

Personnel Committee

13 July 2023



Reading
Borough Council
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Title	Review of the Council's Employment Policies
Purpose of the report	To make a decision
Report status	Public report
Report author	Kathryn Cook – Assistant Director of Human Resources and Organisational Development
Lead Councillor	Liz Terry – Lead Councillor for Corporate Services and Resources
Corporate priority	Not applicable, but still requires a decision
Recommendations	<p>That Personnel Committee approve the following revised HR policies (detailed in Appendices A to D of this report):</p> <ul style="list-style-type: none">Domestic Violence PolicyEmployment Break PolicySmoking at Work PolicyFlexible Workstyles Framework

1. 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 4 policies which have been reviewed and jointly agreed with the Joint Trade Unions. The Domestic Violence Policy, Employment Break Policy and Smoking at Work Policy are all new. The Flexible Workstyles Framework has been updated to reflect the agile working principles.

2. Policy Context

- 2.1 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.
- 2.2 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).

3. Policies Covered Under This Review

3.1 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:

- Domestic Violence Policy
- Employment Break Policy
- Smoking at Work Policy
- Flexible Workstyles Framework

3.2 Principles used for conducting this review

3.2.1 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

3.2.2 All the Council's employment policies are reviewed every two years or sooner if legislation requires it.

3.3 KEY ISSUES AND CHANGES PROPOSED

3.3.1 The table below sets out in summary terms for each of the new and 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
Domestic Violence Policy (A)
This is a new policy that has been developed as part of our commitment to support our workforce's health and wellbeing at work. It covers the internal and external support available to individuals experiencing domestic abuse, including appointing a member of staff as a nominated point of contact, special leave provisions and signposting to external sources of advice and help.
Employment Break Policy (B)
This is a new policy that has been developed to provide the basis for a clear understanding of the Employment Break Scheme for the benefit of both the organisation and the employee who wishes to have a planned and agreed break from the workplace.
Smoking at Work Policy (C)

We recognise that the health, safety and welfare of employees, Councillors, sub-contractors and anyone else directly affected by our organisation's operations are of prime importance. We have therefore developed this new dedicated smoking policy which conforms to the requirements of the smoke-free legislation.

Flexible Workstyle Framework (D)

This policy was originally drafted in 2021, but the agile working principles have now been updated to reflect the aim of the Council's approach to Flexible Working.

3.4. PROCESS FOR AGREEING THE NEW AND REVISED POLICIES

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

12 May 2023	Policies were uploaded to a SharePoint folder for union representatives to review, requesting comments to be added by 25 May 2023.
26 May 2023	First meeting with Trade Unions to discuss policies.
1 June 2023	Revised policies were issued to Trade Unions incorporating feedback.
9 June 2023	Second meeting with Trade Unions to agree policies.

3.4.2 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

4. Contribution to Strategic Aims

4.1 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.

5. Environmental and Climate Implications

5.1 There are no environmental or climate change implications

6. Community Engagement

6.1 The Joint Trade Unions have been consulted on the revised policies.

7. Equality Implications

7.1 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.

7.2 An Equality Impact Assessment (EIA) has been carried out (see Appendix E) and has found no differential impact on any groups with protected characteristics. Some positive impacts have been identified.

8. Legal Implications

8.1 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.

8.2 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.

9. Financial Implications

9.1 There are no financial implications arising from this report.

10. Background Papers

10.1. There are none.

Appendices

The report includes the following appendices:

- Appendix A: Domestic Violence Policy
- Appendix B: Employment Break Policy
- Appendix C: Smoking at Work Policy
- Appendix D: Flexible Workstyles Framework
- Appendix E: EIA