last 12 months
 - Three or more occasions of absence in the last three months
 - Other patterns e.g. on Fridays/Mondays or before or after bank holidays or regularly after rest days for those who work shifts.
- 15.2 Managers should give full consideration to each individual's circumstances and the nature of their absences. For example, managers may modify these triggers having reviewed an individual's personal circumstances related to their disability (see section 10).
- 15.3 These triggers should be pro rata for part time staff. For example, if someone works 2 days a week, the trigger would be 4 days which equates to two working weeks which is comparable to someone who works 5 days and the trigger is 10 days.

16. Attendance Review Meetings

- 16.1 Attendance Review Meetings are formal meetings with the line manager and the employee to discuss absence. They are common to both managing short and long term absences. During long-term sickness absence (including absence related to a disability or a chronic illness) an Attendance Review Meeting should be arranged every four to six weeks, keeping particular medical/personal needs in mind.
- 16.2 An Attendance Review Meeting should be held where a pattern of short term absence has become a cause for concern or if there has been no improvement since the last such meeting. It is also the place to formally consider reasonable adjustments, medical reports or other matters which directly or indirectly impact the attendance of an employee.
- 16.3 An invite to an Attendance Review Meeting must be in writing giving a minimum of five working days' notice, with the letter setting out the date, time and location of the meeting and it must state that the employee has the right to be accompanied by a Trade Union representative or workplace colleague. It is the responsibility of individual employees to arrange representation and if this cannot be arranged within the timescales set out above, and there are no extraordinary or mitigating circumstances, then the line manager should proceed with the scheduled meeting. Reasonable adjustments may be needed for a worker with a disability (and possibly for their companion if they are disabled). For example the provision of a support worker or advocate with knowledge of the disability and its effect, in addition to the right to be accompanied by a fellow worker or a trade union representative. The employee must tell the manager whether they will be accompanied at least three working days before the meeting.
- 16.4 The employee and their companion should make every effort to attend the meeting. Where the employee is unable to attend and provides a good reason for this, the

hearing will be rescheduled to a later date. Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged hearing, it will take place in the employee's absence. The employee's fellow worker or trade union official may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

16.5 Where the chosen companion is unavailable on the day scheduled for the hearing, it will be rescheduled, provided that the employee proposes an alternative time within five working days of the scheduled date. If an alternative date is proposed by the employee, it will not be unreasonably refused.

16.6 The Attendance Review Meeting will always be held somewhere private and enough time should be scheduled to discuss the issues at hand. The manager will be advised by an HR professional.

16.7 As appropriate during the Attendance Review Meeting the line manager will:

- explore reasons for absence or insufficient improvement in attendance
- identify any work related or personal issues that the employee may have which are impacting on their attendance
- explain the impact of absence on service delivery and emphasise the importance of good attendance
- review issues discussed at previous Attendance Review Meetings, if appropriate
- review the medical advice
- establish if the reason for absence falls within the provisions of the Equality Act 2010 and consider recommendations for reasonable adjustments or support if relevant
- review support/reasonable adjustments already provided
- identify the improvement in attendance needed
- Warn of possible consequences if there is no improvement in attendance (this would not be appropriate if absences are related to pregnancy or disability or to a terminal illness – see sections 9, 10 and 12)

16.8 The following are possible outcomes of an Attendance Review Meeting:

- set, extend or finalise a period of monitoring
- identify the improvement needed
- seek further medical advice in the light of the discussion
- establish if the reasons for absence fall within the provisions of the Equality Act 2010 and make recommendations for adjustments or support if any
- referral to Occupational Health to investigate current medical condition further
- if attendance has not improved since monitoring or a previous Attendance Review Meeting, issue a first written warning or final written warning (see section 17)
- take no further action

- 16.9 The manager will write to the employee within three working days of the meeting, confirming the points discussed and actions identified. The line manager must ensure that any actions identified are implemented as soon as possible and relevant persons/departments are notified of any resulting actions/modifications and adjustments i.e. to triggers, core working hours etc.

N.B: additional meetings (which must be documented) can be held at any stage with the employee, outside of the formal Attendance Review Meeting, to discuss support mechanisms etc.

17. Attendance Warnings

- 17.1 An attendance warning is a formal, written, cautionary notification given following an Attendance Review Meeting to an employee on the basis of a sustained period of unsatisfactory attendance. There are two levels of warnings; a first written warning and a final written warning. A final written warning is given where there has been no satisfactory improvement after a first written warning is issued.
- 17.2 Attendance warnings will not be issued in the case of long term sickness or pregnancy related absence. In the case of disability, attendance warnings will only be issued where the level of absence cannot be sustained, after first carefully considering reasonable adjustments (including allowing a higher absence rate where absence is related to the disability).
- 17.3 A first written warning will usually remain live for six months. A final written warning will usually remain live for 12 months. It will be confirmed in writing within three working days of the Attendance Review Meeting and will confirm the employee's right to appeal (see section 19). The letter will also confirm that if satisfactory attendance is not achieved and sustained, then a further Attendance Monitoring Review may need to be held and the possible outcome of this (i.e. issue of a final written warning or dismissal).

18. Attendance Management Hearing

- 18.1 An Attendance Management Hearing can take place in response to both short term and long term sickness absence or absence related to a long term condition.
- 18.2 In short term sickness it takes place where there has been no improvement in an employee's attendance in the subsequent 12 month period after a final written warning has been issued.
- 18.3 An invite to an Attendance Management Hearing must be in writing giving a minimum of five working days' notice, setting out the date, time and location of the hearing and the reasons for holding it. It must also confirm that the employee has the right to be accompanied by a Trade Union representative or workplace colleague. The employee must tell the manager chairing the meeting whether they will be accompanied at least three working days before the meeting. Additionally, the written notification should advise the employee that the hearing may result in a decision to

dismiss them with notice. The employee will also be sent copies of any documentation that will be relied upon at the hearing with the written notification.

- 18.4 The employee and their companion should make every effort to attend the hearing. Where the employee is unable to attend and provides a good reason for this, the hearing will be adjourned to a later date. Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged hearing, it will take place in the employee's absence. The employee's fellow worker or trade union official may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.
- 18.5 Where the chosen companion is unavailable on the day scheduled for the hearing, it will be rescheduled, provided that the employee proposes an alternative time within five working days of the scheduled date. If an alternative date is proposed by the employee, it will not be unreasonably refused.
- 18.6 The Attendance Management Hearing will always be held somewhere private and enough time should be scheduled to discuss the issues at hand.
- 18.7 The hearing will be chaired by an appropriate manager from the employee's service who has the authority to dismiss (see paragraph 4.2 of the Disciplinary Policy for further details). The manager chairing the meeting will be advised by an HR professional and a note taker will also be present.
- 18.8 The management case will be presented to the manager chairing the hearing together with all documents relevant to the employee's health and attendance. Any representation made by the employee or the employee's representative, or any written submission made in the employee's absence will be given due consideration before any decision is taken.
- 18.9 The hearing manager will consider:
- the employee's overall absence record
 - the impact of the level of absence on the Council
 - representations from the employee
 - whether the reason for any of the absence(s) falls within the provisions of the Equality Act 2010
 - the support/reasonable adjustments provided
 - the management of the case
 - the medical advice received, ensuring that up to date medical advice is available
 - any further action that can be taken by the employee or the manager
 - options for redeployment on medical grounds as an alternative to dismissal (long term absences only)
 - whether ill health retirement has been considered (long term absences only)

18.10 Possible outcomes of an Attendance Management Hearing include:

- adjournment while further medical advice or evidence is sought
- consideration of further reasonable adjustments
- consideration of alternative employment
- dismissal with notice or pay in lieu of notice
- ill health retirement (see section 22)

18.11 The outcome of the Attendance Management Hearing will be confirmed in writing within three working days of the hearing. Where a decision to dismiss is made, the dismissal will be with appropriate contractual notice. The employee will have a right to appeal against a decision to dismiss them.

19. Appeal

- 19.1 An employee who is given a warning or is dismissed under this policy has the right of appeal. The appeal should be sent in writing to the manager who made the original decision and set out the grounds on which the employee believes that the decision was flawed or unfair. The appeal must be made within five working days of receiving written confirmation of the written warning or dismissal.
- 19.2 The appeal will be heard by a senior manager who has not been involved in the decision to impose a warning on the employee, in line with the authority to take disciplinary action, as detailed in paragraph 4.2 of the Disciplinary Policy. If the appeal is against dismissal, the appeal will be heard by a panel chaired by a senior manager who has not been involved in the decision to impose dismissal on the employee, together with the Chair of Personnel Committee and one other member of Personnel Committee or their substitute(s). The hearing manager/panel will be advised by an HR professional and a note taker will also be present.
- 19.3 Appeal hearings will normally take place within 14 days of receipt of the employee's written notice of appeal. The employee will be entitled to be accompanied by a fellow employee or a trade union official. A guidance note for the process to be followed at the appeal hearing is available on the intranet or by clicking [here](#).
- 19.4 The appeal manager/panel will consider any representations made by the employee and the employee's fellow employee or trade union official. They must also consider representations made by the manager who conducted the final Attendance Management Hearing and imposed the written warning/dismissal.
- 19.5 At the hearing, the decision made at the Attendance Management Hearing will be reviewed and the employee will be entitled to make representations about the appropriateness of that decision.
- 19.6 Upon completion of the appeal, the appeal manager/panel will convey their decision to the employee. The decision will be confirmed in writing within three working days.
- 19.7 The outcome of the appeal is final. There is no further right of appeal.

20. Managing long term sickness

- 20.1 Absence is considered long term where an employee is absent for 20 consecutive working days or more (or the equivalent for part-time staff). Where an employee indicates their absence will be long-term, Occupational Health advice should be obtained as soon as is practical to gain an indication of the type of illness/potential timeframes involved in recovery, the support required and adjustments needed.
- 20.2 Managers should be proactive in maintaining contact, providing support and assessing the needs of employees to facilitate a successful return to work. Managers are responsible for keeping in contact with an employee who is absent long term via regular Attendance Review Meetings (see section 16). Employees also have a responsibility to facilitate contact including participating in Attendance Review Meetings and keeping their manager informed of their condition.
- 20.3 Where an employee is returning from a period of long term sickness, Occupational Health can advise on any adjustments or working patterns that should be implemented. Wherever possible the Council will try to accommodate a phased return to work or a return on 'light duties' but this may need to be in another team depending on the requirements of the service.
- 20.4 Where adjustments are identified to accommodate the needs of a disabled employee returning from long term sickness absence, a monitoring period should be established to ensure timely implementation and assessment of adjustments.
- 20.5 Where long term sickness is continuous, despite the implementation of support or adjustments, and medical reports indicate that it is unlikely the employee can return to their original role, consideration will be given to redeployment to an alternative role where possible (see section 21).
- 20.6 Where long term sickness absence continues and there is no prospect of a return to work within a reasonable timeframe, consideration will be given to escalation to an Attendance Management Hearing which may result in the employee's dismissal (see section 18). Advice from an HR professional must be sought before such action is taken. The hearing will need to review whether all reasonable adjustments have been considered and whether an alternative role has been found/cannot be found/is not considered suitable.
- 20.7 If long term absence is the result of a terminal illness then the employee must be given the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss (see Section 12). Advice from HR and Occupational Health must be sought in such situations.

21. Redeployment on medical grounds

- 21.1 Finding alternative employment will only be considered where it is necessary for medical reasons, in instances of long term sickness and disability related absence, and recommended by Occupational Health. The initial search for an alternative role

should be explored within the service and/or directorate prior to considering a move across the Council. If an alternative role is found then regular Attendance Review Meetings (see section 16) must take place, at least initially, to review the role, any adjustments made and any other matters which may impact on the attendance of the employee.

- 21.2 Individuals must be aware that there may be occasions where alternative roles cannot be sourced or would not be suitable. In those instances, where relevant, ill health retirement will be considered or ultimately dismissal with notice.

22. Ill Health Retirement

- 22.1 Retirement on the grounds of ill health can only be considered after all other options have been exhausted, and where an independent registered medical practitioner (IRMP), qualified in Occupational Health medicine, has determined that an employee meets the criteria for ill health retirement, in accordance with the Local Government Pension Scheme (LGPS) Regulations*

- 22.2 LGPS Regulations require the following criteria have to be satisfied before an ill health retirement can take place:

- At the date of termination the member must be under their Normal Pension Age in the 2014 scheme.
- At the date of termination the member must have met two years' qualifying service in the LGPS.
- The member must, as a result of ill health or infirmity of mind or body, be permanently incapable of discharging efficiently the duties of the employment the member was engaged in and;
- The member, as a result of ill health or infirmity of mind or body, must not be immediately capable of undertaking any gainful employment. (Gainful employment is defined as paid employment for not less than 30 hours in each week for a period of not less than 12 months).

*Other pension's schemes including the Teachers' Pension Scheme will have broadly similar requirements.

- 22.3 Where ill health retirement is an option because an employee is deemed to be permanently incapable of doing their job, one of three tiers of benefit can be awarded. Each tier looks at the employee's capacity to carry out gainful employment in the future.

- 22.4 The different levels of benefit are:

Tier 1 - if an employee is unlikely to be capable of gainful employment before their Normal Pension Age.

Tier 2 - if an employee is unlikely to be capable of gainful employment within three years of leaving, but is likely to be capable of undertaking such employment before their Normal Pension Age.

Tier 3 - if an employee is likely to be capable of gainful employment within three years of leaving, or before their Normal Pension Age if earlier.

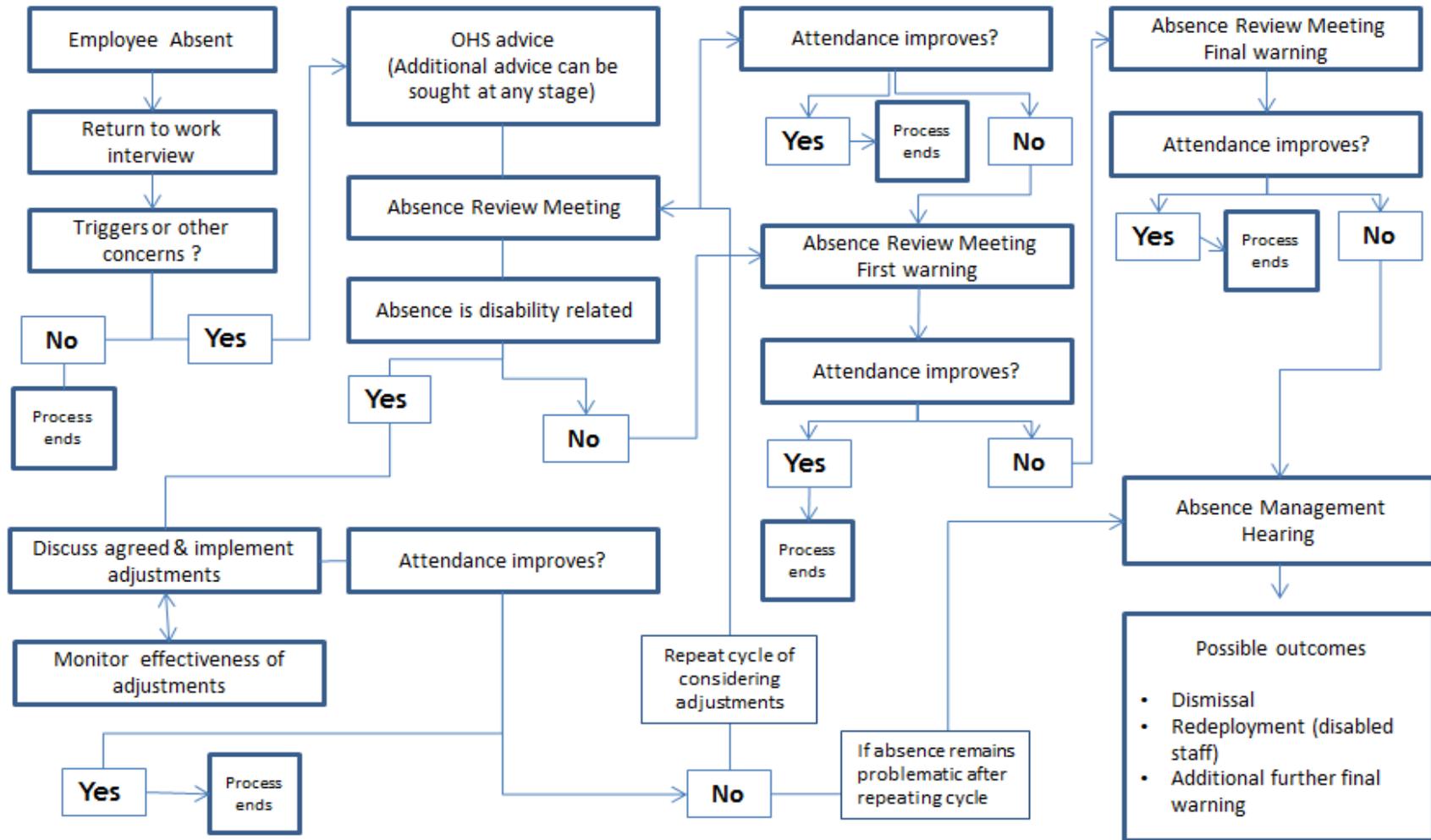
(Gainful employment means paid employment for not less than 30 hours in each week for a period of not less than 12 months).

- 22.5 An IRMP, who has had no previous dealings with the case, will be engaged by the Occupational Health provider to carry out an ill health retirement assessment. This will be organised through HR.
- 22.6 The employer, after obtaining a certificate from an IRMP, will need to make a decision whether the employee's employment should be terminated on the grounds of ill health or infirmity of mind or body and in receipt of early payment of a retirement pension.

23. Data protection and retention of employee records

- 23.1 The Council processes personal data collected during informal and the formal Managing Sickness Absence Policy in accordance with its data protection policy. Such data is held securely and accessed by, and disclosed to, individuals only for the purpose of the Managing Sickness Absence Policy. It will be held on an individual's personal record file which is retained for seven years after their data of leaving the Council. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's Disciplinary Policy.

Managing Short Term Sickness Absence



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Social Media Policy

December 2020



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Document History	
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1. Objectives and scope

- 1.1 Social media is any online platform or app that allows parties to communicate instantly with each other or to share data in a public forum. This includes social forums such as Twitter, Facebook, Instagram and LinkedIn. Social media also covers blogs and video and image-sharing websites such as YouTube.
- 1.2 Employees should be aware that there are many more examples of social media than can be listed here and this is a constantly changing area. Employees should follow these guidelines in relation to any social media that they use.

2. Personal use of social media at work

- 2.1 Employees are allowed to access social media websites from the Council's computers or devices at certain times (provided that they are not undertaking overtime). Employees must limit their use of social media to their official rest breaks such as lunch breaks.
- 2.2 Employees using their own computers or devices, such as laptops and palm-top and hand-held devices, should also limit their use of social media on their own equipment to their official rest breaks such as their lunch break. This is so that the use of social media does not interfere with their other duties as this is likely to have a detrimental effect on their productivity.

3. Using social media for work purposes

- 3.1 Employees may be asked to contribute to the Council's social media activities, for example by writing blogs, managing a Facebook account or running an official Twitter account. All such activities must be carried out in accordance with the Communications Social Media Policy which is available on the Council's intranet, Training and advice is available from the Communications team on using social media for work.
- 3.2 Employees must be aware at all times that, while contributing to the Council's social media activities, they are representing the Council. Employees who use social media as part of their job must adhere to the rules below.
- 3.3 Any communications that employees make in a professional capacity through social media must not:
 - bring the Council into disrepute, for example by:
 - criticising or arguing with customers, colleagues or others;
 - making defamatory comments about individuals or other organisations or groups; or
 - posting images that are inappropriate or links to inappropriate content;
 - breach confidentiality, for example by:
 - revealing confidential or sensitive information

- giving away confidential information about an individual (such as a colleague or customer contact)
- breach copyright, for example by:
 - using someone else's images or written content without permission;
 - failing to give acknowledgement where permission has been given to reproduce something; or
- do anything that could be considered discriminatory against, or bullying or harassment of, any individual, for example by:
 - making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief, age or any other protected characteristic;
 - using social media to bully another individual (such as an employee of the Council); or
 - posting images that are discriminatory or offensive or links to such content.

3.4 Employees should use the same safeguards as they would with any other form of communication about the Council in the public sphere. These safeguards include:

- making sure that the communication has a purpose and a benefit for the Council or residents of the borough;
- obtaining permission from their line manager before embarking on a public campaign using social media;
- asking a colleague to check the content before it is published; and.
- seeking advice from the Council's Communications team

3.5 Some employees use social media in the course of their work for the purpose of gathering evidence to assist in the Council's enforcement activities (e.g. to detect benefit fraud). These employees must adhere to the Regulation of Investigatory Powers Act (RIPA) (2000), when undertaking such activities.

4. Monitoring use of social media during work time

4.1 The Council reserves the right to monitor employees' internet usage during work time. The Council considers that valid reasons for checking an employee's internet usage include suspicions that the employee has:

- been spending an excessive amount of time using social media websites for non-work-related activity; or
- acted in a way that is in breach of the rules set out in this policy.

4.2 The Council reserves the right to retain information that it has gathered on employees' use of the internet for a period of 12 months.

4.3 Access to particular social media websites may be withdrawn in any case of misuse.

5. Social media in your personal life

- 5.1 The Council recognises that many employees make use of social media in a personal capacity and outside of work. While they are not acting on behalf of the Council, employees must be aware that they can bring the Council into disrepute if they are recognised as being a Council employee. Employees should take care to check the privacy settings on any social media they use as in some cases information which the employee intended to be private is actually available publicly unless the privacy settings have been set accordingly.
- 5.2 Any communications that employees make in a personal capacity through social media must not:
- bring the Council into disrepute, for example by:
 - criticising or arguing with customers, colleagues or others;
 - making defamatory comments about individuals or other organisations or groups; or
 - posting images that are inappropriate or links to inappropriate content
 - breach confidentiality, for example by:
 - revealing confidential information owned by the Council;
 - giving away confidential information about an individual (such as a colleague or customer contact) or organisation (such as a partner organisation); or
 - discussing the Council's internal workings (such as contractual arrangements with a supplier) or its future business plans that have not been communicated to the public
- 5.3 Employees are allowed to say that they work for the Council, which recognises that it is natural for its staff sometimes to want to discuss their work on social media. However, the employee's online profile (for example, the name of a blog or a Twitter name) must not contain the Council's name.
- 5.4 If employees do discuss their work on social media (for example, giving opinions on the way the Council operates), they must include on their profile a statement along the following lines: "The views I express here are mine alone and do not necessarily reflect the views of my employer."
- 5.5 Employees should be aware that the Employees' [Code of Conduct](#) covers issues such as the requirement for all employees to be politically neutral in their work for the Council, conduct outside of working hours and use of information. Employees should have regard to the Code of Conduct when using social media in a personal capacity. Employees should be aware that any reports of inappropriate activity linking them to the Council will be investigated.
- 5.6 Employees who are in a politically restricted post are effectively prevented from having any active political role either in or outside the workplace and should take extra care not to breach this requirement when using social media.

6. Use of social media in the recruitment process

- 6.1 Unless it is in relation to finding candidates (for example, if individuals have put their details on social media websites for the purpose of attracting prospective employers), the HR team and managers will not, either themselves or through a third party, conduct searches on applicants on social media. This is because conducting these searches during the selection process might lead to a presumption that an applicant's protected characteristics (for example, sexual orientation or religious beliefs) played a part in a recruitment decision.

7. Disciplinary action over social media use

- 7.1 All employees are required to adhere to this policy. Employees should note that any breaches of this policy may lead to disciplinary action.
- 7.2 Where there is a concern that an employee's use of social media (either during work time or in their personal life) has breached the principles of this policy or the Code of Conduct, then it may be necessary to carry out surveillance of an employee's use of social media. Such activity would generally fall outside of the Regulation of Investigatory Powers Act as it would not be criminal activity. However, before any such action is taken, approval must be given by the Head of HR and Organisational Development.
- 7.3 Serious breaches of this policy, for example incidents of bullying of colleagues through social media, or social media activity causing serious damage to the Council's reputation, may constitute gross misconduct and lead to summary dismissal.

Flexible Working Policy

March 2021



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Document History	
Version	1.3 (see below)
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1. Objectives and scope

- 1.1 Flexible working can increase staff motivation, promote work-life balance and improve performance and productivity. All employees have the right to request flexible working and to have their request considered seriously by their employer; there is no qualifying period of service required. This policy covers the statutory right to request flexible working. It should be read alongside the [Flexible Workstyles Guidance](#) which outlines the Council's approach to flexible working more generally.
- 1.2 This policy applies to all those employed by the Council, including those on permanent, temporary or part-time contracts, job sharers, and employees on non-standard terms of employment.
- 1.3 This policy does not apply to:
- agency workers or interim staff
 - schools based staff who may be covered by separate procedures
- 1.4 This policy can be used by a disabled employee as part of a request for a reasonable adjustment to their working arrangements. If this is the case, the employee should state this in their written application and the line manager must seek advice from Occupational Health and HR, if they are not already involved, before considering the request.
- 1.5 All flexible working requests, including a request from a disabled employee as part of a request for a reasonable adjustment to their working arrangements, and any appeals, must be considered as soon as possible and decided on within a period of three months from first receipt. These time limits may be extended where both the employee and employer are in agreement.

2. Requesting flexible working

- 2.1 A request for flexible working could include a request for a change to the number of hours that the employee works, a request for a change to the pattern of hours worked, a request to job share or a request to perform some or all of the work from the employee's home.
- 2.2 Employees must make a request for flexible working in writing by filling in the [Flexible Working Application Form](#) which is available on the Council's Intranet. The employee must submit the form to their line manager with a copy to HR. Any request made under this policy must include:
- the date of the application;
 - the changes that the employee is seeking to their terms and conditions;
 - the date on which the employee would like the terms and conditions to come into effect;
 - what effect the employee thinks the requested change would have on the Council;

- how, in their opinion, any negative effect might be dealt with;
- a statement that this is a statutory request;
- whether or not the employee has made a previous application for flexible working; and
- if the employee has made a previous request, when the employee made that application.

2.3 Where the request is being made by a disabled person as part of a request for a reasonable adjustment to their working arrangements, the employee should state this in the written application.

2.4 Line managers should not reject a request that does not contain the required information. The line manager should explain to the employee what additional or amended information he/she needs to provide and ask the employee to resubmit the request.

3. Considering a flexible working request

3.1 Once the line manager receives the request, it will be dealt with as soon as possible. It may be possible for the line manager to agree to a flexible working request simply on the basis of the written application. If so, the line manager must complete the [Flexible Working Acceptance Form](#) which is available on the Council's Intranet, and submit it to HR as soon as possible. HR will arrange to confirm the change to the employee's terms and conditions in writing and send it to the employee as an amendment to their written statement of terms and conditions of employment as soon as is reasonably practicable.

3.2 Where it is not possible to agree to the flexible working request based on the written application alone, the line manager will arrange a meeting to deal with the request as soon as reasonably practicable. The aim of the meeting is to find out more about the proposed working arrangement and how it could be of benefit to both the employee and the Council.

3.3 The invite to the meeting will be in writing giving a minimum of five working days' notice, with the letter setting out the date, time and location of the meeting and it must state that the employee has the right to be accompanied by a Trade Union representative or workplace colleague. Reasonable adjustments may be needed for a worker with a disability (and possibly for their companion if they are disabled); for example the provision of a support worker or advocate with knowledge of the disability and its effect, in addition to the right to be accompanied by a fellow worker or a trade union representative. The employee must tell the manager chairing the meeting whether they will be accompanied at least three working days before the meeting.

3.4 Where the chosen companion is unavailable on the day scheduled for the meeting, it will be rescheduled, provided that the employee proposes an alternative time within five working days of the scheduled date. If an alternative date is proposed by the employee, it will not be unreasonably refused.

- 3.5 The meeting will always be held somewhere private and enough time should be scheduled to discuss the issues at hand. The manager will be advised by an HR professional.
- 3.6 After the meeting, the line manager will consider the proposed flexible working arrangement, weighing up the potential benefits to both the employee and the Council against any adverse impacts of implementing the change. Each request will be considered on a case-by-case basis: agreeing to one request does not set a precedent or create the right for another employee to be granted a similar change to their working pattern.
- 3.7 The employee will be informed in writing of the decision within three working days of the meeting. The request may be granted in full or in part: for example, the Council may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. The employee has the right to appeal the decision if the employee's request is not upheld or only upheld in part.

4. Flexible working requests that are granted

- 4.1 After the meeting, if the request is granted, the employee and the line manager will discuss how and when the changes will take effect. The line manager must complete the [Flexible Working Acceptance Form](#) as detailed in paragraph 3.1 above.

5. Flexible working requests that are declined

- 5.1 If the flexible working request is declined the line manager must complete the [Flexible Working Application Rejection Form](#) and give a copy to the employee and a copy to HR within three working days of the meeting.
- 5.2 The line manager will give reasons for the rejection of any request. Those reasons must be for one or more prescribed business reasons, which are:
- the burden of additional costs;
 - an inability to reorganise work among existing staff;
 - an inability to recruit additional staff;
 - a detrimental impact on quality;
 - a detrimental impact on performance;
 - a detrimental effect on ability to meet customer demand;
 - insufficient work for the periods the employee proposes to work; and
 - a planned structural change to the business.
- 5.3 A request cannot be rejected for any other reason.

6. Appeal

- 6.1 If the flexible working request is declined, the employee has the right to appeal. An appeal must be made using the [Flexible Working Appeal Form](#) which is available on

the Council's Intranet, within five working days of receiving the written notification of the line manager's decision. The line manager must provide the employee with a paper of the [Flexible Working Appeal Form](#) if the employee does not have access to the Council's intranet (e.g. because they are off sick or do not use a computer in their role). The employee must submit the appeal form to their line manager with a copy to HR.

- 6.2 On receipt of the appeal, a hearing will be arranged as soon as reasonably practicable. To ensure that the appeal is considered objectively, the appeal will be heard by an Assistant Director or more senior manager assisted by a representative from the HR team. The employee will be invited to attend the meeting and can be accompanied by a work colleague or trade union representative. The provisions in paragraphs 3.3 to 3.5 will also apply when arranging the appeal meeting. The employee's line manager will also be invited to attend to present the business case as to why the request was declined initially.
- 6.3 The employee will be notified of the appeal decision within three working days of the appeal meeting using the [Flexible Working Appeal Reply Form](#) which is available on the Council's Intranet. A copy of the form must also be sent to HR. If the appeal decision is again to decline the request, the employee cannot re-apply for flexible working for a period of 12 months from the date on which the application was made. If the appeal is upheld, HR will arrange to confirm the change to the employee's terms and conditions in writing and send it to the employee as an amendment to their written statement of terms and conditions of employment as soon as is reasonably practicable.
- 6.4 The outcome of the appeal is final. There is no further right of appeal.

7. Exceptions to the policy

- 7.1 The Council will endeavour to process requests for flexible working within three months from first receipt. However, there may be occasions where it is necessary to deviate from this to help reach a suitable outcome. For example, it may be agreed that the timescales are extended in the event that the employee is unable to attend a meeting, or to account for the absence of a Council representative.
- 7.2 In the event that an extension of timescales is required, the Council will confirm in writing the reasons for the extension and any agreed revision of the timescales involved.

8. Contract variation

- 8.1 It is important to note that a flexible working request that is accepted will normally constitute a permanent change to the employee's contractual terms and conditions and will continue for the length of their current employment contract. The employee has no right to revert back to their previous working pattern, unless a further change is agreed between the employee and the Council through a subsequent flexible working request. For the avoidance of doubt, if the employee applies for and is

appointed to a new job, the continuation of their flexible working arrangement cannot be guaranteed.

9. Data protection and retention of employee records

- 9.1 The Council processes personal data collected in connection with this policy in accordance with its data protection policy. Such data is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to requests to work flexibly. It will be held on an individual's personal record file which is retained for seven years after their date of leaving the Council. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the Council's Disciplinary Policy.

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Grey Fleet Policy

January 2021



www.reading.gov.uk



Document History	
Version	1.1 (see below)
Status	To be agreed by Trade Unions
Date	January 2021
Target audience	All Council employees
Ratification	None
Author	HR Employment Services Team

Version Control	Reviewers
Version 1.1	Agreed with Trade Unions – March 2021

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1. Introduction

- 1.1 This policy sets out Reading Borough Council's approach to management of the Grey Fleet and how it should be used.

2. Scope

- 2.1 The Grey Fleet Policy covers vehicles that are used by an employee for making a work-related journey (not vehicles owned, hired, or leased by the Council). In most cases this will be a privately-owned vehicle that is used on Council business (not travel to and from normal place of work); however, it could also include a vehicle that an employee has privately hired/borrowed and uses on Council business.
- 2.2. The 'Driving at work/managing work related road safety' guidelines, published by the Health & Safety Executive (HSE) in 2014, makes it clear that the Council has the same Duty of Care towards all its employees making work-related journeys regardless of vehicle ownership, so the grey fleet needs to be managed in exactly the same way as Council owned or leased fleet. It is an offence for the Council to allow staff to drive their own vehicle on Council business without the appropriate entitlement.
- 2.3 This policy must be read and complied with before any grey fleet use is considered with and, as highlighted in Section 3 Travel Hierarchy, grey fleet use should be used as the last resort. Failure to follow this policy could result in disciplinary action being taken.

3. Business Travel

- 3.1 The Council is responsible for meeting the cost of travel by its employees on official business. Official travelling means necessary travel for the purpose of:
- attendance at meetings in pursuit of official Council's business
 - attendance at training courses
 - journeys made on work related business
- 3.3 Official travelling does not include travel from home to normal place of work and the return journey.
- 3.2 It is necessary for the Council to review its spending on employee travel and this means reviewing the cost of travel and promoting the most cost-effective method of transport for employees in the first instance as well as highlighting both safety and duty of care issues.
- 3.3 The Council is committed to reducing the impact on the environment from its business travel and the cost of this travel. The Government's vision is for a sustainable Public Sector and includes a target to reduce carbon emissions from road vehicles used for Public Sector operations by 15%. In addition, one of the Council's service priorities in the Corporate Plan is to keep the town clean, safe,

green and active, and the Council's Local Transport Plan has the objective of reducing carbon emissions from transport and improving air quality. This means looking at ways to reduce miles travelled and identifying the most efficient methods of transport with lower carbon emissions per mile.

- 3.4 As part of the overall health and safety policy, the Council is also committed to managing the risks that employees encounter when driving for work and all employees are required to fully engage with this.

4. Necessity of Travel

- 4.1 Employees will only be reimbursed for expenses which they incur in the course of official travel in line with documented reimbursement rates.
- 4.2 The following considerations must be made prior to every journey, by the employee and their manager, before approval is given for an employee to use their private vehicle for work purposes and to submit mileage a claim. (Section 3.2 – Reimbursement of Expenses Policy)
- Is the meeting/visit absolutely necessary? E.g. can it be done on the telephone or Teams instead?
 - Is 'active travel' possible as an alternative to using own car, e.g. walking, cycling etc (there is a cycle mileage rate of 37p per mile as an incentive for staff to use their own bicycle for work purposes)
 - Staff must use public transport or a pool car instead of their own vehicle wherever possible, safe and practical.

5. Transport Hierarchy of Decision Making

- 5.1 Authorisation will be required by the Line Manager in advance of all journeys.
- 5.2 The following order of priority should be adhered to when travelling on official business (Also see Section 3 – Reimbursement of Expenses Policy):
- Public transport
 - Pool vehicle
 - Private vehicle
- 5.3 For round trips expected to exceed 50 miles, employees should book a pool vehicle on-line rather than use their own vehicle.
- 5.4 In exceptional cases (e.g. where there is a medical condition or disability or other reason) a journey in an employee-owned vehicle may exceed 50 miles. In these cases, authorisation will be required in advance of the journey from the Line Manager.

6. Using a Private Vehicle

- 6.1 Payments may be made to allow employees to use their own vehicles for journeys less than 50 miles, provided this is on Council businesses.
- 6.2 Employees driving for work in their own vehicle must ensure that it always complies with the law, is in a safe and roadworthy condition and is suitable for its purpose. (See [Licence & Vehicle Checks – Guide for Employees](#))
- 6.3 The employee must ensure that:
- the vehicle meets the minimum safety specifications required by the Council.
 - the vehicle is taxed and, where appropriate, has a valid MOT certificate
 - the motor insurance policy includes business use cover for the amount and type of mileage undertaken and, if necessary, also covers business passengers.
 - possession of a valid licence to drive the vehicle being used
 - no medical reasons prevent the driver using the vehicle
 - the vehicle is not used inappropriately, e.g. unsecured load carrying or off-road access.
- 6.4 When claiming mileage in a private vehicle, the employee must enter the details on to I-Trent and certify the following declaration:

I certify that the claim is to reimburse expenditure actually and necessarily incurred by me on behalf of Reading Borough Council and that I am aware of and have followed both the grey fleet policy and the travel hierarchy.

7. Ongoing Governance of Private Vehicle Use

- 7.1 It is the responsibility of the Line Manager to:
- Ensure employees understand their responsibilities to ensure vehicles are legal, safe and well-maintained.
 - Check vehicle documents in advance of first use of vehicle for business purposes and at least annually thereafter.
 - Follow monitoring, authorisation and reporting procedures to help manage transport usage.
- 7.2 It is the responsibility of employees using their own vehicles for business to:
- Present the vehicle's MOT certificate, insurance policy and service schedule for inspection in advance of first driving for work and thereafter on an annual basis or at other times when requested by Line Manager
 - Present their driving licence for inspection in advance of first driving for work and thereafter on an annual basis or at other times when requested by the Council.

- Notify their Line Manager of any changes imposed on their licence, restrictions on ability to drive, material changes to insurance provision and vehicle related issues
- Cooperate with monitoring, authorisation and reporting procedures.

8. Insurance of Private Vehicles

- 8.1 Motor Mileage Allowance will only be paid where the employee holds an insurance policy that covers the driver and vehicle for business use.
- 8.2 It is the responsibility of the Line Manager to verify the insurance status of their employees, via either the original insurance document or a cover note. Any material changes to the employee's insurance provision must be notified to the Line Manager.

9. Conditions of Use for Private Vehicles

- 9.1 At those times when an employee-owned vehicle is being used for business purposes, the driver shall not carry any non-Council passengers that is not related to the Councils business requirements.
- 9.2 At these times, the driver shall complete their journey from starting point to destination without undertaking any personal activities.

10. Mileage Claiming Process

- 10.1 Mileage claims shall be paid to employees only when the relevant document and licence checks have been carried out and reported in the correct manner.
- 10.2 All staff must ensure their vehicle; MOT and insurance information is updated when changes occur.
- 10.3 All staff must keep their personal details updated and make the appropriate changes where needed.
- 10.4 All mileage claims must be completed and submitted by the end of the following month of the date of the claim, any claims made after this date will be rejected. If this is not practical, written approval for any extension will be required from line managers. The Council reserves the right to withhold any payment where written approval has not been sought. (Also see Section 2 – Reimbursement of Expenses Policy).

11. Managing Occupational Road Risk

- 11.1 When opting to drive on Reading Borough Council business it is important to remember and apply the following health and safety best practice:

- Ensure that you familiarise yourself with the controls of any vehicle be it your own vehicle or a pool car/hire car and before setting off you should complete your vehicle roadworthy checks.
- Never use a mobile phone or use other mobile devices whilst driving to avoid possible distraction.
- Always observe speed limits and never drive faster than road or driving conditions safely allow.
- Plan ahead allowing time at the start of any journey for delays end-route: congestion, hold-ups and bad weather.
- Do not undertake a journey if you are under the influence of alcohol /drugs or feel tired or unwell.
- Plan your journey to take enough breaks: a minimum break of at least 15 minutes after every two hours of driving is recommended.
- You must be able to read a new style number plate from 20 metres (66 feet). If you need to wear glasses or contact lenses for driving, you must always wear them whilst driving.

Tool box guides for licence and vehicle checks are on the intranet under iTrent Guides, please see the link <https://intranet.reading.gov.uk/manual/grey-fleet-policy/licence-vehicle-checks-guide-employees>

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Provide basic details

Policies

Directorate: Resources

Service: HR and Organisational Development

Name and job title of person doing the assessment

Name: Shella Smith

Job Title: Assistant Director of HR and Organisational Development

Date of assessment: March 2021

Scope your proposal

What is the aim of your policy or new service/what changes are you proposing?

Review/introduce new employment policies covering:

- Equality, Diversity and Inclusion
- Flexible Retirement
- Learning and Development
- Probation Scheme
- Reimbursement of Expenses
- Bullying and Harassment
- Disciplinary
- Managing Poor Performance
- Managing Sickness Absence
- Social Media Policy
- Flexible Working
- Grey Fleet

Most of the above are existing policies which have been reviewed and amended.
The Grey Policy is new.

Who will benefit from this proposal and how?

All employees of the Council and the Council itself because employment policies will be clearly set out. They will also be based on current employment legislation and ACAS codes of practice and/or guidance where available.

What outcomes does the change aim to achieve and for whom?

Setting out clear employment policies can help in supporting a culture based on trust, fairness and inclusion. They can also speed the decision-making process by ensuring that clear guidance is readily available to cover a range of issues. Furthermore, they can assist in avoiding involvement with employment tribunal claims by providing guidance for managers and staff that reflects accurately current employment law and good practice. It is therefore important that HR policies are clear, easy to understand, up to date and reviewed regularly.

Who are the main stakeholders and what do they want?

All employees covered by the policy and the Council.

Assess whether an EqlA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc.)

No. The Council has a legal duty to ensure that the terms and conditions of employment for its employees are clearly set out. The policies that are the subject of this review help to achieve this.

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, and feedback.

No

If the answer is **Yes** to any of the above, you need to do an Equality Impact Assessment.

If **No** you **MUST** complete this statement

An Equality Impact Assessment is not relevant because:

There is no evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others

by the proposed policies. Nor is there already public concern about potentially discriminatory practices/impact for the issues covered in these policies.

Signed (completing officer) Shella Smith Date 05/03/2021

Signed (Lead Officer) Shella Smith Date 05/03/2021

Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

Think about who does and doesn't use the service? Is the take up representative of the community? What do different minority groups think? (You might think your policy, project or service is accessible and addressing the needs of these groups, but asking them might give you a totally different view). Does it really meet their varied needs? Are some groups less likely to get a good service?

How do your proposals relate to other services - will your proposals have knock on effects on other services elsewhere? Are there proposals being made for other services that relate to yours and could lead to a cumulative impact?

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel.

Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable.

This combined impact would not be apparent if decisions are considered in isolation.

Consultation

How have you consulted with or do you plan to consult with relevant groups and experts. If you haven't already completed a Consultation form do it now. The checklist helps you make sure you follow good consultation practice.

[My Home > Info Pods > Community Involvement Pod - Inside Reading Borough Council](#)

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Trade unions	Through a series of email communications and meetings with trade union colleagues	16 November 2020 2 December 2020 7 December 2020 19 February 2021 26 February 2021 5 March 2021 8 March 2021

Collect and Assess your Data

Using information from Census, residents survey data, service monitoring data, satisfaction or complaints, feedback, consultation, research, your knowledge and the knowledge of people in your team, staff groups etc. describe how the proposal could impact on each group. Include both positive and negative impacts.

(Please delete relevant ticks)

Describe how this proposal could impact on Racial groups

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Gender/transgender (cover pregnancy and maternity, marriage)

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Disability

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Sexual orientation (cover civil partnership)

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Age

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Religious belief?

Is there a negative impact? Yes No ~~Not sure~~

Make a Decision

If the impact is negative then you must consider whether you can legally justify it. If not you must set out how you will reduce or eliminate the impact. If you are not sure what the impact will be you MUST assume that there could be a negative impact. You may have to do further consultation or test out your proposal and monitor the impact before full implementation.

Tick which applies (Please delete relevant ticks)

1. **No negative impact identified**

2. ~~**Negative impact identified but there is a justifiable reason**~~

You must give due regard or weight but this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties that you must comply with.

Reason

3. ~~**Negative impact identified or uncertain**~~

What action will you take to eliminate or reduce the impact? Set out your actions and timescale?

How will you monitor for adverse impact in the future?

An annual equality audit is carried out and reported to Personnel Committee which monitors whether there is any adverse impact on employees with protected characteristics, for example, the proportion of female, ethnic minority and disabled employees involved in Council policies that are the subject of this review, compared to male, white and non-disabled employees. The most recent report looks at data for the last 2 financial years and does not indicate that procedures were applied and / or accessed disproportionately by any particular protected characteristic group

Signed (completing officer) Shella Smith

Date 05/03/2021

Signed (Lead Officer) Shella Smith

Date 05/03/2021

READING BOROUGH COUNCIL

REPORT BY ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT

TO:	PERSONNEL COMMITTEE		
DATE:	17 MARCH 2021		
TITLE:	PAY POLICY STATEMENT 2021/22		
LEAD COUNCILLOR:	CLLR EMBERSON	PORTFOLIO:	CORPORATE AND CONSUMER SERVICES
LEAD OFFICER:	SHELLA SMITH	TEL:	0118 937 4697
JOB TITLE:	ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT	E-MAIL:	Shella.smith@reading.gov.uk

1. PURPOSE OF REPORT

1.1 To provide Personnel Committee with a Pay Policy Statement for 2021/22, for approval by Council on 23 March 2021.

1.2 Appendices

Appendix 1: Pay Policy Statement 2021/22

2. RECOMMENDED ACTION

That 2.1 and 2.2 below be recommended to Council on 23 March 2021:

2.1 That the Pay Policy Statement for 2021/22 be approved, as attached at Appendix 1 to the report.

2.1 That the Assistant Director of HR and Organisational Development, in consultation with the Lead Member for Corporate and Consumer Services, be authorised to update the Pay Policy Statement with new pay scales and pay ratios if required, when the discussions between national employers and joint trade unions had been concluded, in addition to updating the current employers pension contribution figure.

3. POLICY CONTEXT

3.1 Local Authorities are required under section 38(1) of the Localism Act 2011 (the Act) to prepare a Pay Policy Statement. The statement must articulate the Council's policy towards the pay of the workforce, particularly senior staff and its lowest paid employees.

3.2 The Pay Policy Statement for 2021/22 is attached as Appendix 1. It has been updated as follows:

- To show the updated pay multiples in section 8.
- To reflect changes agreed by Council regarding the senior management structure of the Council (as set out in Article 12 of the Constitution)
- Annex B has been reduced and provides references as to where relevant information on the governance arrangements for pay and conditions of service for Council officers can be found in the Constitution (rather than including extracts lifted from the Constitution).
- Annex D (council employees in salary bands) has been updated with data for 1 April 2020 and paragraph 10 (Pay Profile) has been updated to reflect this.

3.3 Further updates may be required to the Pay Policy Statement as detailed below. Delegated authority is sought through this report for the Assistant Director of HR and Organisational Development, in consultation with the Lead Member for Corporate and Consumer Service, to make these updates.

- Paragraph 14.1 with the new employer contribution rate for 2020/21 for the Local Government Pension Scheme when agreed (currently 14.8%)
- Annex F (new pay scales) when the discussions between national employers and joint trade unions have concluded, if a pay award is agreed.

3.4 Personnel Committee has previously been made aware of The Restriction of Public Sector Exit Payments Regulations 2020 which took effect on 4 November 2020 as it would have been necessary to reflect the new Regulations in the Pay Policy Statement. The Regulations capped public sector exit payments (including Local Government Pension Scheme strain costs) to a total of £95,000 per employee. On 12 February 2021, Government made a surprise announcement that it is effectively disapplying the cap with immediate effect. The only reason cited is that the cap “may have had unintended consequences”. The decision comes a few weeks before the Regulations were about to be subject to a judicial review challenge. HM Treasury stated that it intends to bring forward new proposals at pace to tackle unjustified exit payments. The announcement also calls into question the status of the further reform led by the Ministry of Housing, Communities and Local Government (MHCLG) which impacts on the Discretionary Payments Regulations and Local Government Pension Scheme Regulations. Considering this latest news, it seems unlikely that the reforms can proceed based on the current proposals until HM Treasury’s new proposals are made clear.

3.5 Each local authority is an individual employer in its own right and has the autonomy to make decisions on pay that are appropriate to local circumstances and which deliver value for money for local taxpayers. The provisions of the Localism Act do not seek to change this or to determine what decisions on pay should be taken but they require individual employing

authorities to be more open about their own policies in relation to pay and how decisions are made in this regard.

- 3.6 Section 40 of the Act requires authorities in developing their Pay Policy Statement to have regard to any guidance published by the Secretary of State. This includes Communities and Local Government guidance on Openness and Accountability in Local Pay and the Code of Recommended Practice for Local Authorities on Data Transparency (as amended).
- 3.7 The government has taken steps to increase transparency on the pay and reward of public sector employees and the Code of Recommended Practice for Local Authorities on Data Transparency which amongst other things asks councils to consider the way they release data on senior salaries.
- 3.8 In March 2011 the Hutton Review of Fair Pay was published which made several recommendations for promoting pay fairness in the public sector by tackling disparities between the lowest and highest paid in the public sector.
- 3.9 The provisions contained in the Act bring together the need for increasing accountability, transparency and fairness in the setting of pay which culminated in the formalisation of the Council's Pay Policy Statement, which outlines the pay and reward of the most senior employees set within the context of the pay of the wider workforce.
- 3.10 The Act sets out in detail the specific elements which the Pay Policy Statement must include as a minimum. The Act requires that in addition to the determination of senior salaries, authorities must make clear what approach is taken to awarding other elements of pay including:
 - severance payments,
 - any additional fees (e.g. election duties),
 - pay increases,
 - honorarium payments etc.
- 3.11 The Act requires that authorities include in their Pay Policy Statements their approach to the publication of and access to information relating to the remuneration of Chief Officers. Reference to the council's Statement of Accounts where this information is published is included within the proposed policy.
- 3.12 The Act requires that Pay Policy Statements are produced annually and are considered by full Council. Any subsequent amendments required to the policy should also be considered by full Council. This should be carried out in accordance with part 5A of the Local Government Act 1972. The Secretary of State does not consider that any of the grounds for exclusion of the public would be met for discussions around Pay Policy Statements.
- 3.13 The Act requires that the Council's approach to pay, as set out in the Pay Policy Statement, is accessible for council tax payers for them to take an

informed view of whether local decisions on all aspects of remuneration are fair therefore the approved Pay Policy Statement is published on the Council's website.

3.14 The Hutton report highlighted that there is value in ensuring decisions about senior pay are taken in the context of similar decisions on lower paid staff and the Act requires Authorities to set their policy on remuneration for the highest paid employees alongside policies on the lowest paid.

3.15 The Hutton report and The Code of Recommended Practice for Local Authorities on Data Transparency also suggest that the organisation's pay multiple is published. The 'pay multiple' (in this context) is described as the ratio between the highest paid employee and the 'median average' earnings across the organisation which acts as a means of illustrating the relationship between the highest and lowest paid.

4. NEXT STEPS

4.1 The revised Pay Policy Statement in Appendix 1 will be submitted to full Council for approval on 23 March 2021.

5. LEGAL IMPLICATIONS

5.1 There are no significant legal issues arising from this report.

6. FINANCIAL IMPLICATIONS

6.1. There are no financial implications arising from this report as the Pay Policy Statement is based upon existing policies and procedures.

7. EQUALITIES IMPLICATIONS

7.1 There are no significant equalities issues arising from this report.

8. CONSULTATION AND COMMUNICATION

8.1 As the Pay Policy Statement is largely a matter of fact in terms of how the Council currently determines the pay and conditions of its staff, consultation with staff is not required. However, the statement was presented to the Council's Local Joint Forum for information.

READING BOROUGH COUNCIL PAY POLICY STATEMENT 2021/22

1. INTRODUCTION

- 1.1. Reading Borough Council's pay policy aims to ensure value for money whilst enabling the Council to deliver high quality services to the residents of Reading. The Council seeks to set pay rates that are adequate to secure and retain high quality employees dedicated to the service of the public, but will determine overall pay and benefits at an appropriate level in accordance with equality, affordability and other relevant factors.
- 1.2. Pay levels will not be unnecessarily generous or otherwise excessive.
- 1.3. Reading Borough Council agrees that local authorities should be able to determine their own pay structures in order to address local priorities and to compete in the local labour market.
- 1.4. Reading Borough Council is committed to equality, transparency and fairness across all of its activities and particularly in relation to the pay and conditions of its staff.
- 1.5. This document has the following Annexes:
 - Annex A: Requirements and Recommendations to Publish Personal data concerning Staff
 - Annex B: Governance Arrangements for Pay and Conditions of Service
 - Annex C: Summary of Conditions of Service
 - Annex D: Council Employees in Salary Bands as at 1 April 2020
 - Annex E: Pension Discretions Statement
 - Annex F: Pay scales for staff employed on NJC (Green Book) conditions and Senior Managers (JNC).
- 1.6. The following related documents related to pay and remuneration can be accessed through the Council's website:
 - Details and responsibilities of all job roles paid above £50,000
 - Market Supplement Policy
 - Council Senior level organisational chart

2. LEGISLATION

- 2.1. The authority appoints its staff, and determines the terms and conditions of service on which they hold office, under Section 112 of the Local Government Act 1978. This includes procedures for dismissal. Full Council has delegated this power to the Personnel Committee, with the exception of the Head of Paid Service, Section 151 Officer and Monitoring Officer for whom separate statutory procedures apply.
- 2.2. Sections 38 - 43 of the Localism Act 2011 require that the authority produce a policy statement that covers a number of matters concerning the pay of the authority's staff, principally Chief Officers. This policy statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued in February 2012 and February 2013 by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act.
- 2.3. This policy also has some connection with the data on pay and rewards for staff which the authority publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2011). A revised draft Code was published in December 2013. It should be noted that the requirements to publish data under the Secretary of State's

guidance, the Code of Practice and the Regulations do differ, the data requirements of the Code of Practice and the Accounts and Audit Regulations are summarised at **Annex A** to this policy statement.

- 2.4. Any decision under powers delegated in the Council's Constitution / Scheme of Delegation with regard to remuneration to be taken during 2021/22 will be bound by and must comply with this Statement. No decision at variance with this Statement may be taken without the specific agreement of full Council.
- 2.5. The Head of Paid Service and Assistant Director of Legal & Democratic Services must be consulted prior to any decision impacting on remuneration where there is any question regarding compliance with the Statement.

3. SCOPE OF THIS STATEMENT AND DEFINITION OF TERMS

- 3.1. This pay policy statement meets the statutory duty to provide the Council with a description of the policy on staff remuneration for annual approval. It provides information on remuneration arrangements for staff directly employed by the Council, excluding staff in schools.
- 3.2. This statement sets out the Council's policy with regard to:
 - the remuneration of 'chief officers' (the senior pay group - see below)
 - the remuneration of the lowest paid employees
 - the relationship between chief officers' remuneration and that of other officers
- 3.3. In this policy the 'senior pay group' (senior managers) covers posts in the top three tiers of the organisation. These include the Chief Executive (Head of Paid Service), Executive Directors and Deputy/Assistant Directors. Posts in this group in Reading are as follows:
 - (a) the Head of the Authority's Paid Service [Chief Executive]
 - (b) the Deputy Chief Executive (Deputy Head of Paid Service)
 - (c) the Executive Director of Children, Education and Early Help Services;
 - (d) the Executive Director of Social Care & Health;
 - (e) the Executive Director of Economic Growth & Neighbourhood Services
 - (f) the Executive Director of Resources
 - (g) the Director of Finance (Section 151 Officer)
 - (h) the Monitoring Officer (Assistant Director of Legal and Democratic Services)
 - (i) persons who, as respects all or most of their duties, report directly to or are directly accountable to the Head of the Council's Paid Service
 - (i) persons who, as respects all or most of their duties, report directly to or are accountable to the posts listed in (b), (c), (d), (e), (f), (g) and (h) above (other than staff whose duties are of a clerical or support nature)
- 3.4. The senior management structure of the organisation can be found in Part 7 of the Council Constitution on the Council's website.
- 3.5. The Council defines its lowest paid employees as those staff paid on the first spinal column point of the Council's pay grades for National Joint Council (NJC) for Local Government Services staff [RG Grades]. This definition is adopted as it refers to the lowest level of pay for staff on non-casual or apprentice contracts of employment.
- 3.6. The relationship between the remuneration of the lowest paid employees and that of the Council's senior officers is as described in this statement and by reference to the published data referred to.
- 3.7. "Remuneration" for the purposes of this statement includes these elements:
 - basic salary
 - pension
 - all other allowances arising from employment

4. GOVERNANCE ARRANGEMENTS AND DECISION MAKING

- 4.1. Council has delegated to the Personnel Committee the power to appoint and determine the terms and conditions of employment for all staff, including the application of any discretions under the pension schemes. The terms of reference of the Personnel Committee are set out in Article 8 of Part 2 of the Council's constitution.
- 4.2. Council, and the Personnel Committee, have extensive and long-standing arrangements to delegate the exercise of this power to the Deputy Chief Executive, Executive Directors, Directors and Deputy/Assistant Directors, in respect of the staff employed in their service areas.
- 4.3. The delegation is subject to the Council's Officer Employment Rules, which are set out in Part 4 of the Council's constitution.
- 4.4. A summary of the arrangements for determining terms and conditions of service for staff can be found in **Annex B**.
- 4.5. The Council, and the Personnel Committee, have adopted a range of policies which apply to the recruitment and employment of the staff of the authority. Policies which are specifically relevant to this Statement include:
 - Low Pay Policy
 - Recruitment and Selection Policy
 - Employment Stability Agreement and Pay Protection Policy
 - Appraisal Scheme and Performance-Related Progression Scheme
 - Policies relating to Market Supplements; Starting Salary on Appointment; Honorarium and Acting-Up Payments
- 4.6. The Scheme of Delegation provides for the Deputy Chief Executive, Executive Directors, Directors and Deputy/Assistant Directors to manage, review and apply the Council's Human Resources policies, and to determine the appropriate pay and conditions for the appointment of staff within these policies.

5. CONDITIONS OF SERVICE

- 5.1. Reading Borough Council applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of authority decisions, these are then incorporated into contracts of employment.
- 5.2. The Council is a member of the local government employers association for national collective bargaining in respect of chief executives, chief officers and other employees. There are separate negotiations and agreements in respect of each of these groups. Changes from national negotiations generally take effect from 1 April each year and are retrospective to 1 April where agreements are made later than 1 April. It is the authority's long-standing policy to implement national agreements. The head of paid service and chief officers are under the JNC conditions of service, with locally determined pay. All other employees are under the relevant national agreement on pay and conditions of service applying to the particular service area, with local variations to pay. Pay for staff on all terms and conditions (as set out in Annex C) was last increased nationally ('cost of living' increase) in April 2020. The Council will apply any settlement reached nationally in respect of staff covered by national bargaining machinery where this is the locally agreed mechanism for determining cost of living increases.
- 5.3. A summary of the arrangements for determining terms and conditions of service for staff is set out in **Annex C**:

6. POLICY ON REMUNERATING SENIOR MANAGERS

- 6.1. **Head of Paid Service:** The Head of Paid Service (Chief Executive) is paid on a locally determined salary which is reviewed and approved by Personnel Committee when the post becomes vacant. Independent external consultancy advice on appropriate remuneration levels (taking account of role and responsibilities, recruitment and retention factors and local and regional salary benchmarks) is presented to Personnel Committee to inform their decision-making in this matter.
- 6.2. The locally determined salary will be within the parameters of the Pay Policy Statement and will be set out in the Minutes of the Personnel Committee meeting which approves the salary, which will be published on the Council's website. The salary range will also be published in the job advertisement to fill the vacant post.
- 6.3. At the conclusion of the recruitment process, the decision to appoint a person to fill the post of Head of Paid Service will be taken by Council, which will be advised of the local salary, and the point at which the appointment was recommended to be made.
- 6.4. No other payments or benefits are payable to the Head of Paid Service (e.g. bonus, performance related pay, health insurance, car lease) other than those referred to elsewhere in this policy statement as being applicable to all employees.
- 6.5. Unless otherwise determined on appointment, the salary for the Head of Paid Service is subject to annual review by the Personnel Committee (on the anniversary of the date of appointment), in accordance with the following principles:
- That any salary progression is subject to a satisfactory annual appraisal;
 - That the salary / scale is uplifted by the pay award nationally agreed for the JNC for Chief Executives;
 - That these principles take effect on the anniversary of the date of appointment without need for Personnel Committee decision, unless an exception report is initiated by the Leader of the Council.
- 6.6. **Deputy Chief Executive, Executive Directors, Directors and Deputy/Assistant Directors:** These senior staff are paid on locally determined incremental Reading Senior Management / Corporate Director (RSM / CD) salary scales. These scales were established and approved by Personnel Committee following an independent review of senior salaries carried out by the Hay Group in 2001/2, using relevant regional public sector salary benchmarks. These scales are uplifted by the pay award nationally agreed (if any) for the JNC for Chief Officers. Exceptionally, the JNC pay award is not implemented for the senior pay group in times of severe budget challenge.
- 6.7. The Deputy Chief Executive post receives a special responsibility allowance of £14,355 per annum (based on 1st April pay scales) which is 50% of the salary difference between the Chief Executive and Executive Director grade maximums. Cost of living pay awards agreed by the Joint Negotiating Committee for Chief Officers of Local Authorities are to be applied to the allowance. There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments, etc., paid to senior staff, as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.
- 6.8. No other payments or benefits are payable to these senior staff (e.g. bonus, performance related pay, health insurance, car lease) other than those referred to elsewhere in this policy statement as being applicable to all employees.

7. POLICY ON REMUNERATING THE LOWEST PAID IN THE WORKFORCE

- 7.1. This policy statement reconfirms the Council's long-standing Low Pay Policy. The grading structure allows for all staff, except apprentices, to be paid an hourly rate no lower than the Living Wage (£9.50 per hour from 9 November 2020).

- 7.2. The Council previously paid a Living Wage supplement to increase the hourly rate of employees to the Living Wage, where necessary (with the exception of apprentices as detailed in 7.3 below). Since 1st April 2019 the lowest point on the salary scales has been above the Living Wage rate and is therefore reflected in all staff's substantive rate. Currently, the lowest hourly rate is £9.62 (based on salary scales agreed on 1st April 2020).
- 7.3. Apprentices are paid at least the nationally recommended allowance rate of £4.15 per hour for the first 12 months of employment and thereafter are paid at least the National Minimum Wage (NMW) as applicable to the employee's age. These rates are updated as the national allowances are revised.
- 7.4. Reading Borough Council is also committed to the development and publication of a local policy to promote and require, to the extent permitted by law, the application of the Council's low pay policy to staff working for the Council's contractors in addition to the application of TUPE. The Council became an accredited Living Wage Employer in 2015.

8. PAY MULTIPLES

- 8.1. The highest paid salary in this authority is up to £166,765 which is the top of the annual salary range paid to the Head of Paid Service. The current ratio between the lowest paid employee (scp 3, £18,562 per annum as at 1st April 2020) and the highest paid employee is 1:8.98. This ratio is with effect from 1st April 2020. The Council will work to maintain a ratio of no more than 1:10 between the lowest paid and the highest paid.
- 8.2. This authority does not have a policy on maintaining or reaching a specific highest / median 'pay multiple', however the authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the authority as expressed in this policy statement. The authority's approach to the payment of other staff is to pay that which the authority needs to pay to recruit and retain staff with the skills, knowledge, experience, abilities and qualities needed for the post in question at the relevant time, and to ensure that the authority meets any contractual requirements for staff including the application of any local or national collective agreements, or authority decisions regarding pay. The median salary paid by the Council is £27,741. Pay multiple therefore between the highest and median salary is 1: 6.01.
- 8.3. Pay multiples will be monitored each year within the Pay Policy Statement and will be benchmarked against comparable authorities as others' pay policy statements are published.
- 8.4. In terms of overall remuneration packages the Council's policy is to differentiate by setting different levels of basic pay to reflect differences in responsibilities (job evaluation) but not to differentiate on other allowances, benefits and payments it makes.

9. PAY AND GRADING STRUCTURE

- 9.1. The Council uses established formal job evaluation procedures to identify the relative worth of jobs within the council (including the senior pay group), and to allocate jobs to the appropriate pay grade.
- 9.2. For the senior pay group (RSM / CD Grades) RBC uses the Hay job evaluation scheme, for other jobs we use the national NJC for Local Government Employees JE scheme.
- 9.3. The NJC Job Evaluation Scheme, which is recognised by employers and trades unions nationally, allows for robust measurement against set criteria resulting in fair and objective evaluations and satisfies equal pay requirements
- 9.4. Pay grades are shown at Annex F.

10. PAY PROFILE

- 10.1. **Annex D** shows employees at 1 April 2020 by salary band and then by gender, ethnic origin and disability..
- 10.2. The numbers of black and minority ethnic employees and disabled employees are shown as a proportion of employees who have made a positive declaration.
- 10.3. Female employees continue to form the greater percentage across all salary bands except for RG9 and senior manager grades. This is largely because 60.5% of the Council's workforce are women.
- 10.4. The percentage of employees from Black, Asian and Minority Ethnic (BAME) backgrounds is highest in RG2 at 33.3%. The percentage of BAME employees in the workforce is 14.2%.
- 10.5. The overall number of employees who have declared a disability across salary bands ranges between 0.00% in RG10 and 10% in RG1 (apprentices). The percentage of employees who have declared a disability in the workforce is 3.7%.

11. PAY PROGRESSION

- 11.1. Under the Council's Performance Related Progression Scheme the award of an annual increment is dependent upon an employee's achievement of performance targets and competency objectives. The scheme also links incremental progression with whether performance is improving or declining. No increment can be awarded if an employee is subject to formal disciplinary or capability (poor performance) procedures.
- 11.2. The following principles apply to pay progression for all RBC staff:
 - 'Gateways' will be established 2 or 3 increments from the top of each grade depending on its length. Progression within a grade beyond the gateway will be for wider responsibility which meets agreed competency levels, based on job evaluation (JE) factor levels;
 - Progression up to the gateway within the grade will be subject to a satisfactory assessment of performance and contribution based on management evidence throughout the year;
 - Progression between grades within career grades will be dependent on meeting competencies at the next grade level;
 - On progression matters, there will be one appeal level above the approving manager (i.e. designated officer or Assistant Director);
 - Regular supervision and appraisal are fundamental to employee progression.
- 11.3. Accelerated incremental progression within the evaluated grade is only possible where there is objective evidence of outstanding performance or there is evidence that demonstrates inequality of pay level with comparable peers. Any such increase must be approved by the relevant Executive Director or Deputy Chief Executive and reasons provided to HR.
- 11.4. In addition to 11.3, accelerated increments would be paid for the progression within an existing career grade structure where skills and competencies (including academic attainment) have been achieved which meet predetermined career grade progression criteria.
- 11.5. The acceleration of an employee through the gateway of their existing grade, needs to be evidenced and certified by the Service Manager as meeting pre-existing and defined career progression criteria and approved by the relevant Executive Director or Deputy Chief Executive. Copies of the evidence to support such a decision need to be placed on the employee's personal file held by HR.
- 11.6. Any career grade progression is conditional upon budget provision being available.

- 11.7. Employees successfully moving posts within the Council will be subject to the principle of annual incremental progression assessment. They will no longer receive an automatic increment 6 months after being in their new post.

12. LOCAL PAY ARRANGEMENTS

- 12.1. **Child Care Solicitors** - This section, based in RBC's Legal Service, provides a service to other Berkshire Unitary Councils. Staff who were employed by the former Berkshire County Council retain local pay and progression arrangements which were inherited by RBC as a result of Statutory Transfer Order / TUPE provisions.

13. REMUNERATION ON APPOINTMENT AND PROMOTION

- 13.1. The Council's policy is to not pay any form of "signing on" fee or incentive payment when recruiting, except where there are significant recruitment difficulties that jeopardise service delivery, as identified and approved by CMT.
- 13.2. The starting pay point for all new employees (including internally appointed or promoted employees) should normally be the first point of the appropriate grade. There may be circumstances (e.g. offers from other employers, market forces) where it is necessary to make an offer that is at a higher point within the grade. The authority to make an offer higher than the starting point lies with the Deputy/Assistant Director, who must also consider the equality of such an exception and must inform the Assistant Director of HR and Organisational Development of the reason for the exception. This policy applies to all staff.
- 13.3. At the point of any assimilation to a new grade, employees moving to a higher grade will be placed at the bottom of that new grade.

14. OTHER ELEMENTS OF THE REMUNERATION PACKAGE

- 14.1. **Pension:** Pension provision is an important part of the remuneration package. All employees may join the local government pension scheme (or the Teachers Pension Scheme for relevant staff) and are enrolled automatically unless they wish to opt out. The scheme is a statutory scheme with contributions from employees and from employers. The current employer contribution rate for Reading Borough Council is 14.8%. This rate is reviewed and set every three years by the actuary. Reading Borough Council is part of the Berkshire scheme, administered by the Royal Borough of Maidenhead and Windsor. Neither the scheme nor the Council adopt different policies with regard to benefits for any category of employee: the same terms apply to the Chief Executive, chief officers and other staff.
- 14.2. **Election / Returning Officer Fees:** The Returning Officer is an officer of the Borough Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the Borough Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from his/her duties as an employee of the Borough Council. As Returning Officer, he/she is paid a separate allowance for each election for which he/she is responsible.
- 14.3. Separate fees will be paid to the Assistant Director of Legal and Democratic Services for undertaking Returning Officer duties which are not part of the post's substantive role. These fees will be paid in line with the amount recommended by the Government or Electoral Commission for Parliamentary and European elections and referendums, or as set out in the Council's budget estimates for local elections.
- 14.4. The Returning Officer may appoint one or more Deputy Returning Officers and pay a fee to them for undertaking the duties that the Returning Officer allocates to them.
- 14.5. **Market Supplements:** The Council may pay a market supplement, in addition to base salary, in order to recruit or retain staff with special skills experience or knowledge. Market supplements are applied, reviewed and withdrawn in accordance with the Council's market supplement policy, which is published on the Council's website. The

Head of Paid Service has delegated authority to determine posts for which salary supplements will be paid, and the amount and duration of the supplement, in consultation with the Assistant Director of HR and Organisational Development and the relevant Executive Director or Deputy Chief Executive.

14.6. Honorarium and other temporary additional payments:

Under the Council's scheme of delegation to officers, the Deputy Chief Executive, Executive Directors, Directors and Deputy/Assistant Directors are authorised to approve additional payments in the circumstances described below:

(a) **'Acting-up'** - The employee will either receive the 'rate for the job' that they are covering if they are undertaking the full range of duties and responsibilities. As a minimum, this means that they will be paid at the first spinal column point of the grade of the post that they are acting up into. If the employee is not undertaking the full range of duties of a higher graded post, then an acting up allowance will be paid. The allowance will be a percentage of the difference between the first point on the grade of the post being covered and the employee's current salary equivalent to the percentage proportion of higher responsibility being undertaken.

(b) **Honorarium payments** - Where an employee is undertaking work on a project or discrete piece of work which would fall outside of the normal range of duties expected for their particular post, then the employee shall be eligible for an honorarium payment for the duration of the project.

The level of payment made should be determined with regard to the level of responsibilities being undertaken and this should be determined with regard to the Council's Job Evaluation Scheme. All such payments must be approved by the Assistant Director of HR and Organisational Development to ensure proper application of the Council's policy.

The employee will be paid an amount appropriate to the proportion of their time being spent working at this higher level on a monthly basis for the duration of the project / programme.

15. NON-PAY ELEMENTS AND BENEFITS

15.1. Annual Leave: The following annual leave entitlements apply

- The minimum annual leave allowance (on appointment) will be 24 days per year
- There will be an additional 5 days at 5 years continuous local government service (granted from anniversary of start date).
- There will be an additional 3 days at 10 years Reading Borough Council service (granted from following 1 April).
- The minimum annual leave allowance (on appointment) will be 30 days per year for the senior pay group
- The maximum annual leave allowance for all staff will be 32 days.

15.2. **Salary Sacrifice Schemes / Employee discount schemes:** All employees can access salary sacrifice schemes for childcare vouchers, Kennet Day Nursery, Added Voluntary Contributions (AVCs), bicycle purchase, and lease cars. There are also non-subsidised employee discount schemes.

15.3. **Flexible Working:** All employees can access flexible working arrangements subject always to the needs of the service.

15.4. **Car Allowances / Expenses:** The Council will meet or reimburse authorised travel, subsistence and (exceptionally) accommodation costs for attendance at necessary and approved meetings and training events. The Council does not regard such costs as remuneration but as non-pay operational costs. This policy is applied consistently to the Head of Paid Service, chief officers and other employees. The locally determined car allowance reimbursement rate for necessary and approved work-related travel is 45p

per mile for **all authorised car users**. No other car allowance (e.g. monthly lump sum) is payable to any employee.

16. TERMINATION OF EMPLOYMENT

- 16.1. Under the Council's Officer Employment Procedure Rules, the decision to effect dismissal or retirement on the grounds of redundancy or efficiency of the service is a decision of Personnel Committee for posts at Deputy/Assistant Director and above. The decision is delegated to the relevant Executive Director or Deputy Chief Executive for all posts below this level.
- 16.2. However, the final decision as to the compensation to be paid as a result of such dismissal decisions, **for all posts**, is a decision of Personnel Committee. Personnel Committee also need to approve any employee requests for early retirement which require employer consent and entail a cost to the Council.
- 16.3. Each of the proposals presented to the Committee must first be considered and agreed by an officer panel comprising the Director of Finance (S151 Officer), Monitoring Officer and the Assistant Director of HR and Organisational Development. This panel is established to monitor applications on the basis of consistency, legality and financial prudence. In terms of financial prudence, each case must demonstrate a 'payback period' within one year, or, exceptionally, two years in 'efficiency of the service' cases if sufficient service and efficiency benefits to the Council can be demonstrated. This Panel also assesses associated questions e.g. exercise of exceptional discretion; reasonableness of alternative employment in redundancy cases etc.
- 16.4. In the event that the compensation to be paid exceeds £100,000 in total, then full Council will be offered an opportunity to vote on the matter prior to approval.
- 16.5. **Discretionary Enhancement of Redundancy Payments:** The policy for the award of any discretionary payments is the same for all staff regardless of their pay level. Redundancy payments under regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006 provide discretion to pay up to an overall lump sum of 2 times the statutory redundancy payment formula based on actual weeks' pay, capped at 52 weeks' pay (may be adjusted following consultation). This is payable to employees made redundant with 2 or more years continuous service regardless of their age. Discretionary compensation can be reduced in cases where an offer of suitable alternative employment is deemed to have been unreasonably refused.
- 16.6. **Settlement Agreements:** In exceptional circumstances, and specifically so as to settle a claim or potential dispute the Assistant Director of Legal and Democratic Services can agree payment of a termination settlement sum (subject to a decision of Personnel Committee if outside the normal framework for termination payments as set out in this section).
- 16.7. **Policy on Re-Employment:** The policy for re-employment following redundancy / efficiency termination is the same for all staff regardless of their pay level. Employees in receipt of compensation payment for loss of employment which has had discretionary enhancements applied to it are not permitted to take up employment with Reading Borough Council within 12 months of the ending of their current employment.
- 16.8. **Flexible Retirement:** In accordance with Superannuation Regulations, rather than continuing in their current job to age 65 employees can, on or after age 55 and with Council consent, reduce their hours of work or the grade in which they are employed and draw (some or all of) their accrued pension benefits whilst continuing in employment and building up further benefits in the Scheme - enabling them to ease into retirement. Employees must be 55 or over and have 3 or more months' membership in the LGPS (including transferred rights) in order to be eligible to make a flexible retirement request following a reduction in hours or grade. Pension benefits will

normally be reduced if paid before age 65. This policy is open to all employees, subject to financial requirements being met (net savings to the Council and a pay back period of no more than 2 years).

17. PENSION DISCRETIONS

17.5. The Council's current policy statement on the use of discretions under the relevant Superannuation Regulations is attached as **Annex E**.

18. PAY PROTECTION

18.5. The Council's pay protection policy is approved by the Personnel Committee as part of the Employment Stability Agreement. The policy provides a mechanism for assisting employees to adjust to a reduction in pay as a result of organisational change.

19. PUBLICATION OF INFORMATION ON THE REMUNERATION OF STAFF

19.5. This Pay Policy Statement will be published on the Council's website. In addition, details of all posts paid above £50,000 will be published.

20. AMENDMENTS TO THE POLICY

20.5. As the policy covers the period April 2021 to the end of March 2022, amendments may need to be made to the policy throughout the relevant period. As the Localism Act 2011 requires that any amendments are approved by the Council by resolution, proposed amendments will be reported to Personnel Committee for recommendation to the Council.

21. POLICY FOR FUTURE YEARS

21.5. This policy statement will be reviewed each year and will be presented to Council each year for consideration in order to ensure that a policy is in place for the authority prior to the start of each financial year.

PAY POLICY STATEMENT - ANNEX A

The Secretary of State for CLG Code of Recommended Practice for Local Authorities on Data Transparency indicates that local authorities should publish the following data concerning staff:

- Salaries, job descriptions, responsibilities, budgets (including overall salary cost of staff reporting), and numbers of staff for all staff in receipt of a salary of more than £50,000
- An organisational chart of the staff structure of the authority including salary bands and details of currently vacant posts
- The 'pay multiple' - the ratio between the highest paid salary and the median average salary of the whole authority workforce

The Accounts and Audit (England) Regulations (2011) require that the following data is included in the authority's accounts:

- Numbers of employees with a salary above £50k per annum (pro-rata for part-time staff) in multiples of £5k
- Job title, remuneration and employer pension contributions for senior officers. Senior officers are defined as Head of Paid Service, Statutory Chief Officers and Non-Statutory Chief Officers by reference to Section 2 of the 1989 Local Government & Housing Act.
- Names of employees paid over £150k per annum

For the above remuneration is to include:

- Salary, fees or allowances for the current and previous year
- Bonuses paid or receivable for the current and previous year
- Expenses paid in the previous year
- Compensation for loss of employment paid to or receivable, or payments made in connection with loss of employment
- Total estimated value of non-cash benefits that are emoluments of the person

For the above pension contributions to include:

- The amount driven by the authority's set employer contribution rate
- Employer costs incurred relating to any increased membership or award of additional pension

PAY POLICY STATEMENT - ANNEX B

GOVERNANCE ARRANGEMENTS FOR PAY AND CONDITIONS OF SERVICE

[Note: these provisions are subject to amendment as the source documents are amended]

1.1. Constitution of Reading Borough Council

Part 3.3 Responsibility for Council Functions (Schedule 1, Part 2):

37. Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for dismissal)	Section 112 of the Local Government Act 1972.	Personnel Committee General Delegation to Deputy Chief Executive, Executive Directors, Directors and Deputy/Assistant Directors
40. Power to appoint officers for particular purposes (appointment of “proper officers”)	Section 270(3) of the Local Government Act 1972	Personnel Committee
43. Duty to designate officer as head of the authority’s paid service, and deputy head of paid service and to provide staff, etc	Section 4(1) of the Local Government & Housing Act 1989 (c. 42)	Council

1.2. The Officer Employment Procedure Rules are in Part 4 of the Constitution.

PAY POLICY STATEMENT - ANNEX C

SUMMARY OF CONDITIONS OF SERVICE

Chief Executive

The terms and conditions for the Head of Paid Service are as set out by the Joint Negotiating Committee (JNC) for Chief Executives, and as amended locally. Pay is determined locally.

Deputy Chief Executive and Executive Directors

The terms and conditions for the Deputy Chief Executive and Executive Directors are in accordance with the Scheme of Conditions of Service agreed by the National Joint Negotiating Committee for Chief Officers, and as amended locally. Pay is determined locally.

Directors and Deputy/Assistant Directors (third tier - i.e. reporting directly to the Head of Paid Service, Deputy Chief Executive or an Executive Director)

The terms and conditions for Directors and Deputy/Assistant Directors are as set out by the Joint Negotiating Committee (JNC) for Chief Officers, and as amended locally. Pay is determined locally.

NJC Staff

The Terms and conditions for NJC staff are determined by the National Joint Council (NJC) for Local Government Services, and as amended locally.

Craft Employees

The Terms and conditions for NJC staff are determined by the National Joint Council (NJC) for Craft and Associated Employees, and as amended locally.

Teachers

The terms and conditions for Teachers are as set out in the School Teachers Pay and Conditions Document.

Soulbury Staff

The Soulbury Committee determines the national salary framework for Soulbury staff and terms and conditions, as amended locally.

Youth Workers

The terms and conditions for Youth Workers are as determined by the Joint Negotiating Committee (JNC) for Youth and Community Workers, and as amended locally.

Coroners

The terms and conditions for Coroners are set by the Joint Negotiating Committee for Coroners, and as amended locally.

PAY POLICY STATEMENT - ANNEX D

Council Employees in Salary Bands as at 01.04.2020

Grade Bandings		Total Staff	Women		BME			Disability		
			No	%	No	ND	%	No	ND	%
RG1	Up to 18,562	35	19	54.29%	4	2	12.12%	3	5	10.00%
RG2	19,312	98	55	56.12%	30	8	33.33%	2	20	2.56%
RG3	21,748	280	192	68.57%	41	15	15.47%	10	32	4.03%
RG4	27,041	431	264	61.25%	56	21	13.66%	20	36	5.06%
RG5	32,234	316	190	60.13%	47	6	15.16%	11	17	3.68%
RG6	36,922	212	117	55.19%	27	9	13.30%	7	17	3.59%
RG7	42,821	158	95	60.13%	20	6	13.16%	6	10	4.05%
RG8	48,847	90	46	51.11%	14	4	16.28%	3	5	3.53%
RG9	54,878	49	23	46.94%	2	1	4.17%	2	4	4.44%
RG10	58,973	19	16	84.21%	3	2	17.65%	0	1	0.00%
Above 58,973		47	22	46.81%	3	6	7.32%	1	14	3.03%
		1735	1039	59.88%	247	80	14.92%	65	161	4.13%

- 1 - Based on 220 pay bands and earnings
- 2 - As a proportion of employees who have made a positive declaration
- 3 - Excludes schools

**LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2013
STATEMENT OF POLICY ABOUT EXERCISE OF DISCRETIONARY FUNCTIONS
SCHEME EMPLOYER DECLARATION**

The Scheme employer known as **Reading Borough Council** ('the Council') has prepared this written statement of policy in relation to its exercise of certain discretionary functions available under the Local Pension Scheme Regulations 2013. The Scheme employer declares that it will keep this statement under review and publish the statement (and any amendments made thereto) in a place that is easily accessible to all of its eligible Scheme employees and that it will provide to the administering authority the most up to date version of the statement at all times.

**PART A - Formulation of COMPULSORY policy in accordance with Regulation 60 of the
Local Government Pension Scheme Regulations 2013**

Regulation 16 – Additional Pension Contributions

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with **Regulation 16(2)(e)**, or by way of a lump sum in accordance with **Regulation 16(4)(d)**.

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1st April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

Consideration needs to be given to the circumstances under which the Scheme employer may wish to use their discretion to fund in whole or in part an employee's Additional Pension Contributions.

Scheme Employer's policy concerning the whole or part funding of an active member's additional pension contributions

The Council has resolved not to adopt this discretion at this time.

Regulation 30(6) – Flexible Retirement

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the

reduction in hours or grade (*adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State - separate policy required under Regulation 30(8)*).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.

Scheme Employer's policy concerning flexible retirement

The Council has resolved that it will give such an opportunity to its employees. Flexible Retirement under this discretion will be subject to an agreed policy framework. The Council has resolved that waiving actuarial reduction in full or in part will only be considered where there will be a sufficient financial or other benefit to the authority. An exception to this requirement is the employee's exceptionally difficult personal or domestic circumstances

Regulation 30(8) – Waiving of Actuarial Reduction

Where a Scheme employer's policy under regulation 30(6) (flexible retirement) is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued by the Secretary of State (commonly referred to as actuarial reduction or early payment reduction).

A Scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

Scheme Employer's policy concerning the waiving of actuarial reduction

That the Council does not consent to waive any actuarial reduction for staff electing to retire at age 55 or over, unless there is a sufficient financial or other benefit to the Council. An exception to this requirement is the employee's exceptionally difficult personal or domestic circumstances.

Regulation 31 – Award of Additional Pension

A Scheme employer may resolve to award

- (a) an active member, or

(b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1st April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

Scheme Employer's policy concerning the award of additional pension

The Council has resolved not to adopt this discretion at this time

Schedule 2 - paragraphs 2 and 3

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous Regulations.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

Scheme Employer's policy concerning the 'switching on of the 85 year rule

That the Council does not consent to switch on the 85 year rule for staff electing to retire at age 55, unless there is a sufficient financial or other benefit to the Council. An exception to this requirement may be the employee's exceptionally difficult personal or domestic circumstances.

PART B - Formulation of RECOMMENDED policy in accordance with the

Local Government Pension Scheme Regulations 2013

Regulation 9(1) & (3) - Contributions

Where an active member changes employment or there is a material change which affects the member's pensionable pay during the course of a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

Where the Scheme employer makes such a determination it shall inform the member of the revised contribution rate and the date from which it is to be applied.

Scheme Employer's policy concerning the re-determination of active members' contribution bandings at any date other than 1st April

The Council shall re-determine contribution rates on 1st April each year only. Staff joining the scheme shall be placed in a contribution band consistent with their contracted, actual pay in the first instance except for casual staff who shall initially be placed on the lowest contribution band. The banding placement for individual staff shall be re-determined wef from the 1st April only in subsequent years following initial placement and adjusted as necessary in the light of the pensionable pay actually earned in the previous year (using a '12 month equivalent' calculation for staff who have not worked a full year).

Regulation 17(1) - Additional Voluntary Contributions

An active member may enter into arrangements to pay additional voluntary contributions (AVCs) or to contribute to a shared cost additional voluntary contribution arrangement (SCAVCs) in respect of an employment. The arrangement must be a scheme established between the appropriate administering authority and a body approved for the purposes of the Finance Act 2004, registered in accordance with that Act and administered in accordance with the Pensions Act 2004.

The Scheme employer needs to determine whether or not it will make contributions to such an arrangement on behalf of its active members

Scheme Employer's policy concerning payment of Shared Cost Additional Voluntary Contributions

The Council will pay SCAVC contributions where an employee has elected to pay AVCs by salary sacrifice. The amount of these employer SCAVC contributions will not exceed the amount of salary sacrificed by the employee. This is a Council discretion which is subject to the employee meeting the Council's conditions for acceptance into the salary sacrifice shared cost AVC scheme and may be withdrawn or changed at any time.

Regulation 22 - Merging of Deferred Member Pension Accounts with Active Member Pension Accounts

A deferred member's pension account is automatically aggregated with their active member's pension account unless the member elects within the first 12 months of the new active member's pension account being opened to retain their deferred member's pension account.

A Scheme employer can, at their discretion, extend the 12 month election period.

Scheme Employer's policy concerning merging of Deferred Member Pension Accounts with Active Member Pension Accounts

The Council has resolved not to extend the time limit for election beyond 12 months.

Regulation 100(6) - Inward Transfers of Pension Rights

A request from an active member to transfer former pension rights from a previous arrangement into the Local Government Pension Scheme as a result of their employment with a Scheme employer must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment (or such longer period as the Scheme employer and administering authority may allow).

Scheme Employer's policy concerning the extension of the 12 month transfer application period

The Council has resolved not to extend the time limit for election beyond 12 months.

Regulation 21(5) - Assumed Pensionable Pay

A Scheme employer needs to determine whether or not to include in the calculation of assumed pensionable pay, any 'regular lump sum payment' received by a Scheme member in the 12 months preceding the date that gave rise to the need for an assumed pensionable pay figure to be calculated.

Scheme Employer's policy concerning inclusion of 'regular lump sum payments' in assumed pensionable pay calculations

That the Council does include in such calculations an element for 'regular lump sum payment' where it is fair, equitable and justifiable to do so.

Regulation 74 - Applications for Adjudication of Disagreements

Each Scheme employer must appoint a person ("the adjudicator") to consider applications from any person whose rights or liabilities under the Scheme are affected by:

- (a) a decision under regulation 72 (first instance decisions); or
- (b) any other act or omission by a Scheme employer or administering authority,

and to make a decision on such applications.

Responsibility for determinations under this first stage of the Internal Disputes Resolution Procedure (IDRP) rests with "the adjudicator" as named below by the Scheme employer:

Name: Michael Graham
Job Title: Assistant Director of Legal and Democratic Services
Address: Civic Centre, Reading, Tel No:0118 9373470
Email: michael.graham@reading.gov.uk

SCHEME EMPLOYER CONFIRMATION

It is understood that the discretions contained within this statement of policy are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that any new policy takes effect. The revised statement must be sent to the administering authority and the employer must publish its statement as revised in a place that is accessible to all of its eligible scheme members.

The policies made above:

Have regard to the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service;

Will not be used for any ulterior motive;

Will be exercised reasonably;

Will only be used when there is a real and substantial future benefit to the employer for incurring the extra costs that may arise;

Will be duly recorded when applied.

Name in Block Capitals:	JACQUELINE YATES
Position:	DEPUTY CHIEF EXECUTIVE
Scheme Employer's Name:	READING BOROUGH COUNCIL

PAY POLICY STATEMENT - ANNEX F

KEY PAY SCALES FOR COUNCIL STAFF (1ST APRIL 2020)

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READING BOROUGH COUNCIL

REPORT BY ASSISTANT DIRECTOR FOR HR AND ORGANISATIONAL DEVELOPMENT

TO:	PERSONNEL COMMITTEE		
DATE:	17 MARCH 2021		
TITLE:	EQUALITY, DIVERSITY AND INCLUSION UPDATE		
LEAD COUNCILLOR:	CLLR EMBERSON	PORTFOLIO:	CORPORATE AND CONSUMER SERVICES
LEAD OFFICER:	SHELLA SMITH	TEL:	0118 937 4697
JOB TITLE:	ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT	E-MAIL:	Shella.smith@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To present Personnel Committee with an update on the work being done to advance Equality, Diversity and Inclusion at the Council.
- 1.2 This report also presents the Council's Gender Pay Gap Report for 2020, and for the first time, an Ethnicity Pay Gap Report which is also for 2020.
- 1.3 Appendices

Appendix 1 - Gender Pay Gap Report for 2020
Appendix 2 - Ethnicity Pay Gap Report for 2020

2. RECOMMENDED ACTION

- 2.1. That the progress made to advance Equality, Diversity and Inclusion at the Council be noted;
- 2.2. That the Gender Pay Gap and Ethnicity Pay Gap Reports for 2020 be noted.

3. ADVANCING EQUALITY, DIVERSITY AND INCLUSION AT THE COUNCIL

- 3.1 On 19 November 2020, Personnel Committee received a report on the Council's Equality Audit for 2019/20, and on progress made towards meeting the requirements set out in the Tackling Employment Inequality Motion agreed by Council on 20 October 2020.
- 3.2 Since this time, the following actions have been completed to advance Equality, Diversity and Inclusion at the Council.

3.2.1 Promotion of the Equality Audit for 2019/20

The Equality Audit was promoted to staff through the Chief Executive's weekly email and on the intranet. It was shared with the Joint Trade Unions before publication and their comments were incorporated in the final version. An [Equality, Diversity and Inclusion page](#) has been created on the Council's website which sets out our approach and includes key information about our workforce, including the Equality Audit which can be accessed in full, the Gender Pay Gap and the People Strategy.

3.2.2 The Race at Work Charter

The Council signed Business in the Community's (BITC) [Race at Work Charter](#) in November 2020, which is an initiative designed to improve outcomes for black, Asian and minority ethnic (BAME) employees in the UK. This has been promoted to staff internally through the Chief Executive's weekly email and the intranet. Partner organisations received a letter from the Leader and Chief Executive to confirm that that we have signed the Charter and setting out our commitment to ensure that the Council is an employer that shows leadership and ambition in employment and equality. The letter also included a link to the Equality Audit findings.

3.2.3 Equality, Diversity and Inclusion Audit

We have commissioned Business in the Community (BITC) to review the Council's approach to Equality, Diversity and Inclusion. BITC will review our policies, processes and initiatives, as well as gaining insights into the experiences of our employees across seven key areas: Strategy, Leadership, Recruitment, Staff, Employee Engagement, Pay Gaps and Life Balance.

There are three stages to the review:

1. Review existing infrastructure (including policies and workforce monitoring data and through interviews with key stakeholders)
2. Listen to employees
3. Provide a report with recommendations for future actions and strategic interventions (due by end of March 2021)

During Stage 1, BITC will meet with the following stakeholders:

- Cllr Brock, Leader of the Council
- Cllr Emberson, Lead Councillor for Corporate and Consumer Services
- Cllr Barnett-Ward, Lead Councillor for Neighbourhoods and Communities

- Peter Sloman, Chief Executive
- Jackie Yates, Executive Director of Resources
- Frances Martin, Executive Director of Economic Growth and Neighbourhood Services
- Seona Douglas, Executive Director of Social Care and Health
- Shella Smith, AD for HR and Organisational Development
- Trade union leads from GMB, NEU, Unison and Unite

During stage 2, BITC will run five staff focus groups; each providing an opportunity for 10-12 colleagues to come together to discuss their perceptions and experiences of inclusion at the Council. Each session will be facilitated by BITC experts and will be confidential 'safe spaces'. Everything BITC hear will only be shared anonymously (unless explicit consent is provided). One of the groups will be for staff who work in frontline roles in the community. There will be two sessions for staff from ethnically and culturally diverse backgrounds. The other two sessions will be for anyone to come along to. The focus groups have been advertised in the Chief Executive's email, on the intranet, in *On the Frontline* (newsletter for staff in Environmental and Commercial Services) and through direct email to managers of frontline staff and members of the Cultural Unity, Diversity and Inclusion Network.

3.2.4 Cultural Unity, Diversity and Inclusion Network

The first meeting of a group for staff from different ethnic and cultural backgrounds took place on 10 December 2020. The focus of the meeting was on networking and discussing what participants would like to achieve from the group. They are now deciding on their terms of reference, meeting arrangements and key areas of interest. Support has been provided to the group for promotion, communication, meeting arrangements etc, by the AD for HR and Organisational Development.

3.2.5 Healthy and Ethical Workplace - support for the Directorate of Social Care and Health

Seona Douglas, Director of Social Care and Health, has instigated a culture change programme running over two years within the directorate. The programme aims to address several issues around behaviours, including presenteeism and absenteeism. The Organisational Development and Learning team within HR is supporting the roll out of the programme which is called "DACHS Energise - It starts with me". We are working in partnership with Ethical Reading on an intervention based on achieving a Healthy and Ethical Workplace. The vision for the programme is to achieve a vibrant, values based and ethical culture:

"Where everyone is respected, treated fairly and with compassion. Everyone accepts their responsibilities whilst acting with integrity in a spirit of collaboration. People understand how their role fits into the overall purpose of the department."

The programme will involve every member of the directorate, starting with a benchmarking survey to assess current state, followed by 6-monthly 'pulse surveys' throughout the programme to check progress. There will be Core Healthy and Ethical Workplace training, together with mental health awareness training, for all staff; starting with the senior management team and management layer first. Delivery of the programme is due to begin in May 2021.

Members of the HR and OD team have also received training and support from Ethical Reading to be able to deliver the Healthy and Ethical Workplace workshops in other directorates. The work in the Directorate of Social Care and Health could therefore also be a 'pilot' for a wider roll-out in the Council, subject to CMT's agreement.

4. GENDER PAY GAP REPORT 2020

- 4.1 The gender pay gap is calculated as the difference between average hourly earnings (excluding overtime) of men and women as a proportion of average hourly earnings (excluding overtime) of men's earnings. For example, a 4.0% gender pay gap denotes that women earn 4.0% less per hour, on average, than men. Conversely, a negative 4.0% gender pay gap denotes that women earn 4.0% more, on average, than men.
- 4.2 Nationally, the gender pay gap has been declining slowly in recent years. In April 2020 for full-time employees only, it was 7.4%, down from 9.0% in April 2019. Among all employees the gap fell from 17.4% in 2019 to 15.5% in 2020. The gender pay gap is higher for all employees because women fill more part-time jobs which have lower hourly median pay than full-time jobs and are more likely to be in lower-paid occupations.
- 4.3 An employer must comply with the regulations for any year where they have a 'headcount' of 250 or more employees on the 'snapshot date'. For local authorities the snapshot date is 31 March each year.
- 4.4 Organisations must publish the following information:
 - Their mean gender pay gap
 - Their median gender pay gap
 - Their mean bonus gender pay gap
 - Their median bonus gender pay gap
 - Their proportion of males and females receiving a bonus payment
 - Their proportion of males and females in each quartile pay band
- 4.5 The information must be published on both the employer's website and on the Government Equalities Office website. An employer should then use that information to help understand any underlying causes for their gender pay gap and take suitable steps to minimise it. Benefits will differ between employers but can include developing a reputation for being a fair and progressive employer, attracting a wider pool of potential recruits for vacancies and the enhanced productivity that can come from a workforce that feels valued and engaged in a culture committed to tackling inequality.
- 4.6 Appendix 1 shows the Council's gender pay gap information for 2020; the mean gender pay gap is 4.71% and the median is 2.53%. This is based on data at the snapshot date of 31 March 2020. A mean average is calculated by totaling all the values in a dataset; this total is then divided by the number of values that make up the dataset. The median of a group of numbers is the number in the middle, when the numbers are in order of magnitude.

- 4.7 The Council is in a good position. Most organisations have a much larger gender pay gap, with a mean for the whole economy of 15.5% for 2020. This reflects the Council's aspiration to be a fair and inclusive employer, making best use of its talent regardless of gender. The figures also show an improvement compared to the 2019 report, where the mean was 4.99% and the median was 5.05%.
- 4.8 The Local Government Association published a comparison of gender pay data for local authorities based on 2019 figures (the data for 2020 does not have to be published until 30 March 2021 so this is the latest data available). For the mean gender pay gap, on average, women were paid 6.1% less than men. The values varied between -18.0% (women were paid more than men) and 23.9%. For the median data, on average, women were paid 4.0 per cent less than men. The median gender pay gap for unitary authorities was 6.5%. This shows that the Council's median pay gap of 2.53% compares well to other local authorities.

5. ETHNICITY PAY GAP REPORT 2020

- 5.1 Unlike the gender pay gap, large organisations are not yet legally required to publish their ethnicity pay gap. However, the Council believes it is important to be transparent, so we have decided to voluntarily publish our data for the first time this year. In a year where there has been a spotlight on ethnic diversity, it is important that the Council continues to be open and reflect on what we are doing both internally and externally to support diversity and inclusion.
- 5.2 The ethnicity pay gap is the percentage difference in the average hourly rate of pay of white and BAME employees. We have calculated our ethnicity pay gap using the same methodology set out in the Government regulations for calculating the gender pay gap. However, unlike gender, our ethnicity disclosure rate is not at 100% (currently it stands at 93.5%); any individuals with undisclosed ethnicities have been excluded from the calculations in line with the Government regulations for gender pay.
- 5.3 The Council's Ethnicity Pay Gap report is attached at Appendix 2. It is based on data at the snapshot date of 31 March 2020. The mean ethnicity pay gap is 6.88% and the median is 0.28%.
- 5.4 Nationally, in 2019 (the latest data available¹), the median hourly pay for those in White ethnic groups was £12.40 per hour compared with those in ethnic minority groups at £12.11 per hour - a pay gap of 2.3%, its narrowest level since 2012. The median pay gap was at its largest in 2014, at 8.4%. The Council's median pay gap of 0.28% compares favourably to the national figure which reflects our aspiration to be a fair and inclusive employer that values talent regardless of the person's ethnicity or other protected characteristics.
- 5.5 The majority of employees at the Council (79.6%) are white. The proportion of BAME employees is 13.8%. There are more white employees than BAME employees at every pay quartile, with the highest proportion (16%) in the lower quartile.

¹ Source: Office for National Statistics - Annual Population Survey 2019

5.6 Pay grade RG10 has the greatest proportion of BAME employees (23.08%), which is higher than the overall proportion of BAME employees at the Council (13.8%). Job roles that fall into this grade are primarily service managers, solicitors and business partner roles. 100% of the BAME employees in this pay band are full-time. The pay rate for RG10 (based on the pay scales for 2020/21) is £54,878 to £58,973 per annum.

5.7 The proportion of BAME employees at senior management level grades is low at only 3.13%. This group includes employees with earnings above £53,291 per annum.

6. NEXT STEPS

6.1 Team Reading Equality, Diversity and Inclusion Plan

A Team Reading Equality, Diversity and Inclusion Action Plan will be created to enable more effective monitoring of progress towards increasing equality, diversity and inclusion at Council, and better reporting to the Corporate Management Team and Personnel Committee. It will be created using insights from the BITC Equality, Diversity and Inclusion audit findings, as well as the Equality Audit 2019/20 findings and the Gender and Ethnicity Pay Gap reports. BITC's findings and recommendations are expected in April 2021.

7. CONTRIBUTION TO STRATEGIC AIMS

7.1 Advancing equality, diversity and inclusion within the Council's workforce enables moving to a position where our workforce represents the community it serves and ensuring a Council that is fit for the future.

8. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

8.1 None.

9. COMMUNITY ENGAGEMENT AND INFORMATION

9.1 We will continue to use the [Equality, Diversity and Inclusion page](#) on the Council's website to set out our approach and enable access to key information about our workforce, including the Equality Audit which can be accessed in full, the Gender and Ethnicity Pay Gap Reports and the People Strategy.

9.2 The following steps will be taken to publish the Council's Gender and Ethnicity Pay Gap Reports:

- Published on the Council's website
- Published on the Government Equalities Office website (Gender Pay only)
- An item will be included in the Chief Executive's Friday email to highlight the gender and ethnicity pay gap information in a proactive way to staff
- The reports will be presented to Personnel Committee on 17 March 2021 for members to note
- A press statement will be issued to seek to bring the report to the attention of local media, residents and businesses.

10. EQUALITY IMPACT ASSESSMENT

10.1 An Equality Impact Assessment is not required for the issues covered by this report.

11. LEGAL IMPLICATIONS

11.1 Under the Equality Act 2010, a public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Council has a duty to publish workforce and employment information to demonstrate compliance with this duty. This report supports the Council to fulfil this duty.

12. FINANCIAL IMPLICATIONS

12.1 None

13. BACKGROUND PAPERS

[Reading Borough Council Workforce Equality Audit 2019/20](#)
Business in the Community- [Race at Work Charter](#)

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READING BOROUGH COUNCIL
GENDER PAY GAP REPORT FOR 2020

1 PURPOSE OF THE REPORT

- 1.1 From April 2017, under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, employers with 250 or more employees are required to publish statutory gender pay gap calculations every year.
- 1.2 To make the calculations, data must be gathered from the Council's payroll from a specific date each year. This specific date is called the 'snapshot date', which is 31 March for public sector organisations.
- 1.3 The calculations must be published on the Council's website and the Government Equalities Office website by 30 March 2021. This report sets out the figures that will need to be published and an analysis of the information.

2 INTRODUCTION AND BACKGROUND

- 2.1 The information that is required for publication is shown below. The averages used are mean and median. A mean average is calculated by totaling all the values in a dataset; this total is then divided by the number of values that make up the dataset. The median of a group of numbers is the number in the middle, when the numbers are in order of magnitude.

Mean gender pay gap	The difference between the mean hourly rate of pay of male full-pay relevant employees (FPREs) and that of female full-pay relevant employees.
Median gender pay gap	The difference between the median hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees.
Mean bonus gap	The difference between the mean bonus pay paid to male relevant employees and that paid to female relevant employees.
Median gender pay gap	The difference between the median bonus pay paid to male relevant employees and that paid to female relevant employees.
Bonus proportions	The proportions of male and female relevant employees who were paid bonus pay during the relevant period.
Quartile pay bands	The proportions of male and female full-pay relevant employees in the lower, lower middle, upper middle and upper quartile pay bands.

- 2.2 For the purpose of this report, the workforce profile as at the ‘snapshot date’ date of 31 March 2020 was 1925 full-pay relevant employees (FPREs), which is made up by 1165 (60.5%) women and 760 (39.5%) men. The proportion of men and women has not changed since the last Gender Pay Gap Report.
- 2.3 In accordance with [Government’s guidance](#), data for school staff is not included in this report. The Council’s data also excludes the children’s services workforce which transferred to Brighter Futures for Children (BFfC) on 1 December 2018. BFfC are required to report their gender pay gap separately.
- 2.4 The figures in this report have been calculated in accordance with the Government’s guidance by the Data Team in HR and Organisational Development. The highlighted figures in each table are those that will require publication.
- 2.5 In relation to gender identity, if an employee does not self-identify as either male or female, the individual would be omitted from the calculations in accordance with the Government’s guidance. For the Council’s report, 100% of employees had disclosed their sex so there was no requirement to omit any data for this reason.

Table 1 - Mean and median gender pay gap

	Men	Women	Women’s earnings are:
Mean Hourly Rate	£15.89	£15.14	4.71% lower
Median Hourly Rate	£13.99	£13.64	2.53% lower

Table 2 - Mean and median gender pay gap in bonus payments

	Men	Women	Women’s bonuses are:
Mean amount of bonus	£1,000.00	£1,000.00	0% higher
Median amount of bonus	£1,000.00	£1,000.00	0% higher

Table 3 - Proportion of men and women who received a bonus

	Men		Women	
FPREs Total	722		1116	
Proportion of all those receiving a bonus	1	0.13%	4	0.36%

3 ANALYSIS

- 3.2 The Council's mean (4.71%) and median (2.53%) gender pay gap (as shown in **Table 1**) have reduced compared to the 2019 figures which were 4.99% and 5.05% respectively. They also compare favourably with the national average gender pay gap figure of 15.5% in 2020 (which is down from 17.4% in 2019).
- 3.3 **Tables 2 and 3** reflect a small group of employees who received "bonuses" in the relevant period. The Council does not have provision for the payment of bonuses within its terms and conditions. However, long service awards in the form of money meet the government's definition of "bonus" for this report.
- 3.4 Long service awards at the Council are in recognition of achieving 20 years' continuous service. The Council is currently running two long service award schemes with varying cash values:
- A one-off money award of £1,000 for those achieving long service with either the Council or a combination of the Council and Berkshire County Council, with the provision for employees to "trade in" all or part of the award for additional days' leave, currently at the rate of £100 per day; or;
 - £573 plus double leave for achieving 20 years' service for employees appointed by the Council before 1 April 1999.
- 3.4 Five employees received long services awards, and in all cases, this was a one-off award of £1,000. This was paid to 1 man and 4 women. This translates into a 0% pay gap, as shown in **Table 2**.
- 3.5 Based on how the gender pay gap is calculated, although the gap is small, it still exists within the Council as its workforce is predominantly women (60.5%). There are more women than men at every pay quartile, yet over half of women are in the lower and lower middle pay quartiles (see **Figures 1 and 2** below).
- 3.6 **Figure 3** illustrates the breakdown of men and women in each pay band. Pay band RG10 has the greatest proportion of women (73.3%), which is higher than the overall proportion of women employed at the Council (60.5%). Job roles that fall into this pay band are primarily service managers, solicitors and business partner roles. 91% of the women in this pay band are full-time.
- 3.7 The proportion of women on Reading Senior Managers grades (i.e. earnings above £53,291 per annum) is 36.8% which is lower than for any other pay grades. It has reduced from 44.4% in 2019. The Chattered Institute of Personnel and Development (CIPD)¹ finds that there are a number of barriers that could hinder women achieving senior positions, e.g. caring responsibilities, full time working being the existing norm for senior roles, career break etc.

¹ CIPD, *Why are there so few women at the top, 2016*, https://www.cipd.co.uk/Images/why-are-there-so-many-women-at-the-top_2016-april_tcm18-14006.pdf

Figure 1 - Proportion of men and women in each pay quartile on 31 March 2020

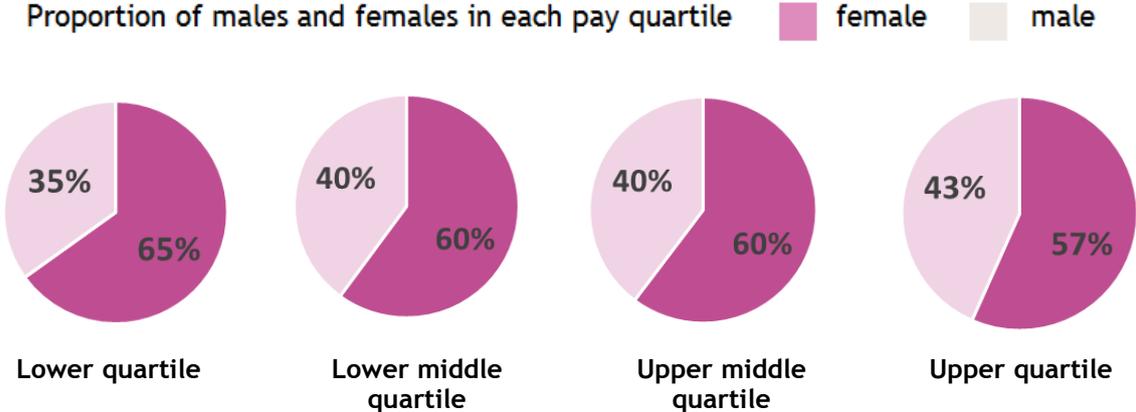


Figure 2 - Number of men and women in each pay quartile on 31 March 2020

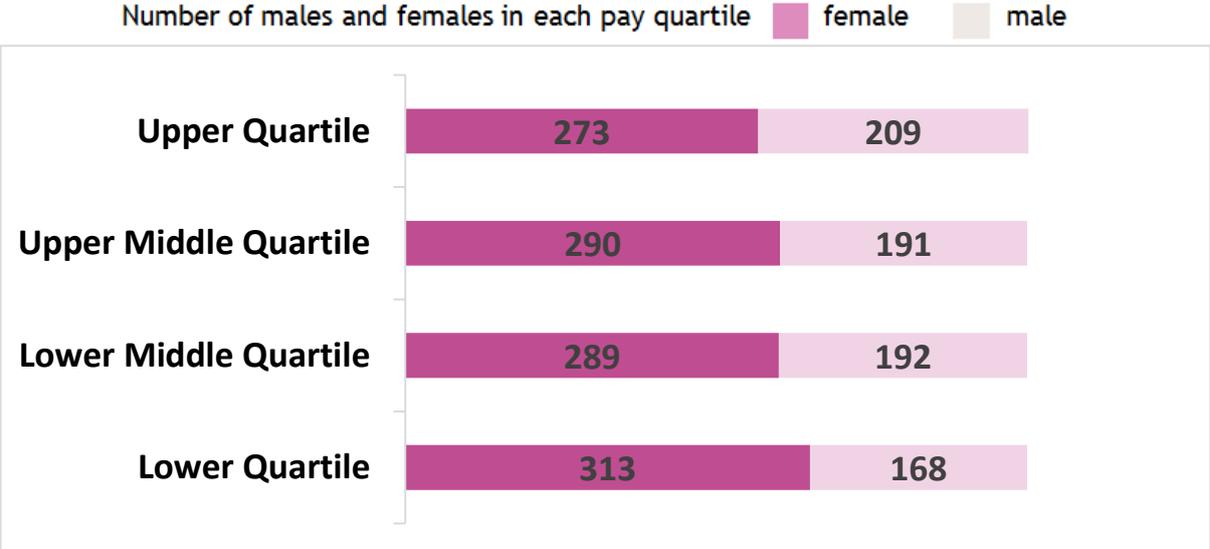
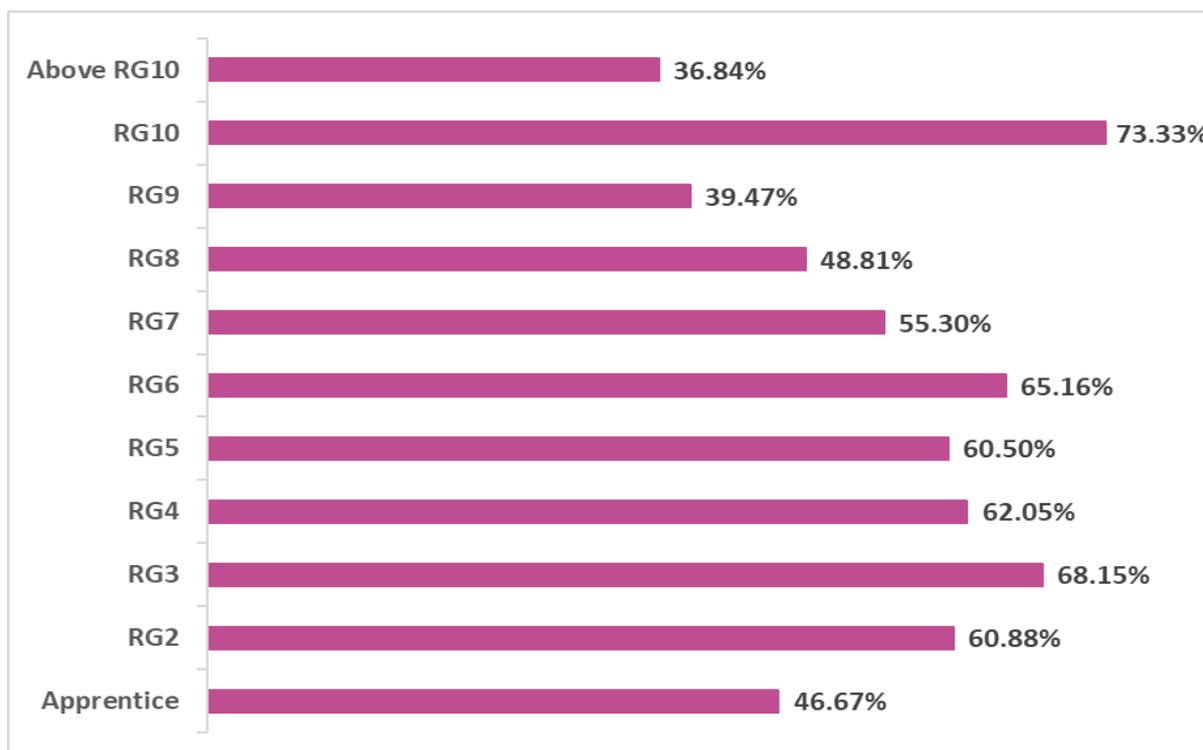


Figure 3 - Proportion of women in each pay band on 31 March 2020



4 CONCLUSIONS

4.1 The small gender pay gap at the Council, which is much lower than the national average, is the result of the long-term effort that the Council has invested to ensure fair pay for all staff, including:

- Promotion of the Council's low gender pay gap through posts on the Council's social media channels.
- Promoting and supporting a number of flexible working policies for all employees within the Council, irrespective of gender, including job share, part time working and term time working. In some areas there is also flexibility to work from different locations.
- Promoting the Council as a great place to work in local schools through the Resourcing team offering to support schools with CV writing workshops, interviews skills etc, whilst also improving employability skills for young people in the borough
- Having a clear policy of paying employees equally for the same or equivalent work, regardless of gender.
- Having an objective job evaluation scheme to ensure pay fairness.
- Formal authorisation process for any changes in pay, including accelerated increments, market supplements and pay at starting appointments.
- Offering the right to request flexible working to all staff.
- Enhanced Shared Parental Pay to mirror contractual Maternity Pay.
- Became an accredited "Living Wage Employer" in 2014 paying the Living Wage set by the Living Wage Foundation (currently £9.50 per hour) as a minimum to all employees at the lower level of the pay structure.

- Engaging with working parents who are home-schooling during the pandemic, to reinforce the Council's flexible working approach.

5 ACTION PLAN

- 5.1 The Council has commissioned Business in the Community (BITC) to review the Council's approach to Equality, Diversity and Inclusion. BITC will review our policies, processes and initiatives, as well as gaining insights into the experiences of our employees, across seven key areas: Strategy, Leadership, Recruitment, Staff, Employee Engagement, Pay Gaps and Life Balance. The insights and recommendations from the audit, as well as the [Equality Audit 2019/20](#) findings, and Gender and Ethnicity Pay Gap reports for 2020, will be used to create a Team Reading Equality, Diversity and Inclusion Action Plan which will be monitored regularly by the Corporate Management Team and Personnel Committee.
- 5.2 Continue to promote the benefits of flexible working practices to employees and managers. In addition, the Council will monitor the take-up of flexible working arrangements by gender and level within the organisation.
- 5.3 Promote the benefits of working for the Council both internally and externally, such as apprenticeship opportunities, flexible working arrangements, diversity commitments etc.
- 5.4 Continue to require recruiting managers to attend the Council's recruitment and selection training which highlights the issue of unconscious bias during recruitment and interview processes.
- 5.5 Continue to ensure that recruiting managers use structured interviews as this is more effective at guarding against unconscious bias by ensuring that all candidates are asked the same questions and are assessed using pre-specified, standardised criteria.
- 5.6 Increase awareness about apprenticeship schemes to encourage more employees to improve their skills and experience giving them the opportunity to progress their career.

READING BOROUGH COUNCIL
ETHNICITY PAY GAP REPORT FOR 2020

1 PURPOSE OF THE REPORT

- 1.1 Unlike the gender pay gap, large organisations are not yet legally required to publish their ethnicity pay gap. However, we believe it is important to be transparent, so we have decided to voluntarily publish our ethnicity pay gap. In a year where there has been a spotlight on ethnic diversity, it is important that the Council continues to be open and reflect on what we are doing both internally and externally to support diversity and inclusion.
- 1.2 While the statistics in this report are a snapshot of our organisation at the end of March 2020, we will also share some of the activities that have taken place since then, which could have an impact on next year’s numbers.
- 1.3 The ethnicity pay gap is the percentage difference in the average hourly rate of pay of white and BAME employees. We calculate our ethnicity pay gap using the same methodology as set out in the Government regulations for calculating the gender pay gap. However, unlike gender, our ethnicity disclosure rate is not at 100% (currently it stands at 93.5%); any individuals with undisclosed ethnicities are excluded from our calculations.

2 INTRODUCTION AND BACKGROUND

- 2.1 We will publish the following information. The averages used are mean and median. A mean average is calculated by totaling all the values in a dataset; this total is then divided by the number of values that make up the dataset. The median of a group of numbers is the number in the middle, when the numbers are in order of magnitude.

Mean ethnicity pay gap	The difference between the mean hourly rate of pay of white full-pay relevant employees (FPREs) and that of BAME full-pay relevant employees.
Median ethnicity pay gap	The difference between the median hourly rate of pay of white full-pay relevant employees and that of BAME full-pay relevant employees.
Mean bonus gap	The difference between the mean bonus pay paid to white relevant employees and that paid to BAME relevant employees.
Median ethnicity pay gap	The difference between the median bonus pay paid to white relevant employees and that paid to BAME relevant employees.
Bonus proportions	The proportions of white and BAME relevant employees who were paid bonus pay during the relevant period.

Quartile pay bands	The proportions of white and BAME full-pay relevant employees in the lower, lower middle, upper middle and upper quartile pay bands.
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- 2.2 For the purpose of this report, the workforce profile as at the ‘snapshot date’ date of 31 March 2020 was 1925 full-pay relevant employees (FPREs), which is made up by 266 (13.8%) BAME employees, 126 (6.5%) of employees who have Not Disclosed (ND), and 1533 (79.6%) white employees.
- 2.3 Data for schools staff is not included. The Council’s data also excludes the children’s services workforce which transferred to Brighter Futures for Children (BFfC) on 1 December 2018.
- 2.4 The figures in this report have been calculated in accordance with the Government’s guidance for gender pay gap reporting by the Data Team in HR and Organisational Development.

Table 1 - Mean and median ethnicity pay gap

	BAME	White	BAME earnings are:
Mean Hourly Rate	£14.54	15.61	6.88% lower
Median Hourly Rate	£13.64	13.68	0.28% lower

Table 2 - Mean and median ethnicity pay gap in bonus payments

	BAME	White	BAME bonuses are:
Mean amount of bonus	£0	£1,000.00	100% lower
Median amount of bonus	£0	£1,000.00	100% lower

Table 3 - Proportion of BAME and white employees who received a bonus

	BAME		White	
FPREs Total	266		1533	
Proportion of all those receiving a bonus	0	0.0%	5	100%

3 ANALYSIS

- 3.1 **Table 1** shows that the Council's mean pay gap is 6.88% and the median pay gap is 0.28%. Nationally, in 2019 (the latest data available¹), the median hourly pay for those in White ethnic groups was £12.40 per hour compared with those in ethnic minority groups at £12.11 per hour - a pay gap of 2.3%, its narrowest level since 2012. The pay gap was at its largest in 2014, at 8.4%. The Council's median pay gap of 0.28% compares favourably to the national median, which reflects our aspiration to be a fair and inclusive employer which values talent regardless of the person's ethnicity or other protected characteristics.
- 3.2 **Tables 2 and 3** reflect a very small group of employees who received "bonuses" in the relevant period. The Council does not pay bonuses within its terms and conditions. However, long service awards in the form of money meet the government's definition of "bonus" for this report.
- 3.3 Long service awards at the Council are given in recognition of achieving 20 years' continuous service. The Council is currently running two long service award schemes with varying cash values:
- A one-off money award of £1,000 for those achieving long service with either the Council or a combination of the Council and Berkshire County Council, with the provision for employees to "trade in" all or part of the award for additional days' leave, currently at the rate of £100 per day; or;
 - £573 plus double leave for achieving 20 years' service for employees appointed by the Council before 1 April 1999.
- 3.4 Five employees received a long service award; all were white employees. This has translated into a 100% gap for both mean and median bonus pay, as shown in **Table 2**.
- 3.5 The majority of employees at the Council (79.6%) are white. The proportion of BAME employees is 13.8%. There are more white employees than BAME employees at every pay quartile, with the highest proportion (16%) in the lower quartile (see **Figures 1 and 2** below).
- 3.6 **Figure 3** illustrates the breakdown of white and BAME employees in each pay grade. Pay grade RG10 has the greatest proportion of BAME employees (23.08%), which is higher than the overall proportion of BAME employees at the Council (13.8%). Job roles that fall into this grade are primarily service managers, solicitors and business partner roles. 100% of the BAME employees in this pay band are full-time. The pay rate for RG10 (based on 2020/21 pay scales) is £54,878 to £58,973 per annum.

¹ Source: Office for National Statistics - Annual Population Survey 2019

3.7 The proportion of BAME employees at senior management level grades is low at only 3.13%. This group includes employees with earnings above £53,291 per annum.

Figure 1 - Proportion of White, BAME and Not Declared (ND) employees in each pay quartile on 31 March 2020

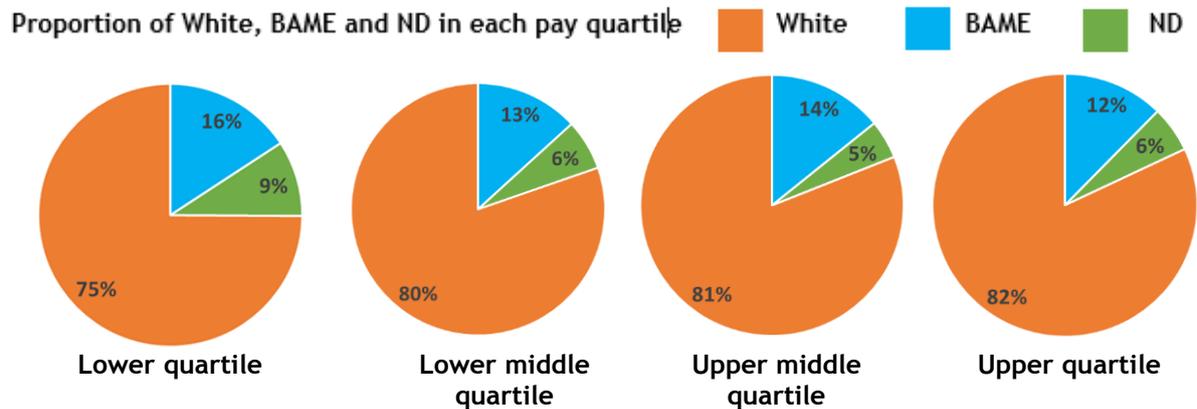


Figure 2 - Number of White, BAME and Not Declared (ND) employees on 31 March 2020

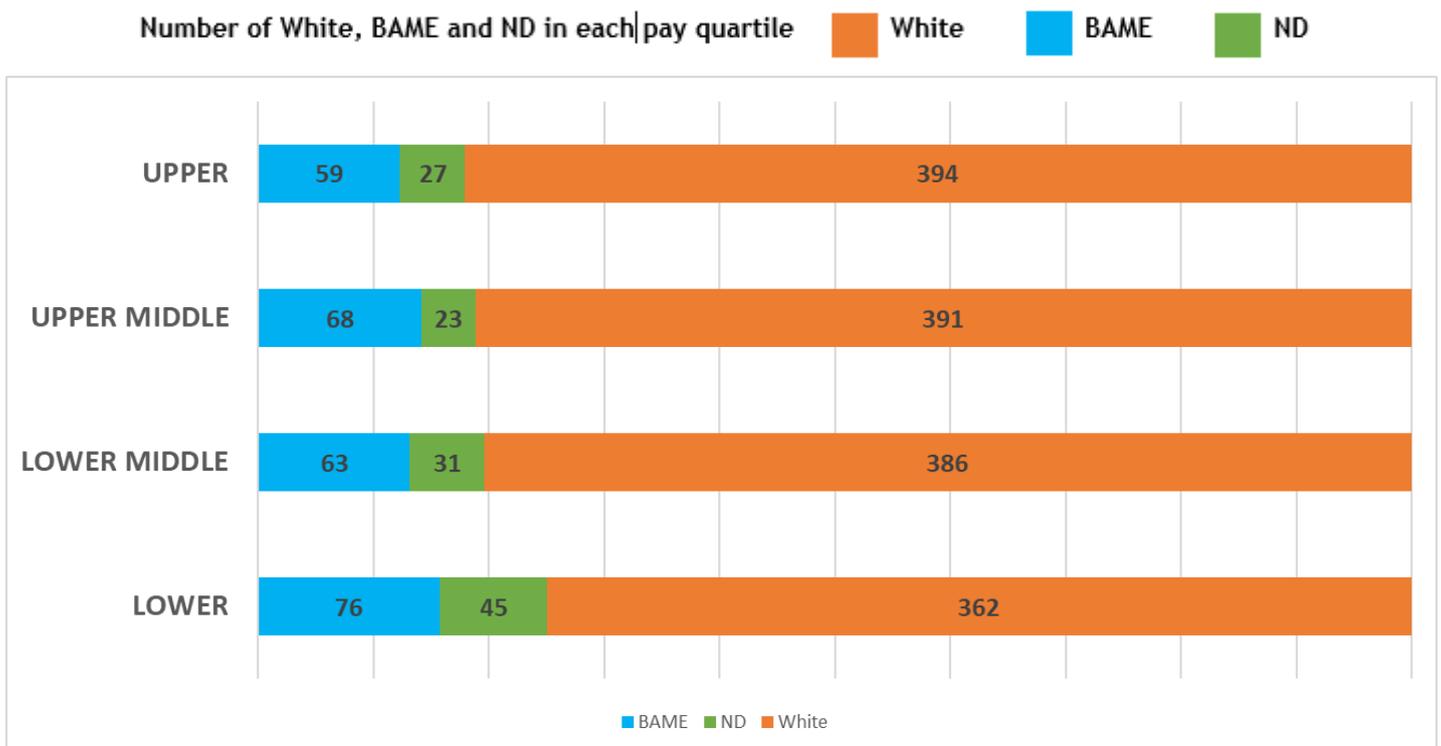
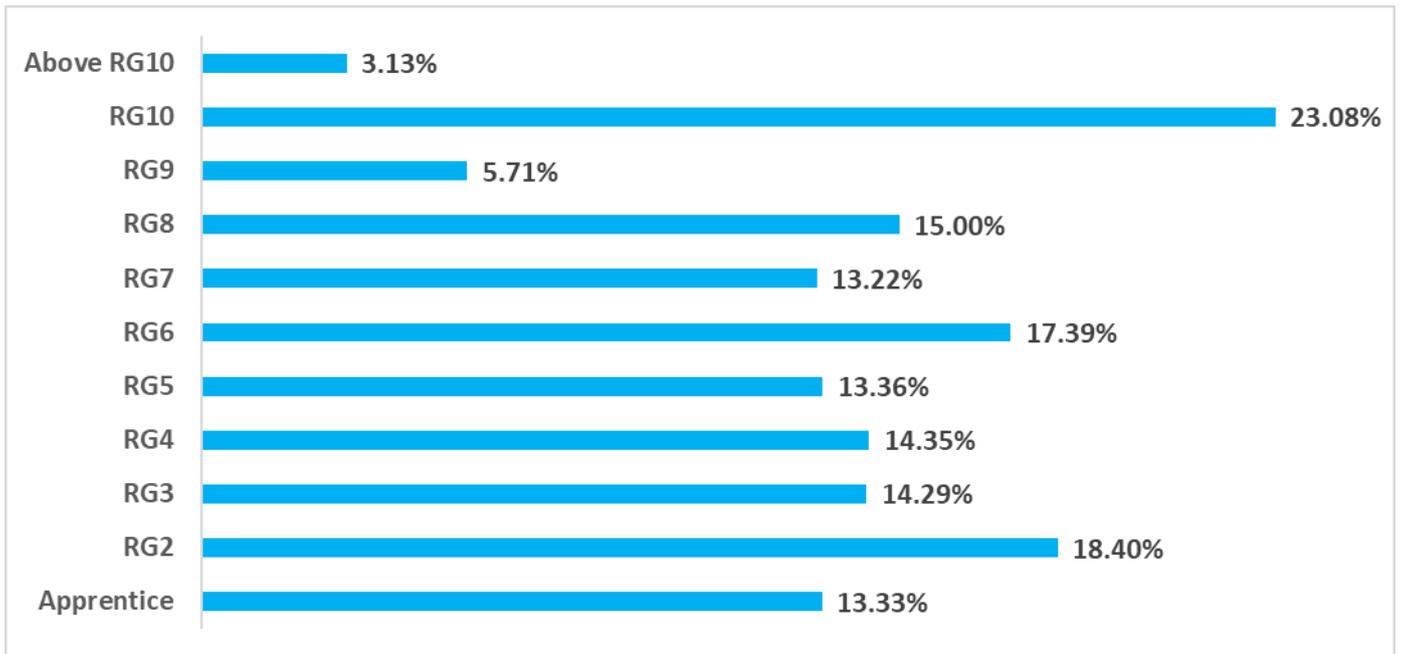


Figure 3 - Proportion of BAME employees in each pay band on 31 March 2020



4 ACTION PLAN TO REDUCE THE ETHNICITY PAY GAP

- 4.1 The Council has commissioned Business in the Community (BITC) to review the Council’s approach to Equality, Diversity and Inclusion. BITC will review our policies, processes and initiatives, as well as gaining insights into the experiences of our employees, across seven key areas: Strategy, Leadership, Recruitment, Staff, Employee Engagement, Pay Gaps and Life Balance. The insights and recommendations from the audit, as well as the [Equality Audit 2019/20](#) findings, and Gender and Ethnicity Pay Gap reports for 2020, will be used to create a Team Reading Equality, Diversity and Inclusion Action Plan which will be monitored regularly by the Corporate Management Team and Personnel Committee.
- 4.2 Continue to work with and support the Cultural Unity, Diversity and Inclusion Network, which is a group for staff from different ethnic and cultural backgrounds and allies which formed in December 2021. The Network aims to promote a positive culture in which everyone is welcome and valued and will ALSO act as a sounding board on BAME equality issues.
- 4.3 Continue to promote the benefits of working for the Council both internally and externally, using opportunities such as the Kickstart Scheme, apprenticeships, flexible working arrangements and our diversity commitments, including being a signatory to the Race at Work Charter.
- 4.4 Continue to require recruiting managers to attend the Council’s recruitment and selection training which highlights the issue of unconscious bias during recruitment and interview processes.

- 4.5 Continue to ensure that recruiting managers use structured interviews as this is more effective at guarding against unconscious bias by ensuring that all candidates are asked the same questions and are assessed using pre-specified, standardised criteria.
- 4.6 Increase awareness about apprenticeship schemes and the new Kickstart Scheme, where the Council will offer 15 placements initially, for 6 months, for young people in Reading who are currently on Universal Credit and at risk of long-term unemployment. The Kickstart Scheme will focus particularly on recruiting applicants from a diverse range of backgrounds, including those in hard to reach areas, to ensure that the Council's workforce is representative of the communities we serve. Apprenticeships can also encourage existing employees to improve their skills and experience, giving them the opportunity to progress their career.