

Report to	Cabinet
Date of meeting	17 th December 2019
Lead Member / Officer	Richard Mainon
Report author	Andrea Malam, Lead HR Business Partner
Title	Employment Policies

1. What is the report about?

There are two employment policies which have been developed in consultation with the recognised Trade Unions.

The policies are listed below:

Disciplinary Policy

Recruitment and Selection Policy

2. What is the reason for making this report?

To recommend that Cabinet adopt the above policies.

3. What are the Recommendations?

To gain approval that the above policies are approved and adopted by Cabinet.

3.1 That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment contained within the appendices as part of its consideration.

4. Report details

Disciplinary Policy

The policy required a general review in line with the Human Resources policy review timescales. Flowcharts, clear timescales, roles and responsibilities have been inserted to clarify the disciplinary process.

The policy, in the main, has remained the same, however the order of the policy has been amended to reflect the procedure followed. The policy now contains a comprehensive list of examples for misconduct and gross misconduct. Please note that these lists are not exhaustive.

A Suspension Risk Assessment document has been included within the policy to ensure that all suspensions are fully recorded, risk assessed and authorised appropriately. All suspensions are monitored on a regular basis by the Lead HR Business Partner for Employee Relations.

The policy now contains a new 'Fast Track Process', which allows for cases to be dealt with, in a timely manner and one which is ultimately employee led. If an employee wishes to request the fast track process, they must do so in writing. Further details are contained within the policy.

Existing sanctions remain the same, with the addition of a temporary and/or permanent demotion. A temporary demotion will result in a six month period of demotion. A permanent demotion can only be applied where there is a suitable vacancy available. In agreement with the Trade Unions, the sanction of demotion has been included within the policy as an alternative to dismissal.

A letter of management advice has been inserted into the policy as a method dealing with informal action for minor misconduct.

The policy remains compliant with the ACAS code of Practice.

Recruitment and Selection Policy

The policy required a general review in line with policy review timescales. The policy required some changes with regards to the way we carry out recruitment and selection within Denbighshire.

The policy now includes a section on Career Pathways, which will enable managers to consider implementing a career pathway as an alternative when recruiting to a new or vacant position.

Further guidance has been inserted with regards to advertisement content and using external publications.

The Welsh Language Standards section has been updated to provide a general overview with the inclusion of the main actions and considerations for managers and applicants.

The recently implemented process of on-boarding within HR has been outlined within the policy in order to clarify the new process, whereby all correspondence will be sent via email in relation to any job application. Alternative formats of the application form and correspondence can still be requested for reasonable adjustment purposes only.

The Guaranteed Interview Scheme (due to being abolished) has been removed from the policy and the inclusion of the 'Disability Confident Employer' has been inserted. The policy clarifies what this means for both the council and the applicant.

Further guidance around interview skills, questions and approaches have been included within this policy.

The policy now contains guidance on Tupe for specific circumstances.

5. How does the decision contribute to the Corporate Priorities?

The above policies will assist the Corporate Priorities and ensure that managers and employees are aware of their obligations in line with legislation and good practice.

6. What will it cost and how will it affect other services?

Additional resources are not required, therefore there won't be any costs attached to implementing these policies. There will be no particular impact on a particular department. The procedures and policies will apply to all employees (where stated).

7. What are the main conclusions of the Well-being Impact Assessment?

Please find the Wellbeing Impact Assessments attached. All policies contained within this report are applicable to all employees regardless of protected characteristics and will be applied in line with legislation and terms and conditions of employment.

The Policies/procedures and guidance documents have all been through a wellbeing impact assessment and the main findings are as follows:

Disciplinary Policy

The policy aims to address any disproportionate impact through providing additional explanation, offering documents in an additional format when required, support or translation services and the consideration of reasonable adjustments to the disciplinary process where these could mitigate the effects of any substantial disadvantage.

If disciplinary actions leads to dismissal, this might have an impact those people who are dismissed in terms of their income and employment status, however, access to the employee assistance programme might help reduce that impact by the offer or advice or support throughout the process.

Recruitment and Selection Policy

This Wellbeing Impact Assessment is a review of all of the recruitment and selection related policies. Therefore, it impacts on staff and potential candidates from within the local community, and consultation is with key managers and unions as representatives of the current workforce.

Engagement and involvement is therefore carried out, and policies are reviewed regularly to ensure they are suitable for the current economic climate, employment legislation and best practice methods. The policies are sustainable in the long term but reviewed in short term to ensure suitability, meaning changes are implemented where appropriate.

Collaboration is also undertaken with external organisations to ensure best practice and new innovative ways of working are shared and adopted.

8. What consultations have been carried out with Scrutiny and others?

Both policies have been through the process of consultation with the recognised Trade Unions and a representative from the legal department via a policy working group. All feedback has been considered and recorded. All changes have been agreed.

9. Chief Finance Officer Statement

The report has no direct financial implications.

10. What risks are there and is there anything we can do to reduce them?

The risks are only associated with not implementing the attached policies. The policies will ensure that HR and managers are applying the processes correctly and consistently, whilst providing that clarity and reference to forms of support for employees.

11. Power to make the decision

Power to make the decision is s112 Local Government Act 1972.