

3. EMPLOYMENT POLICIES (A12/DU)

Proposal

1. That the Authority approves 5 employment policies (4 updated and one new i.e. Secondment).

2. RECOMMENDATION:

That

1. **The Authority approve the following 5 employment policies as annexed to this report**

Annex 1: Disciplinary Policy

Annex 2: Grievance Policy

Annex 3: Appeals Policy

Annex 4: Secondment Policy

Annex 5: Maternity Policy

and in so doing amend the employment contracts of all relevant staff.

2. **The new policies become effective on 1 May 2008 to allow for an appropriate launch to all staff and manager briefings.**
3. **The constitution of the Appeals Sub Committee is changed to hear only appeals against dismissal where the employee elects to have their appeal heard by the Appeals Sub Committee.**
4. **The constitution of the Local Joint Committee is amended to remove the requirement to hear grievances.**

Policy/Legal Background

3. The Authority's employment policies form part of the contract of employment for all staff (with the exception of the Chief Executive and Directors on Chief Officer terms and Conditions). They advise and guide managers and staff to the standards of performance in the employment relationship required by the Authority. It is appropriate therefore to update and refresh employment policies periodically to ensure they remain good practice and within the requirements of employment law.
4. These recommendations support Key Corporate Outcome K1: ensuring value for money, sustainability and high standards of corporate governance in the way we deliver service and K3: Valuing and developing staff and members.

Key Issues

5. The following principles underpin the development of the 5 employment policies
 - a) Where possible free Members from operational management roles in employment policies (in parallel with other National Parks) to further support the strategic role of Members
 - b) Give team managers, Heads of Service, Directors and the Chief Executive management responsibility in employment policies
 - c) Through a) and b) make the management of employment policies more efficient and effective, whilst retaining thoroughness, fairness and equality.
 - d) The policies will be launched and staff will receive written confirmation of the change to contracts.

- e) Managers will be briefed on their roles and responsibilities in the policies and skills training will be provided where appropriate. Going forward Human Resources & Performance will advise managers and staff on the policies and coach managers on their implementation where necessary.
- f) A 'house style' has been developed to structure the policies in the form of a
 - (i) Policy statement,
 - (ii) Scope,
 - (iii) Process,
 - (iv) Manager responsibilities,
 - (v) Human Resources and Performance responsibilities,
 - (vi) Employee responsibilities
 - (vii) Relevant legislation and key Peak District National Park Authority policies
 - (viii) Process flow chart.
- g) Guidance notes for managers and staff have been developed for all the policies. The guidance notes do not form part of the policy but give more information on the process. As they are not part of the policies it is not necessary for Members to approve them. The guidance notes are therefore not included in the annexes to this report but can be viewed on M: Shared, Human Resources, Employment Policies for Approval and Outlook, Human Resources, Employment Policies for Approval via Members access to computers at Aldern House, or on request form Human Resources & Performance.
- h) All staff, managers and UNISON have had the opportunity to be involved in the development of the policies and the guidance notes through consultation (electronic and face to face in a focus group or direct with the Interim HR Consultant) during December and January.

6. Specific changes from current employment policies include

- a) Currently all appeals are heard by the Appeals Sub Committee. The new policy requires appeals to be heard by a manager senior to the manager making the decision i.e. the Director hears the appeal against a Head of Service decision. The Appeals Sub Committee will only hear appeals against dismissal where the employee elects it. This requires an amendment to the constitution of the Appeals Sub Committee. The new Appeals Policy will incorporate all appeals under Human Resources procedures (e.g. those under the Managing Change Policy, Absence Management etc).
- b) Currently Stage 3 grievances (i.e. the final stage) are heard by a panel of the Local Joint Committee with no formal role for the Chief Executive. The new policy gives the Chief Executive the responsibility to hear stage 3 grievances. It is proposed that Local Joint Committee constitution is changed to remove the need to hear grievances.
- c) Currently the Disciplinary policy requires all formal disciplinary matters to be dealt with by the Chief Executive or a Director. The new policy gives the responsibility to the line manager to manage formal disciplinary matters.
- d) The updated Maternity Policy includes the formal introduction for paid Keeping In Touch (KIT) days where women on maternity leave attend paid work (without affecting their maternity pay). KIT days will be voluntary and if a woman is unable to attend an event (e.g. a briefing on Organisational Change) managers will have to confirm essential information in other ways e.g. writing.

APPENDIX

Background

7. Strategic Management Team approved the Work Force Plan Phase 2 Action Plan which included the development of several new employment policies. The Head of Human Resources & Performance (HR & P) also felt other employment policies needed updating. Policy development therefore became a key outcome for the 2007/8 Human Resources & Performance Service Plan.
8. Subsequently the demands of the Organisational Review reduced the capacity for the Head of HR&P to develop the policies so Services Committee approved the engagement of an Interim Human Resources Consultant to help develop the policies. Support of a consultant has also enabled an external view to be taken into account.
9. The brief to the consultant included the requirement to develop a 'house style' for the policies; for the policies to be as brief as possible and for procedural detail to be put in non policy guidance notes (with the benefit that minor changes to guidance notes can be made by the Head of HR & P over time without the need to come back to committee).
10. The policy development project is being managed in 2 phases
Phase 1 – to this Authority Meeting
Disciplinary Policy
Grievance Policy
Appeals Policy
Secondment Policy
Maternity Policy

Phase 2- to 28 March Authority Meeting
Learning & Development Policy
Succession Planning
Family Friendly Policies (Adoption, Time off for Dependents etc)
Flexible Working (previously Work Life Balance)
11. Implementation of all the above new policies will be 1 May 2008, to allow for the policy launch and managers to be briefed. Skills training is being planned (e.g. Managing Discipline) as part of the 2008/9 Corporate Training Programme to be approved by Strategic Management Team on 25 March 2008.

Resources

12. Resource Management Team has delegated responsibility to approve any short-term extension of the Interim HR Consultant contract to support the launch and training of the policies, funded from the Human Resources & Performance budget. Skills training events will be funded from the Corporate Training budget.

Risk Management

13. The content of the policies have been benchmarked with good practice of other employers including other National Parks, partner authorities and other organisation, ACAS guidelines and relevant employment legislation.

Human Rights, Equalities, Health & Safety

14. All the proposed policies and their supporting guidance notes have been through the Equalities Impact and Needs Assessment (EINA) process with the policy writers and an equalities champion. Issues arising have been resolved in finalising the policies.

Consultees

15. Directors, Heads of Service, Team Managers, staff and UNISON

Enclosures

Annex 1: Disciplinary Policy
Annex 2: Grievance Policy
Annex 3: Appeals Policy
Annex 4: Secondment Policy
Annex 5: Maternity Policy

List of Background Papers (not previously published)

None

Report Author

Deborah Unwin, Head of Human Resources & Performance

Publication date

31 January 2008