

<b>Unis Classification</b> Open	<b>Item No.</b>
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<b>Meeting:</b>	Employment Panel
<b>Meeting date:</b>	12 <sup>th</sup> September 2024
<b>Title of report:</b>	Workforce Policy Review
<b>Report by:</b>	Cllr. Tahir Rafiq, Cabinet Member for HR & Corporate Affairs
<b>Decision Type:</b>	Council
<b>Ward(s) to which report relates</b>	All

**Executive Summary:**

A key component of the Council’s HR improvement and modernisation programme is the review of core HR systems, processes and policies to ensure they are fit for purpose, reflective of modern HR practice and align with the organisational culture described by the LET’S values. As part of this work, Employment Panel has agreed revisions to 23 employment policies during 2023 and 2024.

This report sets out the next phase of this policy review work including six new/changed policies for approval and five policies for withdrawal. Trade Union colleagues have been fully engaged in this work.

Changes are proposed in the following areas:

1. Managing Attendance Policy and Local Conditions of Service Section 5: Sickness Scheme – a new Managing Attendance Policy to replace the Supporting Positive Attendance Policy, with an associated update to the Local Conditions.
2. Volunteering Policy – a revised policy which strengthens the Council’s position on encouraging employer supported volunteering and simplifies the process of applying for volunteering leave.
3. Code of Conduct – following a review by safeguarding leads in Adults and Children’s Social Care, an additional section has been added to the Code to require employees to declare when they are under investigation for certain matters. This will enable support to be put in place or other action, including disciplinary, to be taken as appropriate.

4. Local Conditions of Service Section 6: Travelling, Subsistence and Housing – following a review and taking account of the Council’s experiences through international recruitment, revisions have been made to add clarity regarding claims for relocation expenses, overnight stays, travel by public transport and bicycles allowances.
5. Redeployment Policy – Minor revisions to reflect the ability to manage the redeployment process through the new Greater.Jobs Applicant Tracking System and integrate with the Council’s end-to-end recruitment process to streamline arrangements and improve colleague experience.
6. Withdrawal of 5 policies which are either out of date, have their content duplicated in other policies or have been superseded by newer policies:
  - Examples of Equivalent Qualifications (Appendix X of Local Conditions of Service)
  - Flexible Work Base Policy
  - Premature Retirement Scheme (Appendix G of Local Conditions of Service)
  - Suggestion Scheme (Appendix D of Local Conditions of Service)
  - Anti-Social Behaviour Policy (Appendix U of Local Conditions of Service)

This follows a detailed review of the full HR policy framework to simplify and remove duplication.

## **RECOMMENDATION(S)**

That the Employment Panel:

1. Agree the new Managing Attendance Policy and revised Local Conditions of Service Section 5: Sickness Scheme
2. Agree the revised Volunteering Policy
3. Commend the proposed addition to the Employee Code of Conduct to Council on 13<sup>th</sup> November 2024 for approval and authorise the Council’s Monitoring Officer to make subsequent changes to the Council Constitution.
4. Agree the proposed revisions to Local Conditions of Service Section 6: Travelling, Subsistence and Housing
5. Agree the proposed revisions to the Redeployment Policy
6. Agree the withdrawal of the following:
  - Examples of Equivalent Qualifications (Appendix X of Local Conditions of Service)
  - Flexible Work Base Policy
  - Premature Retirement Scheme (Appendix G of Local Conditions of Service)
  - Suggestion Scheme (Appendix D of Local Conditions of Service)
  - Anti-Social Behaviour Policy (Appendix U of Local Conditions of Service)

Subject to Employment Panel's approval, the new, revised and withdrawn policies/procedures will go forward for endorsement via the Trade Union Consultation Meeting and the Council's Corporate Joint Consultative Committee before being published or withdrawn, as appropriate, on the Council's intranet pages and communicated to staff with the intention to come into force from 7 October 2024.

## **KEY CONSIDERATIONS**

### **1. Managing Attendance Policy and Local Conditions of Service Section 5: Sickness Scheme**

#### **1.1 Background**

- 1.1.1 The current Supporting Positive Attendance Policy was last reviewed and updated in July 2018. There are a number of associated documents which are out of date and there is significant overlap between them, which can be confusing. Best practice in the effective management of attendance has also evolved since this time.
- 1.1.2 Feedback has been received from staff, including that the process is too complicated and difficult to follow, and that there is not consistency in its application because there is too much scope for individual interpretation.
- 1.1.3 In addition, Local Conditions of Service Section 5: Sickness Scheme includes information on sickness reporting and notification which overlaps with the policy document.
- 1.1.4 Sickness absence levels across the Council are currently at their lowest level for three years with an average of 12.24 days lost per full time equivalent employee in the preceding twelve months. This is contrary to the national trend of rising sickness absence and reflects a strong focus in this area. However, absence remains too high and above the corporate target of 9.5 days and the introduction of a new policy here is a key step in supporting a continued reduction in sickness absence.

#### **1.2 Policy Headlines**

- 1.2.1 The new Managing Attendance Policy will replace the Supporting Positive Attendance Policy in addition to 24 other separate documents which cover different aspects of the Policy which are now covered by the overarching policy.
- 1.2.2 Together with the policy, new template letters and forms have been developed and will be available on the intranet for managers to use. In addition, there will be a page on the intranet which details the support services available to staff and managers.
- 1.2.3 As with the recently agreed grievance and disciplinary policies, the separate Hearing Procedure and Employment Appeal Procedure will be replaced by the procedures contained within the new Managing Attendance Policy. They will, however, remain in use for capability, related appeals until such time as this policy

is reviewed (currently scheduled for March 2025).

1.2.4 The Managing Attendance policy updates the level of absence (trigger levels) which would lead to a supportive conversation between a staff member and their manager. It clearly details any monitoring periods and expected improvements in absence levels therefore enabling a consistent approach across departments. The procedure to follow when staff are off work long term due to sickness has been streamlined with an emphasis on providing support to facilitate a return to work at the earliest opportunity.

1.2.5 The main changes to the policy are summarised in the table below.

<b>Subject</b>	<b>New Policy</b>	<b>Old Policy</b>
Frequent short-term absence stages	There are 3 stages, one, two and three (final review hearing)	There are 4 or 5 stages depending on the interpretation of the policy – informal, 1, 2, 3 options, and 3 hearing.
Frequent short-term absence trigger levels	4 separate episodes and/or 9 working days and/or an overall absence pattern in a rolling 12-month period,	2 separate episodes or 6 working days in 6 months. Following an informal meeting this is zero absence within 3 months.
Staged meetings	To take place on all occasions when a trigger level has been met, however, monitoring period may not be set	Managers do not hold these meetings if they feel an absence/staff member should not have it
Long term absence stages	Emphasis on a manager and staff member to meet monthly to ensure appropriate support is in place	Meetings are held at defined intervals of an absence period, 20 days, 50 days, 100 days and 150 days.
Appeals	10 working days of the decision being communicated	11 working days of the decision being communicated

1.2.6 In the revised Local Conditions of Service Section 5: Sickness Scheme general information relating to the reporting or notification procedure for sickness absence have been removed as this is covered within the Policy. The document details the contractual elements of sickness absence in line with the national conditions of service only. These remain unchanged.

1.2.7 The proposed changes have been shared with the trades unions.

**1.2** The Managing Attendance Policy and Sickness Scheme will apply to all Council services staff apart from those on former Six Town Housing terms and conditions at this time.

**1.3** **The revised policies and EqIA are attached as appendix 1, 1A and 1B.**

## **2. Employer Supported Volunteering Policy**

### **2.1 Background**

2.1.1 The Employer Supported Volunteering Policy has been developed in collaboration with Bury Voluntary, Community and Faith Alliance (Bury VCFA), the local infrastructure organisation of the voluntary, faith, community and social enterprise sector in the Borough. It builds on and strengthens the previous policy agreed in 2019, streamlining the process of application and making clearer the link to the LET'S principles.

2.1.2 Through Bury's LET'S Do It! approach the council is committed to making Bury a place where people are inspired, supported and empowered to volunteer. Volunteering plays a key role in the health and wellbeing of local communities and supports the LET'S principles – where all are everyone can play a part in local communities and where everyone works together in a way that recognises and celebrates the assets and strengths of our communities and our residents. In addition, it also gives colleagues a chance to have new experiences and helps to develop skills which can be brought back into the workplace.

2.1.3 This policy sets out one means by which the council encourages and enables staff to support this cause.

2.1.4 The Policy sets out the breadth of what “volunteering” covers, the benefits of volunteering and how volunteering enables staff to use their strengths (skills and interests) to connect to the ‘Local’ aspect the LET'S Do It Strategy by making a difference in neighbourhoods and communities within the Borough.

### **2.2 Policy Headlines**

2.2.1 The revised policy now links to Bury VCFA's Volunteering Strategy, and provides clarity on how employees can get involved

2.2.2 It also sets out how employees apply for volunteering leave via iTrent self-service

2.2.3 Additionally it makes clear what the legal considerations are, insurance responsibilities and health and safety requirements.

2.2.3 The proposed changes have been shared with the trades unions.

**2.3** This policy will apply to all Council services staff including former employees of Six Town Housing.

**2.4** **The revised policy and EqIA are attached as appendix 2 and 2A.**

### **3. Code of Conduct**

#### **3.1 Background**

3.1.1 The Council's Code of Conduct for Employees sets out the standards that they must adhere to.

3.1.2 A full detailed review of the Code of Conduct is due to be carried out in 2025, but small changes are being made now at the request of the Local Authority Designated Officer (LADO) which were felt to be more urgently needed.

#### **3.2 Policy Headlines**

3.2.1 Following feedback from adults and children's safeguarding leads and to ensure we are fully compliant with our responsibilities from a safeguarding perspective, it is proposed to insert the following section into the Code of Conduct:

*"Employees must declare to the Council:*

- *If they are under investigation by the police for a criminal offence involving a child/vulnerable adult or a serious criminal offence involving any physical assaults or sexual assaults on anybody*
- *If they are under assessment by children's services over the welfare of their own children or children regularly in their care*
- *If they are being charged or prosecuted for a criminal offence that is either reportable to their professional body or standards body, or which could either:*
  - *bring the Council into disrepute, or*
  - *result in them being unable to undertake the role for which they are employed (e.g. a driving ban), or*
  - *may result in a prison sentence (suspended or otherwise)*

*Declarations must be made to the Head of Service, who will consider – with advice from HR and, if the employee works with children or vulnerable adults, in line with LADO/PIPOT procedures respectively – what support could be put in place or action taken. This could include disciplinary action.*

*Failure to declare or accurately declare relevant investigations or offences could result in disciplinary action."*

3.2.2 It is proposed that the Code of Conduct also be updated to reflect current officer roles and elected member responsibilities for determining the correct interpretation of the Code, should a dispute arise:

*"Any interpretation of this Code should be determined by the Director of People and Inclusion after consultation with Cabinet Member for Corporate Affairs and HR and relevant Opposition spokespersons."*

3.2.3 The proposed changes have been shared with the trades unions.

**3.3** The revised Code of Conduct will apply to all Council services staff apart from those on former Six Town Housing terms and conditions at this time and officers will progress consultation with former Six Town Housing staff to apply a consistent Code.

**4. Local Conditions of Service – Section 6: Travelling, Subsistence and Housing**

**4.1 Background**

4.1.1 This policy forms Section 6 of the Local Conditions of Service and was recently reviewed in 2023 to incorporate changes to the employee car user allowance and expenses scheme

4.1.2 This review seeks to update and clarify provisions including relocation expenses and the bicycle allowance reflecting on the Council's recent international recruitment activity and feedback from Public Health colleagues.

**4.2 Policy Headlines**

4.2.1 Several changes have been made to clarify the support available for international relocation. This reflects learning from the international recruitment of social workers undertaken over the past two years within the Children & Young People's Directorate.

4.2.2 Claims for travel expenses on public transport previously only referred to railway and bus fares, but this has been expanded to include tram fares.

4.2.3 Clarity has been added regarding the generally required process of booking overnight stays in advance and paying via purchase order.

4.2.4 Support with removal expenses has been amended so that they are only payable if the new employee moves from outside a radius of 30 miles to within a 10-mile radius of the Borough of Bury's boundary. This was previously outside a radius of 10 miles to within a 10-mile radius of the new place of work.

4.2.5 Reference has been removed to the assisted car purchase scheme which no longer operates.

4.2.6 Criteria for employees to be able to claim a bicycle allowance has been set at a minimum of 50 business miles per annum. This has been set in discussion with the Public Health Team and based upon comparisons with other GM authorities.

4.2.7 The proposed changes have been shared with the trades unions.

**4.3** The revised policy will apply to all Council services staff including former employees of Six Town Housing.

**4.4 The revised policy is attached as appendix 3**

## **5. Redeployment Policy**

### **5.1 Background**

5.1.1 The Redeployment Policy has been revised to reflect changes to internal processes and the use of the Council's recruitment system to manage this as part of the end-to-end recruitment approach as opposed to an off-line process.

5.1.2 The redeployment process currently requires a lot of manual intervention and is administration heavy. The new process proposed will be more automated and efficient.

### **5.2 Procedure Headlines**

5.2.1 The key changes proposed to the policy are:

- The current offline advertising and applying process has been changed to move onto the Greater Jobs Applicant Tracking System, integrating this with the overarching recruitment process
- Reference has been removed to Six Town Housing being a separate organisation
- The HR team names/job titles have been updated to reflect the current structure
- Information has been added to reflect the greater protections introduced by the Maternity Leave, Adoption Leave and Shared Parental Leave (Amendment) Regulations 2024

5.2.2 These changes are relatively minor and reflect necessary amendments to the process to ensure this is accurate and takes advantage of the opportunity presented by the new Greater.Jobs system. A wider detailed review of the policy is scheduled for March 2025.

5.2.3 The proposed changes have been shared with the trades unions.

**5.3** The revised policy will apply to all Council services staff including former employees of Six Town Housing.

**5.4 The revised policy is attached as appendix 4**

## **6. Policies to be Withdrawn**

It is proposed to withdraw all of the following policies, and this has been discussed with the trades unions.

### **6.1 Examples of Equivalent Qualifications**

6.1.1 Examples of Equivalent Qualifications currently forms Appendix X of Local Conditions of Service.



- 6.1.2 The document is out of date, rarely used and is not appropriate to form part of Local Conditions.
- 6.1.3 The proposal is to withdraw it from Local Conditions, but use the following link to national guidance on this topic in appropriate documents/intranet pages e.g. recruitment and job evaluation  
<https://www.gov.uk/what-different-qualification-levels-mean/list-of-qualification-levels>.

## **6.2 Flexible Work Base Policy**

- 6.2.1 The Flexible Work Base Policy is out of date and has been superseded by the Agile Working Policy. The proposal is therefore to withdraw it.

## **6.3 Premature Retirement Scheme**

- 6.3.1 The Premature Retirement Scheme currently forms Appendix G of Local Conditions of Service.
- 6.3.2 This document is out of date and has been superseded by the Voluntary Exits Policy. Therefore, the proposal is to withdraw it.

## **6.4 Suggestion Scheme**

- 6.4.1 The Suggestion Scheme currently forms Appendix D of Local Conditions of Service.
- 6.4.2 The proposal is to withdraw this out-of-date scheme. It was developed in 2005, but has not been used for a significant period of time. Employees are now actively encouraged to make suggestions for improvement or to make savings as part of their day-to-day roles and through the bi-annual Pulse Surveys rather than via a specific scheme.

## **6.5 Anti-Social Behaviour Policy**

- 6.5.1 The Anti-Social Behaviour Policy forms Appendix U of Local Conditions of Service.
- 6.5.2 The policy is out of date and has been superseded by the Work-Related Violence and Aggression (WRVA) Guidance. Therefore, the proposal is to withdraw it.
- 6.5.3 The WRVA Guidance has also recently been updated to take account of the new Worker Protection (Amendment of Equality Act 2010) legislation which will strengthen protection for employees against sexual harassment from October 2024.

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## Community impact/links with Community Strategy

A modern and effective employee policy framework is essential to ensuring the effective operation of the organisation and, in turn the delivery of our commitment to the Community Strategy.

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### Equality Impact and considerations:

*Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

<b>Equality Analysis</b>	Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.
Where appropriate, Equality Impact Assessments have been carried out in relation to the proposed changes and are appended.	

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### Assessment of Risk:

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Trade Union objection to policy changes	Prior discussions have taken place with Unison

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**Consultation:**

All of the above proposed changes have been shared with the Trade Unions, and where appropriate there have been consultations with HR colleagues, managers, the EDI Manager and the Legal Team.

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**Legal Implications:**

All of the above proposed changes and policy withdrawals have been shared with the Trade Unions, and where appropriate there have been consultations with HR colleagues, managers, the EDI Manager and advice given by the legal service, the proposed changes comply with the legislative framework and guidance.

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**Financial Implications:**

None. The policy changes update and simplify the current policies and bring these in line with best practice. There are no direct financial impacts.

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**Background papers:**

Employment Panel 24 January 2023 – Workforce Policy Review Phase 1

Employment Panel 1 March 2023 – Workforce Policy Review Phase 2

Employment Panel 22 June 2023 – Workforce Policy Review Phase 3

Employment Panel 29 February 2024 – Workforce Policy Review Phase 4

Employment Panel 11<sup>th</sup> July 2024 – Workforce Policy Review Phase 5

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning

Appendix 1, 1A & 1B: Managing Attendance Policy, Local Conditions of Service Section 5: Sickness Scheme and EqIA

Appendix 2 & 2A: Volunteering Policy and EqIA

Appendix 3: Local Conditions of Service – Section 6: Travelling, Subsistence and Housing

Appendix 4: Redeployment Policy

Appendix 5: EqIA for Phase 6 of the Employment Policies Review