

Forest Heath District Council

(This report is not a key decision. This report has been subject to appropriate notice of publication under the Council's Access to Information Rules)

Report of the Cabinet Member for Resources, Governance and Performance

CABINET

18 FEBRUARY 2014

CAB14/137

NEW JOINT (WEST SUFFOLK) HUMAN RESOURCES POLICIES: TRAVEL POLICY AND PROCEDURE; MATERNITY AND PATERNITY LEAVE AND PAY POLICY AND PROCEDURE; ORGANISATIONAL CHANGE AND REDUNDANCY POLICY AND PROCEDURE (Decisions Plan Reference: FEB14/15)

1. Summary and reasons for recommendation(s)

- 1.1 The Human Resources Service is currently working through the HR Policies that are in place at each Council, in order to produce and agree new joint policies for West Suffolk. This report proposes three new joint policies.
- 1.2 The new joint policies proposed are: the Travel Policy, the Organisation Change and Redundancy Policy, and the Maternity and Paternity Leave and Pay Policy.
- 1.3 All have been reviewed in accordance with current employment legislation and associated ACAS Codes of Practice.
- 1.4 Existing policies and procedures, in place at Forest Heath and St Edmundsbury, have been reviewed and changes made to ensure that managers have sound and effective single policies for dealing with these situations and their single staff structures.
- 1.5 The Joint Leadership Team, Unison and the Portfolio Holders have been consulted on this policy.
- 1.6 The proposed changes in these papers are designed to reduce the pay bill or increase productivity; whilst maintaining fair and attractive terms for our employees.
- 1.7 These new joint policies were considered by the West Suffolk Joint Staff Consultative Panel on 16 January 2014, where amendments were recommended to the Travel Policy and Procedure and the Organisational Change and Redundancy Policy and Procedure as set out below:

(a) Travel Policy and Procedure

2.5 Mileage incurred as a result of an employee's workbase being changed

Page 5 – paragraph 5. be amended to include:

"Where employees are requested by their line manager to work additional days, excess mileage will be paid".

(b) Organisational Change and Redundancy Policy and Procedure

11. Entitlement to redundancy payments

Pages 8 and 9 – paragraphs 11.1 and 11.3 – The word 'your' be deleted from these paragraphs, to be amended to read:

11.1 The calculation of redundancy payment is based on age, length of continuous local government service, and actual pay.

11.3 Entitlement can be calculated at INSERT LINK on the Councils' intranet.

1.8 The Policies attached to this report include the above proposed amendments.

2. Recommendation(s)

2.1 That Cabinet recommend to the adoption of the attached Policies by both Forest Heath District Council and St Edmundsbury Borough Council, specifically the:

- **Travel Policy and Procedure (as amended),**
- **Organisational Change and Redundancy Policy and Procedure (as amended);**
- **Maternity and Paternity Leave and Pay Policy and Procedure.**

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Corporate priorities/Strategic Priorities

3.1 The recommendations meet the Councils' priorities to work together to be efficient councils in the effective management of human resources.

4. Key issues

4.1 The two councils have a Joint Leadership Team, a single pay and reward strategy, and are bringing together a shared workforce. HR Policies and procedures underpin the terms and conditions of employment, and are tools for both managers and employees to utilise to deal with matters when they arise.

4.2 It is important for everyone to have absolute clarity, fairness and consistency in regard to dealing with the situations covered by these policies. The adoption of these joint and up-to-date policies will be supported by information sharing and training for managers, as appropriate.

4.3 The policies have been changed in a number of respects to ensure that the councils have a modern and effective approach. A number of national 'green book' conditions have been reviewed with the outcome being the adoption of policies that are appropriate, effective and fair for our employees, whilst reducing the costs of implementation.

4.4 Travel Policy:

- Clarifies the arrangements for the payment of excess and business mileage.
- Reduces the 4 year Disturbance allowance to 2 years; removes the time allowance (based previously on national 'green book' and 'purple book')
- Proposes locally agreed subsistence and removes some aspects (some green book allowances completely removed e.g drinks, afternoon tea, set rates that are increased through national agreement, hotel allowances)
- Confirms the Dual base, the 'shorter journey from home' principle and retained base for existing employees as at 2013 contract.

4.5 Organisation Change and Redundancy Policy:

- Based on learning from 2013 restructuring process
- Removes much detail to enable less rigid approach (detail now in a frequently asked questions format to give further guidance)
- Updated with regard to pensions and statutory changes to consultation requirements
- Seeking new collective agreement on the current redundancy multiplier consistent with all other Suffolk Councils (whilst enabling a fair compensation and exit package that reduces risk of challenge to the Councils).

4.6. Maternity and Paternity Policy:

- Updated in accordance with statutory changes
- Removes Maternity Support Leave (previously 'green book')
- Reduces payment calculation for KIT days (keeping in touch)
- Clarifies arrangements for bank holidays and childcare vouchers

5. Other options considered

5.1 To retain existing, different policies that need reviewing is not an effective option.

6. Community impact

6.1 **Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

6.1.1 None.

6.2 Diversity and equality impact *(including the findings of the Equality Impact Assessment)*

6.2.1 The adoption of these joint policies supports equity and consistency in approach between the two partner employers in West Suffolk.

6.2.2 The Organisation Change and Redundancy Policy reflects statutory requirements in terms of the statutory entitlements which are based on age and length of service, as modified by the Local Government Modification Order and the rules of the Local Government Pension Scheme.

6.2.3 The Maternity and Paternity Policies ensured fair treatment of employees who have childcare responsibilities as required by Equality legislation. Pregnancy and Maternity are protected characteristics and employees must not suffer any detriment arising either directly or indirectly from these situations.

6.3 Sustainability impact *(including completing a Sustainability Impact Assessment)*

6.3.1 Not applicable.

6.4 Other impact *(any other impacts affecting this report)*

6.4.1 Not applicable.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 This paper is the consultation document for the Joint Staff Consultative Panel; Unison and the Joint Leadership Team have been consulted during its development.

8. Financial and resource implications *(including asset management implications)*

8.1 These policies have been reviewed to ensure the efficient use of both human and financial resources at both West Suffolk Councils.

8.2 Line Managers will be trained as part of the HR Bite Size programme to ensure familiarity and compliance with the policies and associated procedures and guidance.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Poor employment relations	Medium	Adoption of joint policy	Low
Delay in dealing with problems	Medium	Effective policy with clear and practical timescales	Low
Lack of management skill in solving workplace issues	Medium	Training for managers	Low

10. Legal and policy implications

10.1 Maternity and Paternity Policy complies with:

Maternity and Parental Leave Regulations 1999
Paternity and Adoption Leave Regulations 2002
Statutory Paternity Pay and Statutory Adoption Pay (General) Regulations 2002
Additional Paternity Leave Regulations 2010
Additional Statutory Paternity Pay (General) Regulations 2010

10.2 Organisational Change and Redundancy Policy complies with:

Employment Rights Act 1996
Trade Unions and Labour Relations (Consolidation) Act 1992
Redundancy Payments (Continuity of Employment in Local Government)
Modification Order 1999
Fixed-term Employees (Prevention of Less Favourable) Treatment Regulations
2002
Local Government (Early Termination of Employment) (Discretionary
Compensation) (England and Wales) Regulations 2006
Local Government Pension Scheme (Amendment) (No 2) Regulations 2007
Local Government Pension Scheme (Benefits, Membership and Contributions)
Regulations 2007
Local Government Pension Scheme (Miscellaneous) Regulations 2008

10.3 All policies are written to comply with relevant case law.

11. Ward(s) affected

11.1 None directly.

12. Background papers

12.1 None.

13. Documents attached

13.1 Appendix A - Joint Travel Policy and Procedure (amended) Appendix B - Maternity and Paternity Leave and Pay Policy and Procedure Appendix C - Organisational Change and Redundancy Policy and Procedure (amended)