

READING BOROUGH COUNCIL

REPORT BY ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT

TO:	PERSONNEL COMMITTEE		
DATE:	17 NOVEMBER 2022	AGENDA ITEM:	
TITLE:	REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES		
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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. The Employment Stability Agreement and the Trade Union Facilities Agreement have been reviewed jointly and agreed with the Joint Trade Unions. The Annual Leave Policy has been updated to incorporate the national agreement for Local Government Services staff, which was confirmed on 2 November 2022, which includes one extra days' annual leave, regardless of current entitlement or length of service, for all relevant staff from 1 April 2023.

1.1 The report includes the following appendices:

- Appendix A: Employment Stability Agreement
- Appendix B: Trade Union Facilities Agreement
- Appendix C: Annual Leave Policy
- Appendix D: EIA

2. DECISION

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

- Employment Stability Agreement
- Trade Union Facilities Agreement
- Annual Leave 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 All three policies covered in this report are current policies that have been reviewed. The Employment Stability Agreement has been updated to reflect best practice and process. The Trade Union Facilities Agreement has minor updates to job titles. The Annual Leave Policy has been updated to incorporate the national agreement for Local Government Services staff, which was confirmed on 2 November 2022, which includes one extra days' annual leave, regardless of current entitlement or length of service, for all relevant staff from 1 April 2023. At Reading, this is all staff on grades 1-10, excluding about sixty trades staff who are covered by Craftworkers terms and conditions. The national negotiations for this group are still ongoing.
- 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 have now been reviewed by the HR and Organisational Development team and presented for approval to Personnel Committee, following consultation and negotiation with the Joint Trade Unions. The policies included in this report are:

- Employment Stability Agreement
- Trade Union Facilities Agreement
- Annual Leave 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 All the Council's employment policies are 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 to be addressed
Employment Stability Agreement (A)
Last reviewed in 2011, so needed updating to reflect current best practice and process
Trade Union Facilities Agreement (B)
Last reviewed in 2009, so needed updating to reflect current job titles and uploaded to the corporate policy template.
Annual Leave Policy (C)
Updated to incorporate the national agreement for Local Government Services staff, which was confirmed on 2 November 2022, which includes one extra days' annual leave, regardless of current entitlement or length of service, for all relevant staff from 1 April 2023. The current policy will continue to apply until 31 March 2022.

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:

19 September 2022	Employment Stability Agreement and Trade Union Facilities Agreement (Appendices A and B) were uploaded to a SharePoint folder for union representatives to review, requesting comments to be added by 3 October 2022.
6 October 2022	First meeting with HR and Trade Unions to discuss initial feedback and comments.
17 October 2022	Second meeting with Trade Unions to discuss policies.
31 October 2022	Revised policies were issued to Trade Unions incorporating feedback.

7 November 2022	Third meeting with Trade Unions to agree policies.
NB	The Annual Leave Policy has not been agreed with the Trade Unions as the change is required in response to the national pay agreement for Local Government Services. The revised policy was issued to Trade Unions for information.

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

- 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 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