

SUBJECT: HR POLICIES

DIRECTORATE: CHIEF EXECUTIVE AND TOWN CLERK

REPORT AUTHOR: ALI THACKER, HR AND PAYROLL TEAM LEADER

1. Purpose of Report

- 1.1 To provide Executive with an overview of the proposed changes to three HR Policies, namely:-
- Acting Up Policy
 - Secondment Policy
 - Grievance Policy

2. Background

- 2.1 Human Resources have reviewed the above policies, and this report provides a summary of the proposed changes.

3. Acting Up Policy Changes

3.1 Time Limits:-

In line with the current policy acting up opportunities will normally last up to 6 months, however no limit will be placed on extensions to this period, but approval must be sought normally from an Assistant Director to extend beyond 6 months.

3.2 Increments:-

It is proposed that increments (where applicable) will be awarded each year on the anniversary of the start date for the acting up period. It is proposed that this takes effect from when the policy is formally agreed (for any ongoing acting up arrangements) or on the anniversary of the start of any acting up arrangement which start in the future. There will be no backdated pay/ increments on current or past arrangements.

3.3 Rights to Posts during Management of Change:-

It is proposed that during management of change processes, employees' rights to posts will be based upon their substantive post and grade, however in exceptional circumstances where the employee has been undertaking acting up duties for over two years, the Assistant Director/ Director has the discretion to give an employee rights to post(s) based upon their acting up duties/ grade. (This however does not apply to employees acting up into Chief Officer positions as in line with the Constitution appointments to permanent Chief Officer positions are to be made following Member Appointment Panels).

4. Secondment Policy Changes

4.1 Time Limits:-

In accordance with the current policy secondments can last up to 23 months, however extensions beyond 11 months should be approved by an Assistant Director. It is however proposed that where there are exceptional circumstances which may mean a secondment is extended beyond 23 months these should be signed off by CMT.

In addition, a change to section 2.3 is being proposed (following discussion with Unions) to confirm that if a secondment goes beyond 11 months an employee loses their automatic right to return to their substantive position or be in competition for their substantive post if the role has been filled with a fixed term contract.

4.2 Rights during Management of Change:-

It is proposed that when an employee is on secondment and a change is proposed under the Management of Change Procedure the employees' rights are to their substantive post. In this case the employee may be asked to end their secondment early and return to their substantive post. However, in exceptional circumstances and where the employee has been on a secondment for over Two years, the Assistant Director/ Director may use their discretion to give employee assimilation rights to a post(s) based upon the post/duties/ grade of the position they have been seconded to. (This however does not apply to employees seconded into Chief Officer positions as in line with the Constitution appointments to permanent Chief Officer positions are to be made following Member Appointment Panels).

5. Management Of Change Policy

Following a review of the above policies, it is proposed that the above changes are reflected within the Management of Change Policy when this policy is reviewed in due course.

6. Grievance Policy

Human Resources have completed a whole review of the Council's Grievance Policy in line with best practices, and a summary of the changes are detailed below:

6.1 Informal Processes:-

The proposed policy encourages informal resolution of grievances, and in the first instance all grievances should be attempted to be resolved informally (unless the matter is so serious that it has wider implications and its more appropriate to move to the formal stage).

6.2 Formal Processes:-

Formal Grievances will no longer be investigated immediately and/or progress to a hearing automatically after the investigation. Instead, the new process is

that a Presiding Officer will be appointed, and they will be required to meet with parties to discuss the grievance/issues and attempt to resolve the issues raised formally (by way of a meeting with those concerned).

If a Presiding Officer feels certain aspects of the complaint needs investigating, they can request for HR to undertake an investigation where necessary.

Once the formal meeting has taken place the Presiding Officer will communicate the decision to all parties (and write to confirm the outcome accordingly)

Appeal processes will also be conducted by way of a formal appeal meeting (as opposed to a hearing) to discuss the appeal and communicate the outcome of the appeal.

7. Organisational Impacts

7.1 Finance

Where an acting up arrangement continues beyond one year, there may be some minor cost implications which arise due to employees receiving increments on their pay.

7.2 Legal Implications including Procurement Rules

There are no legal implications arising from this report.

7.3 Equality, Diversity and Human Rights

There are no Equality, Diversity and Human Right implications arising from this report.

7.4 Human Resources

The proposed changes to the Acting Up and Secondment Policies have been discussed with Unions during local HR and Trade Union meetings, and Unions are supportive of the changes.

The proposed changes to the Grievance policy have also been discussed with Unions, and on the whole unions are supportive of the changes outlined above.

Unions have outlined that they wish for the appeal time to be extended from five days to ten days. Unions feel this will ensure that employees have more time to consider if they wish to appeal or not, and allow for additional time if an employee is absent etc. This may also reduce the number of appeals.

HR's view is that this should remain at five days as this is in accordance with other appeal rights (in terms of Disciplinary and Dignity at Work), and in the event where an employee is absent (i.e., on leave) the appeal timescales can be discussed and considered accordingly at that stage by the Presiding Officer. In addition, an extension may impact on the alleged if increased.

The Employee Joint Consultative Committee have agreed that ten days should be considered for the appeal timescale.

8. Risk Implications

8.1 (i) Options Explored

N/A

8.2 (ii) Key Risks Associated with the Preferred approach

N/A

9. Recommendation

9.1 That Executive consider the proposed policy changes for formal approval.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

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Acting Up / Secondment / Grievance Policies

List of Background Papers:

None

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