

## READING BOROUGH COUNCIL

### REPORT BY ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT

<b>TO:</b>	<b>PERSONNEL COMMITTEE</b>		
<b>DATE:</b>	<b>14 JULY 2022</b>	<b>AGENDA ITEM:</b>	<b>4</b>
<b>TITLE:</b>	<b>REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES</b>		
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#### 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 three 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: Grievance Policy

Appendix B: Managing Sickness Absence Policy

Appendix C: Equality Impact Assessment

#### 2. RECOMMENDED ACTION

2.1 That Personnel Committee approve the following revised HR policies detailed in Appendices A to C of this report:

- Grievance Policy

- Managing Sickness Absence 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 employment tribunal claims by providing guidance for managers that reflects 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 two policies covered in this report, the Grievance Policy has been updated to emphasise the need for the investigating manager and HR to support the employee making the complaint, and the person(s) who is the subject of the grievance. The Managing Sickness Absence Policy has been updated to include guidance on how to manage Covid and cases of long Covid. A flow chart detailing the Ill Health Retirement process has been included as an appendix.
- 3.3 The ACAS Codes of Practice give authoritative advice in key areas of employment practice. A failure to follow the Code does not 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). Best practice from the ACAS codes has been incorporated into the policies where relevant.

### **4. POLICIES COVERED UNDER THIS REVIEW**

- 4.1 All employment policies have now been reviewed by the HR and Organisational Development team, apart from the Union Facilities Agreement, which will be presented for approval to Personnel Committee in November 2022, following consultation and negotiation with the Joint Trade Unions. The policies included in this report are:

- Grievance Policy
- Managing Absence Policy

#### **4.2 Principles used for conducting this review**

- 4.2.1 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

- 4.3 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.

Issues addressed
<b>Grievance Policy (Appendix A)</b>
Drafted in 2018 and updated in 2021, this policy has been updated again to emphasise the need for the investigating manager and HR to provide support for the employee making the complaint as well as the employee(s) who is the subject of the grievance.
<b>Managing Sickness Absence Policy (Appendix B)</b>
Last reviewed in 2021 and now updated to include guidance on how to manage Covid and cases of long Covid. Also updated to clarify that a fit note can be issued by a doctor, nurse, occupational therapist, pharmacist, or physiotherapist. A flow chart detailing the Ill Health Retirement process has been included as an appendix.

## 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:

25 April 2022	All draft policies (Appendices A - C) were uploaded to a SharePoint folder for union representatives to review, requesting comments to be added in advance of the meeting on 25 May 2022.
25 May 2022	Meeting with trade unions to review feedback.
22 June 2022	Second meeting with trade unions and policies were agreed subject to amendments.
5 July 2022	Policies issued to trade unions and agreed.

- 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)
- Highlighted in the weekly email to all staff

- Strategic HR and OD Business Partners/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.

## **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 D) and has found no differential impact on any groups with protected characteristics. Some positive impacts have been identified.

## **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