

SOUTH LAKELAND DISTRICT COUNCIL

South Lakeland House, Kendal, Cumbria LA9 4UQ

www.southlakeland.gov.uk



**You are requested to attend a meeting of
the Human Resources Committee
on Tuesday, 14 June 2022, at 3.00 p.m.
in the Assembly Room, Kendal Town Hall, Kendal**

Committee Membership

Councillors

Pat Bell
Eamonn Hennessy
Rachael Hogg (Chairman)
Ali Jama (Vice-Chairman)
Brian Rendell
Matt Severn
Heather Troughton
Janet Willis
Shirley-Anne Wilson

Note – Where relevant, agendas for Members are labelled “Private Document Pack” and contain exempt information within the papers. Any relevant pages are marked as restricted within Agendas labelled “Public Document Pack”.

Monday, 6 June 2022

Linda Fisher, Legal, Governance and Democracy Lead Specialist (Monitoring Officer)

For all enquiries, please contact:-

Committee Administrator: Adam Moffatt

Telephone:

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AGENDA

Page Nos.

PART I

1 APOLOGIES

To receive apologies for absence, if any.

2 MINUTES

To authorise the Chairman to sign, as a correct record, the minutes of the meeting of the Committee held on 1 February 2022.

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3 DECLARATIONS OF INTEREST

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.)

Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting.

4 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

To consider whether the item in Part II of the Agenda should be considered in the presence of the press and public.

5 TERMS OF REFERENCE - HUMAN RESOURCES COMMITTEE

To note the Terms of Reference for the Human Resources Committee as attached.

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6 ANNUAL ABSENCE REPORT 2021/22

To consider the Sickness Absence Report for the period 1 April 2021 to 31 March 2022.

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7 HR POLICY UPDATES

To consider an update on a number of the Council's Human Resources Policies.

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PART II

Private Section (exempt reasons under Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, specified by way of paragraph number)

8 FLEXIBLE RETIREMENT REQUEST

- *Paragraph 1, 2, 3 - Information relating to any individual.*
- *Information which is likely to reveal the identity of an individual.*
- *Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

117 - 120

To consider a Flexible Retirement Request.

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HUMAN RESOURCES COMMITTEE

Minutes of the proceedings at a meeting of the Human Resources Committee held in the District Council Chamber, South Lakeland House, Kendal, on Tuesday, 1 February 2022, at 3.00 p.m.

Present

Councillors

Rachael Hogg (Chairman)

Pat Bell
Philip Dixon

Brian Rendell
Shirley-Anne Wilson

Apologies for absence were received from Councillors Janet Willis (Vice-Chairman).

Officers

Lawrence Conway	Chief Executive
Julia Krier	Legal, Governance and Democracy Specialist
Courtney Langhorne	Case Management Officer (Support Services)
Charlie McShane	Case Management Officer - Human Resources
Charles Officer	HR Lead Specialist
David Sykes	Director of Strategy, Innovation and Resources

HR/1 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the Human Resources Committee meeting held on 20th July 2021.

HR/2 DECLARATIONS OF INTEREST

No declarations of interest were raised.

HR/3 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED - That the items in Part II of the Agenda be dealt with following the exclusion of the press and public.

The Urgent item to be considered in Part I of the meeting for approval by committee members.

HR/4 PAY POLICY STATEMENT FOR 2022/23

The HR Specialist presented the Pay Policy statement for 2022/23 to the Human Resources Committee providing transparency on the setting of pay to employees, detailing in particular the pay of senior management.

RESOLVED – That

- (1) The Pay Policy Statement 2022/23 be recommended to Full Council for approval; and
- (2) The minimum living wage payment of £9.50 per hour from 1 April 2022 be agreed to staff who fall within the C grade on the Council's spinal scale with the exception of apprentices.

HR/5**HUMAN RESOURCES SUB-COMMITTEE MEMBERSHIP**

Note - this matter was being included as an urgent item of business under Section 100B (4)(b) of the Local Government Act 1972, as the Chair of HR was of the opinion that it required consideration without delay. A decision was required because of the retirement of the current Director of Strategy Innovation and Resources. To delay a decision until the next scheduled meeting of the HR Committee would mean that the recruitment process would be delayed.

The Committee was asked to confirm membership of the Sub Committee (for interviews being held on 23 February 2022) which needed to be politically balanced (3 Liberal Democrats and 2 Conservative Members) and include at least one Cabinet Member.

It was noted that there was a requirement for the Sub-Committee to be politically balanced and therefore for Liberal Democrat members to be allocated 3 seats on the Sub-Committee and for Conservatives to be allocated two seats. During discussion it was noted that by agreement the HR Committee could agree to allocate a position on the Sub-Committee to a Labour member, Cllr Shirley-Anne Wilson having expressed an interest in sitting on the Sub-Committee. It was further noted during discussions that, as there were only two Liberal Democrat members present at the HR Committee meeting, the appointment of a third Liberal Democrat member to the Sub-Committee would be delegated and agreed in consultation with the relevant Liberal Democrat members of the HR Committee who were available on the interview date in question.

RESOLVED – That

- (1) Councillors Pat Bell, Philip Dixon, Rachel Hogg and Shirley-Anne Wilson be confirmed as Members of Sub-Committee for interviews to be held on 23 February 2022; and
- (2) that the appointment of the remaining Member of the Sub Committee be delegated to the Chair of HR Committee to appoint a Liberal Democrat member of HR Committee following consultations regarding availability.

HR/6**JOINT CONSULTATIVE PANEL**

- *Paragraph 4 - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.*

RESOLVED – That the notes of the meeting of the Joint Consultative Panel held on 13 July 2021 be received.

HR/7 HEALTH, SAFETY AND WELLBEING COMMITTEE

- *Paragraph 2 - Information which is likely to reveal the identity of an individual.*

The Director of Strategy, Innovation and Resources provided an update on the Health, Safety and Wellbeing board's discussion confirming a number of changes. Officers continued to focus on safe operations in light of the Covid-19 pandemic and health and wellbeing of employees. The support mechanisms in place for staff and encouragement were discussed referencing social aspects of working.

The Committee discussed staff involvement and sickness absence, requesting updated reports on Covid-19 absences. The Human Resources Lead Specialist explained that the Council's smart working policy (introduced through Customer Connect) enabled staff who were isolating to work from home and this had therefore assisted with reducing the impacts of Covid-19 absences on the Council. He further clarified that, in accordance with guidance from the National Green Book, Covid-19 absences were not reported as part of annual sickness absences. It was confirmed that these figures would be shared in the annual sickness report at the next meeting of the Human Resources Committee. It was noted that customer-facing services had dealt admirably with the challenges of Covid-19 and with little disruption to residents.

There was discussion regarding the proposal to introduce 'pulse mini surveys' to staff and the Director of Strategy Innovation and Resources confirmed that such surveys would be designed to take soundings from within the organisation regarding readiness for change.

In response to a query regarding sickness absences, the Human Resources Lead Specialist provided an overview of the support and policies in place.

During discussion, a query was raised regarding the percentages of employees working from home and in response the Human Resources Lead Specialist noted that the Customer Connect business case had envisaged a 70/30 split regarding working from home and office-based working respectively. It was confirmed that on average 70-80% of staff continued to work from home with approximately 20% working from the office.

In response to a query concerning communications with staff regarding Local Government Reorganisation, the Chief Executive updated the Committee that the Council had been preparing the organisation for the future through fortnightly staff briefings online, regular updates through the LGR Programme Board and communications shared weekly on the programme's progress.

RESOLVED – That

(1) The minutes of the meeting of the Health, Safety and Wellbeing Board held on 21 September 2021 be received.

HR/8 ORGANISATIONAL ESTABLISHMENT REPORT

- *Paragraph 1, 2, 3 - Information relating to any individual. Information which is likely to reveal the identity of an individual. Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

The Human Resources Specialist presented the report which provided members with an updated organisational establishment list further to the previous update in July 2021. .

RESOLVED – That

- (1) The changes to the organisational establishment and accompanying appendix to the report be noted; and
- (2) The updated Establishment List as at Appendix A be approved; and
- (3) The Establishment List be recommended to Council to be used to update the 2022/23 to 2025/26 salary budgets to be approved by Full Council and a summary of the establishment be included in the budget setting report to enable Council to approve the overall staffing requirements.

Prior to closing the meeting, the Chair offered a vote of thanks to the Director of Strategy Innovation and Resources on his forthcoming retirement from the Council.

The meeting ended at 3.47 p.m.

Terms of Reference

HUMAN RESOURCES COMMITTEE (NINE MEMBERS OF THE COUNCIL)

Functions	Delegation of Functions
To deal with the discharge of duties under Paragraph 4.4 of the Officer Employment Procedure rules	Onward delegation to a 5 member sub-committee drawn from the Human Resources Committee (to include at least one Cabinet Member)
To deal with the discharge of duties under Paragraph 5 of the Officer Employment Procedure Rules (disciplinary cases involving the Head of Paid Service, Monitoring Officer and Chief Finance Officers).	Onward delegation to a 5 member sub-committee as detailed above. If the sub-committee considers dismissal might be a sanction, an Independent Persons Panel will consider matters and report back to the sub-committee. The Panel will be made up of two/three Independent Persons (one of which will be the Council's Independent Person appointed through the standards process).
To consider any appeals against the decision of the sub-committee in relation to the discharge of duties under Paragraph 5 of the Officer Employment Procedure Rules (disciplinary cases involving the Head of Paid Service, Monitoring Officer and Chief Finance Officers) where such decision is to impose a sanction that falls short of dismissal.	Onward delegation to a 5 member appeals panel drawn from HR Committee (if appropriate) and the wider Council membership if needed.
Power to appoint staff, and to determine their terms and conditions of service, including procedures for dismissal (other than matters covered by the Employment Procedure Rules in Part 4 of this Constitution).	Onward delegation to officers.
To consider appeals against grading, termination of probation periods and grievance by employees (subject to the below).	Onward delegation to the Chief Executive and Directors.
To consider any grievances in accordance with the statutory officer terms and conditions of service.	Onward delegation to a 5 member sub-committee drawn from the Human Resources Committee.
To consider any appeals against the decision of a grievance sub-committee in accordance with the statutory officer terms and conditions of service.	Onward delegation to a 5 member appeal panel drawn from the Human Resources Committee (if appropriate) and wider Council membership if necessary.
To make recommendations to the Council with regard to the overall manpower requirements of the Council.	Onward delegation to the Chief Executive.
To approve minor amendments to the staffing establishment of the Council provided that such changes do not have any significant financial impact and can be met from within existing budgets.	Onward delegation to the Chief Executive and Directors.

Terms of Reference

Functions	Delegation of Functions
<p>To formulate and implement uniform and equitable policies concerning all employees of the Council having regard, in particular, to:- the recruitment, training, promotion, grading, determination of wage and salary scales and conditions of service of employees and matters of a like nature; and the implementation of agreements, etc., concerning salaries, wages or conditions of service awarded or recommended by any of the appropriate wage negotiating bodies and the taking of any necessary consequential action in respect of employees not directly affected by an award or recommendation, subject to such delegation not exceeding a cost of £250,000.</p> <p>These restrictions do not apply in the case of approval of Human Resources Documents.</p>	<p>Onward delegation to the Chief Executive, Director of Strategy, Innovation and Resources and Chief Finance Officer</p>
<p>To implement all statutory superannuation, pension and compensation provisions.</p>	<p>Onward delegation to the Chief Executive and the Directors</p>
<p>To consider appeals against dismissal by established employees other than matters covered by the Employment Procedure Rules in Part 4 of this Constitution.</p>	<p>Onward delegation. A panel of 3 members drawn from the committee</p>

South Lakeland District Council
Human Resources Committee
Tuesday 14 June 2022
Annual Sickness Absence Report 2021-22

Portfolio: Cllr Eamonn Hennessy
Report from: Simon McVey- Director of Strategy, Innovation and Resources
Report Author: Kira King – HR Specialist
Wards: N/A
Forward Plan: N/A

Links to Council Plan Priorities: The recognition of a highly skilled and healthy workforce is embedded into the council plan which shows how essential a motivated workforce is to providing excellent customer services.

1.0 Expected Outcome and Measures of Success

1.1 This report provides details of employee sickness absence in the Council during the period 1 April 2021 to 31 March 2022.

2.0 Recommendation

2.1 It is recommended that Human Resources Committee:-

- (1) Approve the report with any actions to be taken moving forward.**
- (2) Approve the target for sickness absence for 2022/23 of 7.50 days to be maintained.**

3.0 Background and Proposals

3.1 Sickness Absence is measured and reported as “Days lost through sickness per Full-Time Equivalent (FTE) employee”, using the calculation conventions of the former National Performance Indicator BV12. This is a standard format, which allows realistic comparison with other organisations. It includes sickness absence attributable to employees who have left employment during the period under review, and fixed term employees. It does not include sickness absence attributable to casual staff or Members.

Sickness Absence Targets

3.2 During the period 1 April 2021 to 31 March 2022, the Council had an average full time equivalent (FTE) of 413.5. The Council lost **4668.6** working days through sickness absence, compared to **4040.5** in the previous year (**an increase of 628.1 days, 15.5%**). This is equivalent to **11.29** days per FTE employee per annum. This represents an increase of 1.14 days per FTE employee compared to last year which was 10.15 and an increase of 3.79 days over the target of 7.5 days per FTE employee agreed by the Human Resource Committee.

3.3 Of the total number of days lost, **3674.7** days were lost through long-term absence. (Long term absence is defined as any absence lasting for a period of four working

weeks or more). This is equivalent to 78.7% of all sickness absence for the period under review. In the corresponding period in the previous year **3052.1** days were lost which was equivalent to 75.5% of all sickness absence.

In 2021/22 there were 62 incidences of long term absence which were supported by the HR team, compared to 60 incidences last year.

The average duration of a long-term absence was 59.2 days, compared to 53.7 days in the previous year.

3.4 For each directorate area the Long Term Sickness figures for 2021/22 are as follows:

Directorate Area	Total Days of Long Term Absence lost	Total number of Staff on long term sickness absence	Average number of days lost per employee on long term sick
Strategy, Innovation and Resources	311	6	51.8
Customer and Commercial Services	3363.7	56	60.1

3.5 Of the total number of days lost, **993.9** days were lost through short-term absence. (Short term absence is defined as any absence lasting less than a period of four working weeks). This is equivalent to 21.3% of all sickness absence for the period under review. In the corresponding period in the previous year **988.4** days were lost which was equivalent to 24.5% of all sickness absence.

In 2021/22 there were 342 incidences of short term sick, compared to 237 incidences last year.

The average duration of a short-term absence was 2.9 days compared to 4.17 days in the previous year.

3.6 For each directorate area the Short Term Sickness figures for 2021/22 are as follows:

Directorate Area	Total Days of Short Term Absence lost	Total number of Staff on short term sickness absence	Average number of days lost per employee on short term sick
Strategy, Innovation and Resources	119.9	34	3.5
Customer and Commercial	874	158	5.5

Pro-active Measurement and Actions

3.7 The Human Resources Service regularly measures days lost through sickness absence and monthly reports are sent to Leadership Team. Managers also have access to run their own team's absence reports. In addition, managers are supported in monitoring and reducing levels of absence in their service area. This report provides an annual overview, outlines progress achieved, and provides information about ongoing work being undertaken to enable the Council to manage sickness absence effectively.

- 3.8 The increased level of pro-active support available to employees, for example include: free confidential counselling, the Employee Assistance Programme, occupational health provision, the Pay Care Health cash plan, the launch of the Mental Wellbeing at Work Policy, resilience workshops, the launch of Cheerful Tuesday wellbeing sessions, wellbeing surveys, targeted wellbeing team talks and regular wellbeing updates on Sharepoint.

Categories for Absence

- 3.9 The reason for absence category is taken from the employee directly or fit note and consistently entered onto iTrent.

- 3.10 The top reasons for absence through sickness, by percentage of days lost, are:

1. Stress, depression, anxiety and fatigue (760 days, 16.3%)

2. Musculoskeletal non work related (672.6 days, 14.4%)

An analysis of the days actually lost, by reason for absence, is attached as Appendices 1 and 2.

- 3.11 Since the previous reporting year the Council has seen the biggest increase in:

1. Other reasons (increased to 12.5% of sickness with 584.9 days in 2021/22 compared to only being 5.1% with 204.3 days in 2020/21)

2. Disease/ Cancer treatment (increased to 10.6% of sickness, with 493 days in 2021/22 compared to 3.8% with 152.5 days in 2020/21)

- 3.12 The biggest reduction since the previous reporting year has been:

1. Headache, migraine, all neurological problems (has decreased to be 3.5%, 164.6 day in 2021/22 compared to 9.6% with 388.7days days in 2020/21)

2. Musculoskeletal work related (has decreased to 6.6% with 308.5 days in 2021/22 compared to 12% with 484.4 days in 2020/21)

- 3.14 Absence due to non-work related stress/depression has decreased since last year. A total of 848.6 days was reported last year, however this decreased to 760 days in 2021/22 (10.4% decrease, 88.8 days). Non-work related stress/depression had previously increased for the year 2020/21 by 14%.

- 3.15 Absence due to work related stress has increased since last year. A total of 277.5 days was reported for 2021/22 compared to 180.6 days for last year this year (an increase of 53.6%, 96.9 days).

The Council is continuing to manage stress related absences through the use of the stress assessment process, which includes:

- Active day 1 care through our employee assistance programme. With agreement from the employee a referral is made on day 1 of the absence. A qualified counsellor will arrange a call and agree a programme of activity with the employee. This supports with the identification of Stress incidences on the first day of absence and appropriate support and prompt measures can be taken to deal with any issues leading to or causing stress absence.
- Resilience training provided by a trained psychologist for all staff.
- Occupational Health service which staff can access.
- Our Employee Assistance Programme which provides a multitude of counselling options.
- The introduction of our Wellbeing at Work Policy. This provides useful tools to managers and employees to support with wellbeing activity
- Training on the Wellbeing policy for managers
- The introduction of management team talks

- The introduction of cheerful Tuesdays
- The introduction of wellbeing updates and resilience training

Pro-Active Management of Sickness Absence

- 3.16 It is proposed to continue this pro-active management in sickness absence by continuing to set the challenging target for 2021/22 of **7.50** days per employee per annum.
- 3.17 A range of pro-active actions were introduced in the last financial year to help meet the proposed target and reduce absence further:-
- Revision of all sickness absence reason categories to align with national published data to assist benchmarking and more detailed absence for manager's reviews. In addition to this, more specific reasons have been introduced to capture work and non-work related musculoskeletal sickness absence.
 - Provision of seminars on work life balance, priority setting techniques, team working, well-being events and motivational sessions.
 - Two categories of stress have now been established to monitor workplace and personal stress to support employees and take actions that are appropriate and timely.

Further Actions and Activities

- 3.18 The following pro-active actions will continue, where appropriate, to assist managers in the management of sickness absence.
- The introduction of a Mental Wellbeing at Work policy to raise awareness of mental health and to support managers and employees with proactive measures in supporting each other with mental health conditions.
 - The introduction of a Smart Working policy that allows all staff to be flexible in their work life balance.
 - Providing training to equip managers with the necessary knowledge and skills to manage sickness absence. The use of policies and procedures such as "Attendance Management", "Mental Health at Work" and "Smart Working".
 - Advising managers each time employees reach a sickness absence trigger point.
 - The return to work interview is monitored by Human Resources and managers are advised where they are overdue.
 - Absence reviews are conducted in line with the Attendance Management Policy with full support from Human Resources.
 - The Council utilises professional Occupational Health advice in managing levels of absence, particularly long-term absence.
 - A free confidential Counselling Service is available for all employees.
 - A free confidential Employee Assistance Programme is available for all employees.
 - The Council offers the opportunity for employees to join the Pay Care Health Cash Plan which allows for regular dental, optical check-ups, etc, which should contribute to reduced levels of sickness absence.

Absence due to COVID

- 3.19 It is important to mention the impact of COVID on overall absence figures for 2021/22. As part of the local government terms and conditions if an employee is prevented from attending work because of contact with infectious disease they shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.

- 3.20 For the purposes of reporting sickness absence, any absence related to COVID, either self-isolation or being absent due to contracting COVID has not been counted toward the overall sickness absence reporting figures.
- 3.21 For information purposes the Council has had a total of 724 days lost which are attributable to COVID. This was a decrease from the previous year where 1493 days were lost. Should this figure have been added to the totals above the overall absence figures would total 5,392.5 days for the period 2021/22.

4.0 Appendices Attached to this Report

Appendix No.	
1	Reason for absence by percentage of days lost – 1 April 2021 to 31 March 2022
2	Reason for sickness absence by percentage - 1 April 2021 to 31 March 2022
3	SLDC days lost through sickness absence per full-time equivalent (FTE) employee per annum - 2004/05 to 2021/22

5.0 Research and Consultation

- 5.1 All data used in this report relating to South Lakeland District Council has originated from the Council's iTrent Human Resources computerised system.
- 5.2 External benchmarking has also taken place to assess our performance against other relevant external organisations. The Council's absence figure for 2020/21 of 10.15 days which is higher than that recorded for the UK Public Sector in an xperthHR Survey which was recorded at 9.2 days. Appendix 3 of the report, provides the SLDC sickness absence figures between 2004/05 and 2021/22.
- 5.3 Absence comparison data has been produced by XperthHR nationally and has been provided below for comparison.

National Comparative Data	2021	2020	2019	2018	2017	2016	2015	2014	2013
XperthHR National report on Absence-Public Sector	10 days	9.2 days	9.2 days	8.4 days	9.7 days	9.8 days	9.08 days	8.2 days	9.1 days
XperthHR National report on Absence-Private Sector	6.7 days	8.7 days	6.4 days	4.4 days	5.6 days	6.5 days	7.8 days	6.6 days	8.8 days
SLDC	11.29 days	10.15 days	10.88 days	8.92 days	7.31 days	8.99 days	8.54 days	7.4 days	6.5 days

- 5.4 The report will be shared with our unions prior to HR committee.

6.0 Alternative Options

- 6.1 Not applicable – the report is provided for information.

7.0 Implications

Financial, Resources and Procurement

- 7.1 From the iTrent Human Resources computerised system it is calculated that the cost of sickness absence for the financial year was £357,853.21. This figure does not include on costs or the cost of cover, overtime or flexi-time being worked to cover absences.
- 7.2 The cost of absence in 2021/22 was £265,626. The increase in days from last year (+628) has seen an increase in costs of £92,227 calculated on the same salary basis as above.

Human Resources

- 7.3 The Council's Attendance Management Policy provides details of how employees will be managed during sickness absence.

Legal

- 7.4 There are no legal implications to this report.

Health and Sustainability Impact Assessment

- 7.5 Have you completed a Health and Sustainability Impact Assessment? No
- 7.6 If you have not completed an Impact Assessment, please explain your reasons: A sustainability impact assessment has not been carried out. It has no impact on climate change. This report does not have any registered significant environmental effects.
- 7.7 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		X		
	Air Quality		X		
	Biodiversity		X		
	Impacts of Climate Change		X		
	Reduced or zero requirement for energy, building space, materials or travel		X		
	Active Travel		X		
Economy and Culture	Inclusive and sustainable development		X		
	Jobs and levels of pay		X		
	Healthier high streets		X		
	Culture, creativity and heritage		X		
Housing and Communities	Standard of housing		X		
	Access to housing		X		

	Crime		X		
	Social connectedness		X		

Equality and Diversity

7.8 Have you completed an Equality Impact Analysis? No

7.9 If you have not completed an Impact Analysis, please explain your reasons: There are no trends in the sickness absence analysis figures indicating any equality or diversity issues.

7.10 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"					
Age	P		0	X	N
Disability	P		0	X	N
Gender reassignment (transgender)	P		0	X	N
Marriage & civil partnership	P		0	X	N
Pregnancy & maternity	P		0	X	N
Race/ethnicity	P		0	X	N
Religion or belief	P		0	X	N
Sex/gender	P		0	X	N
Sexual orientation	P		0	X	N
Armed forces families	P		0	X	N
Rurality	P		0	X	N
Socio-economic disadvantage	P		0	X	N

Risk

Not applicable – the report is provided for information purposes.

Contact Officers

Kira King, HR Specialist
kira.king@southlakeland.gov.uk

Background Documents Available

None

Tracking Information

Signed off by	Date sent	Date Signed off
Legal Services	30/05/2022	31/05/2022
Section 151 Officer	30/05/2022	31/05/2022
Monitoring Officer	30/05/2022	31/05/2022
CMT	N/A	N/A

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	19/05/2022

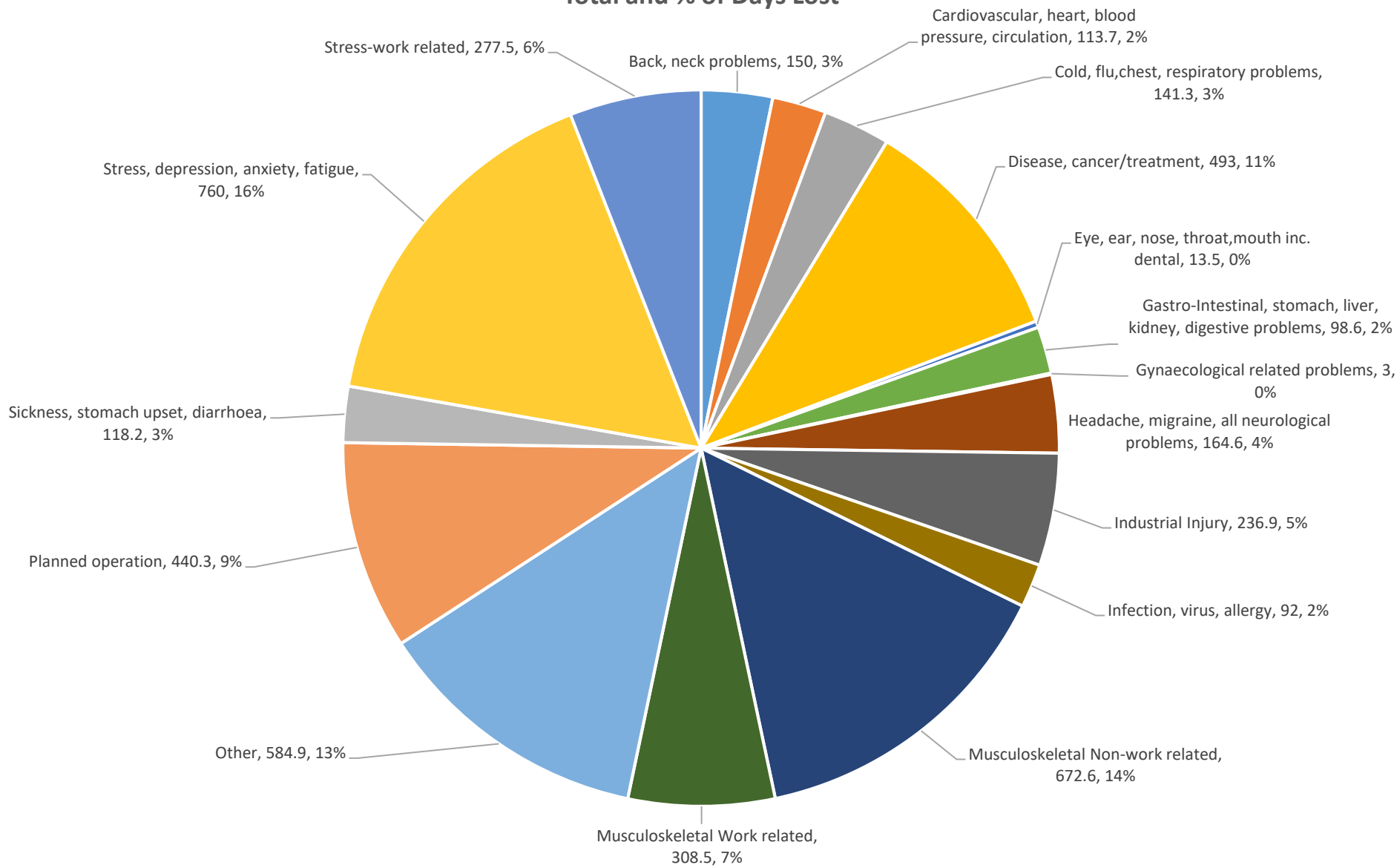
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Communications Team	N/A
Leader	N/A
Committee Chairman	
Portfolio Holder	19/05/2022
Ward Councillor(s)	N/A
Committee	
Executive (Cabinet)	N/A
Council	N/A

Reason for absence by percentage of days lost 2021/22

Reason	LTS days	STS days	Total Days	%
Back, neck problems	137	13	150	3.2
Cardiovascular, heart, blood pressure, circulation	109.9	3.8	113.7	2.4
Cold, flu, chest, respiratory problems	0	141.3	141.3	3.0
Disease, cancer/treatment	489	4	493	10.6
Eye, ear, nose, throat, mouth inc. dental	0	13.5	13.5	0.3
Gastro-Intestinal, stomach, liver, kidney, digestive problems	42.5	56.1	98.6	2.1
Gynaecological related problems	0	3	3	0.1
Headache, migraine, all neurological problems	130.9	33.7	164.6	3.5
Industrial Injury	191	45.9	236.9	5.1
Infection, virus, allergy	38.5	53.5	92	2.0
Musculoskeletal Non-work related	478.3	194.3	672.6	14.4
Musculoskeletal Work related	291.5	17	308.5	6.6
Other	436.1	148.8	584.9	12.5
Planned operation	344.9	95.4	440.3	9.4
Sickness, stomach upset, diarrhoea	42	76.2	118.2	2.5
Stress, depression, anxiety, fatigue	684.6	75.4	760	16.3
Stress-work related	258.5	19	277.5	5.9
Totals	3674.7	993.9	4668.6	100.0

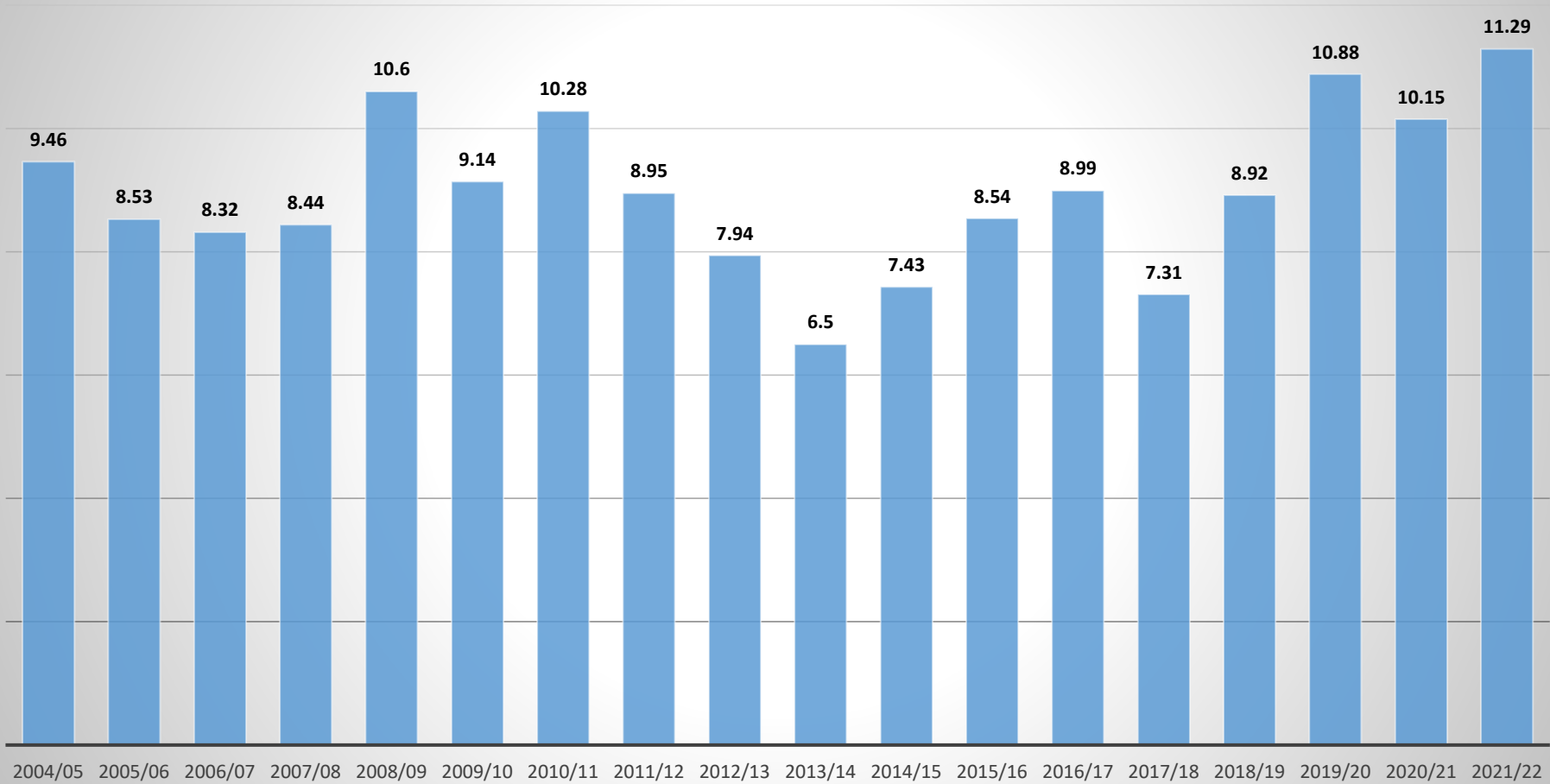
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Total and % of Days Lost



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SLDC days lost per FTE employee 2004/05 - 2021/22



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South Lakeland District Council Human Resources Committee Tuesday, 14 June 2022 HR Policy Updates

Portfolio:	Cllr Eamonn Hennessy
Report from:	Director of Strategy, Innovation and Resources
Report Author:	Jackelene McKay and Charlie McShane – HR Specialists
Wards:	Not Applicable
Forward Plan:	Not Applicable

Links to Council Plan Priorities: The policy update / review ensures that the policies reflect the Council's organisational structure and are in accordance with legislative requirements.

1.0 Expected Outcome and Measures of Success

1.1 This report presents an update on a number of the Council's policies. The policies are part of a policy review schedule and some changes in these policies also reflect the structural management changes following the implementation of a new organisation structure. To include some policies which have been updated in line with new legislation.

2.0 Recommendation

2.1 It is recommended that Human Resources Committee

- (1) Considers and approves the updates to the Flexible Working, Recruitment, Capability, Probation, Grievance, Dignity at Work and Secondment policy, along with the relevant appendices, as attached at Appendices 1 to 17 inclusive of this report.**

3.0 Background and Proposals

3.1 The Flexible Working Policy has had some minor grammatical changes and updated wording. The process has also been simplified and is open to all employees. The policy has been amended in line with new legislation. There have also been changes to the titles and service area names following the restructure and customer connect changes.

3.2 The Capability, Probation, Grievance, Dignity at Work and Secondment Policies has had some grammatical changes and updated wording. The process has also been simplified. There have also been changes to the titles and service area names following the restructure and customer connect changes.

3.3 The Recruitment Policy has been simplified, repetitive wording has been deleted and the process has been written chronologically for ease of purpose.

We have adopted a policy to accommodate Veterans. People who have served in the arm forces for at least one year, will automatically get an interview when applying for jobs in the civil service as long as they meet the minimum criteria.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Flexible Working Policy
2	Flexible Working Application Form
3	Flexible Working Flow Chart
4	Recruitment Policy
5	Recruitment Flowchart – Recruitment and Selection procedure
6	Recruitment Flowchart – Selection Process
7	Recruitment Flowchart – Offer of Employment
8	Capability Policy
9	Capability Performance Plan
10	Probation Policy
11	Grievance Policy
12	Grievance – Mediation
13	Grievance Flow Chart
14	Dignity at Work
15	Dignity at Work – Flow Chart
16	Dignity at Work – Mediation
17	Secondment Policy

5.0 Consultation

5.1 The Corporate Management Team has been consulted and Unions will be consulted at JCP committee before Human Resources Committee.

6.0 Alternative Options

6.1 There are no alternatives to the changes other than these policies being updated to reflect the changes in policies and procedures and implementation of legislation.

7.0 Implications

Financial, Resources and Procurement

7.1 There are no financial implications of these changes

Human Resources

7.2 Locally agreed policies and procedures are agreed in full consultation with the recognised Unions and take place in line with statutory requirements.

Legal

7.3 Locally agreed policies and procedures are agreed in full consultation with the recognised Trade Unions and take place in line with statutory requirements.

Health and Sustainability Impact Assessment

7.4 Have you completed a Health and Sustainability Impact Assessment? No

7.5 If you have not completed an Impact Assessment, please explain your reasons:
There are no health, social, economic or environmental impacts from these policy updates

7.6 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions		X		
	Air Quality		X		
	Biodiversity		X		
	Impacts of Climate Change		X		
	Reduced or zero requirement for energy, building space, materials or travel		X		
	Active Travel		X		
	Economy and Culture	Inclusive and sustainable development		X	
	Jobs and levels of pay		X		
	Healthier high streets		X		
	Culture, creativity and heritage		X		
Housing and Communities	Standard of housing		X		
	Access to housing		X		
	Crime		X		
	Social connectedness		X		

Equality and Diversity

7.7 Have you completed an Equality Impact Analysis? No

7.8 If you have not completed an Impact Analysis, please explain your reasons: Equality and Diversity runs through all aspects of the Council's Human Resources Policies and Procedures and managing this is integral within all our Policies and Procedures, thus ensuring compliance with legislative requirements. The equality and diversity of the structural changes has been assessed and agreed through customer connect programme. There are no specific equality and diversity impacts as these are considered and run through all aspects of the Council's Human resources policies

7.10 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"						
Age	P		0	X	N	
Disability	P	X	0		N	
Gender reassignment (transgender)	P		0	X	N	

Marriage & civil partnership	P		0	X	N	
Pregnancy & maternity	P		0	X	N	
Race/ethnicity	P		0	X	N	
Religion or belief	P		0	X	N	
Sex/gender	P		0	X	N	
Sexual orientation	P		0	X	N	
Armed forces families	P	X	0		N	
Rurality	P		0	X	N	
Socio-economic disadvantage	P		0	X	N	

Risk Management	Consequence	Controls required
The policy updates and changes are not agreed	The Council policies will be out of date and not reflect new legislation	The policy updates and changes are not agreed

Contact Officers

Charlie McShane, HR Specialist charlie.mcshane@southlakeland.gov.uk

Jackie McKay, HR Specialist Jackie.mckay@southlakeland.gov.uk

Background Documents Available

None

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	20/05/2022	23/05/2022
Monitoring Officer	20/05/2022	30/05/2022
CMT	20/05/2022	20/05/2022

Circulated to	Date sent
Lead Specialist	20/05/2022
Human Resources Lead Specialist	20/05/2022
Communications Team	N/A
Leader	N/A
Committee Chairman	14/06/2022
Portfolio Holder	14/06/2022
Ward Councillor(s)	N/A
Committee	14/06/2022
Executive (Cabinet)	N/A
Council	N/A



Flexible Working Policy

Version 1.1	
Last reviewed	July 2011
To be reviewed by	Nov 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes



FLEXIBLE WORKING POLICY

1.0 INTRODUCTION

The Council believes that its employees are its most valuable asset and is committed to attracting and retaining the very best, utilising all the talent and experience available within the community. It recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements that enable them to balance their working life with other priorities, including parental and other caring responsibilities, life-long learning, charity work, leisure activities and other interests. In turn employees must recognise that staffing levels must at all times remain in line with service requirements.

2.0 SCOPE OF THE POLICY

The right to request flexible working applies to all employees of South Lakeland District Council (~~S.L.D.C./SLDC~~) with 26 weeks' continuous service. Only one statutory application for flexible working can be made once every 12 months, ~~however precedence has to be given to those who have a legislative right to make the request. This legislative right applies to employees with 26 weeks' continuous service, with parental responsibility for a child under the age of 17 or 18 if the child is disabled or who have caring responsibilities for an adult aged 18 or over, an eligible employee has the right to request to change the number of hours that they work, the times that they work or their place of work.~~

3.0 ELIGIBILITY

While it is the Council's policy to be flexible on working patterns for all its employees, in order to ensure that it is complying with its legal obligations concerning the right to request flexible working, the following eligibility requirements must be met which includes:

- being an employee
- working for SLDC continuously for at least 26 weeks on the date they make their request
- not having made another statutory request during the past 12 months

~~there may be situations where precedence has to be given to those who have a legislative right to make the request.~~

~~Eligibility requirements~~

~~To have the statutory right to make a flexible working request, an employee has to meet certain criteria.~~

be an employee

- ~~have worked for S.L.D.C continuously for at least 26 weeks on the date they make their request~~
- ~~not have made another statutory request during the past 12 months~~

~~3.2 — Parents can make flexible working request if they are either~~

- ~~the mother, father, adopter, guardian, special guardian, foster parent or private foster carer of the child or a person who has been granted a residence order in respect of a child~~
- ~~Married to, or the partner or civil partner of one of these and are applying to care for the child.~~

~~3.3 — Carers can make flexible working requests~~

~~If they care, or expect to be caring, for an adult who is~~

- ~~a spouse, partner, civil partner or relative~~
- ~~someone who lives at the carer's address~~

~~A relative is a mother, father, adopter, adoptee, guardian, special guardian, parent in law, son, son in law, daughter, daughter in law, brother, brother in law, sister, sister in law, uncle, aunt or grandparent. Step-relatives, adoptive relationships and half-blood relatives are also included.~~

~~3.3.1 — What types of adult care are relevant?~~

~~Carers' patterns can vary widely from individual to individual — both in the nature and the extent of the care given. Examples may include:~~

- ~~giving/supervising medicines~~
- ~~escorting to doctors' appointments~~
- ~~supervision of the person being looked after~~
- ~~help with personal care for example dressing, bathing, toileting~~
- ~~help with mobility for example walking, getting in and out of bed~~
- ~~housekeeping for example preparing meals, shopping, cleaning~~
- ~~nursing tasks for example daily blood checking, changing dressings~~

~~3.4 — All employees~~

~~The Council recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements that enable them to balance their working life with other priorities, including life long learning, charity work, leisure activities and other interests.~~

~~3.5 — Employee checks~~

~~If the employer wishes to check that the employee meets one or all of the above criteria, it can ask the employee for evidence in the form of a declaration or "self-certificate".~~

4.0 THE FREQUENCY OF FLEXIBLE WORKING REQUESTS

~~Employees can make one application every 12 months. — even if the second request in this period was for a different caring responsibility. For example, an employee wishing to make a request to care for an adult would still have to wait a year even if their previous request had been to enable them to care for a child. Each year runs from the date the first application was made.~~

~~5.0 — THE REQUIREMENTS OF THE COUNCIL~~

~~Although the Council is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and to recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the Council.~~

~~Where an instance of flexible working is proposed the manager will need to take into account a number of criteria including (but not limited to) the following:~~

~~The cost of the proposed arrangement~~

~~The effect of the proposed arrangement on other staff~~

~~The level of supervision that the post holder requires or needs to give~~

~~The structure of the department and staff resources~~

~~Issues specific to the individual's department/group~~

~~An analysis of the tasks specific to the role, including their frequency and duration~~

~~An analysis of the workload of the role~~

~~5.1 — GROUNDS FOR REFUSING A REQUEST FOR FLEXIBLE WORKING~~

~~The Council ultimately has the right to refuse a request for flexible working on the grounds of:~~

~~Burden of additional costs~~

~~Detrimental effect on the ability to meet customer demand~~

~~Inability to reorganise work among existing staff~~

~~Or recruit additional staff~~

~~Detrimental impact on quality or performance~~

~~Insufficient work during the periods the employee proposes to work~~

~~Planned structural changes~~

~~5.06.0 — REQUESTING AN ALTERNATIVE WORKING ARRANGEMENT~~ ~~WHAT INFORMATION DOES AN EMPLOYEE NEED TO PROVIDE FOR A FLEXIBLE WORKING REQUEST (EMPLOYEE TO COMPLETE APPENDIX A APPLICATION FORM AND PROVIDE A COPY TO THEIR LINE MANAGER)~~

~~A request for flexible working must be made in writing and must include the following information:~~

- ~~• the date of their application, the change to working conditions they are seeking and when they would like the change to come into effect~~

- what effect, if any, they think the requested change would have on you as the employer and how, in their opinion, any such effect might be dealt with
- a statement that this is a statutory request and if and when they have made a previous application for flexible working

6.0 WHAT SHOULD A MANAGER DO WITH A REQUEST

Once you have received a written request, you must consider it within a reasonable time frame. You should arrange to meet with your employee as soon as possible after receiving the written request. If you intend to approve the request in full then a meeting is not needed.

If a meeting needs to be arranged please contact human resources to support with the meeting.

Should there be need to have a meeting, in this circumstance an employee can be accompanied by a work colleague or a union representative.

Any changes to an employee's working arrangements should be followed up in writing and managers should liaise with their HR representative to confirm. Managers should also complete a notification of change form (found in HR forms on sharepoint) and forward the details to their HR representative, payroll and finance.

7.0 WHAT DO MANAGERS NEED TO CONSIDER

Although the Council is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and to recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the Council.

Where an instance of flexible working is proposed the manager will need to take into account a number of criteria including (but not limited to) the following:

- The cost of the proposed arrangement
- The effect of the proposed arrangement on other staff
- The level of supervision that the post-holder requires or needs to give
- The structure of the department and staff resources
- Issues specific to the individual's department/group
- An analysis of the tasks specific to the role, including their frequency and duration
- An analysis of the workload of the role

7.1 GROUNDS FOR REFUSING A REQUEST FOR FLEXIBLE WORKING

The Council ultimately has the right to refuse a request for flexible working on the grounds of:

- Burden of additional costs
- Detrimental effect on the ability to meet customer demand
- Inability to reorganise work among existing staff
- Inability to recruit additional staff

- Detrimental impact on quality
- Detrimental impact on performance
- Insufficient work during the periods the employee proposes to work
- Planned structural changes

An employee may suggest any of the following as examples of flexible working

6.1 — Temporary arrangement

Employees may request to alter their working arrangement on a temporary basis for a maximum of 12 months with 3 monthly reviews. Employees and managers may enter into a mutual agreement out with this policy.

6.2 — Voluntary Reduced Working Time (V-time)

This arrangement is when it is agreed that the employee will work reduced hours for a certain period of time, returning to full time hours (or their normal contracted hours) at the end of this period. Salary, holiday and pension are pro-rated during this time.

6.3 — Permanent arrangement

Employees could either discuss the possibility with their manager or write to the manager with the request, outlining details of how they think the working arrangement will work in practice. Employees should note that the change in their working pattern will be a permanent change to the terms and conditions of employment and they have no right in law to revert back to the previous working pattern.

The Council will give consideration to requests for the following flexible working arrangements, whilst recognising that there may be alternatives, and that the working pattern that may suit any particular individual could be a unique one involving a combination of options:

- Part time working
- Annualised hours
- Compressed hours

6.3.1 — Part-time Working

Part time working is a system whereby the employee is contracted to work fewer than the standard number of contractual hours, perhaps by working fewer days per week.

6.3.2 — Annualised Hours

Annualised hours is when the employee's contractual working hours are expressed as the total number of hours to be worked over the year, allowing flexible working patterns to be worked throughout this period.

- The hours are often divided into scheduled hours, which are set.

- Reserve hours, when the employee can be called into work as demand dictates, including cover of unplanned work and employee absence.
- Salary is usually paid in 12 equal instalments.
- The Manager must review on a regular basis of no less than every 4 months the hours worked to make sure a balance is maintained.

6.3.3 Compressed Hours

Compressed hours permits employees to work their total number of contractual hours over fewer working days. Usually a five-day week is compressed into four days or four and a half days, or a 10-day fortnight into nine days.

Where more than one employee within a team wishes to work compressed hours, a rota may be necessary to ensure fairness, as some days (usually Monday and Friday) will be more popular choices for time off.

7.0 TIME LIMITS

The following times should be adhered to ensure any application for flexible working conforms to the statutory right to request. Managers may extend the time limit for any part of the process, providing both agree to the extension.

1. Arrange a meeting to discuss your application – 28 days
2. Notify the employee of your decision regarding your application – 14 days
3. Arrange a meeting to discuss your appeal – 14 days
4. Notify the employee of your decision regarding your appeal – 14 days

8.0 RIGHT OF APPEAL

8.1 Employee responsibilities

If the application has been refused an employee and the employee is unhappy they may appeal against the decision to the next level of manager. This must be made in writing within 10 working days of receiving written notice that your application for flexible working has been refused, setting out the grounds on which you are appealing.

The purpose of the appeal is to consider whether the process was fair and/or whether the conclusions, recommendations and final decision are reasonable in all the circumstances.

8.2 Employer's responsibilities

If an appeal is received a meeting must be arranged within a reasonable time frame This is a formal appeal made under the legal right to apply for flexible working, employers have 14 days following receipt of this written notice in which to arrange a meeting with the employee to discuss the grounds of the appeal.

8.3 Hearing the appeal

If a written appeal is received the next level of manager should contact a representative from the HR Group who will support the manager with arranging an appeal hearing. The next line manager will then hold an appeal meeting and a representative from HR hearing the appeal and will advise on procedures and assist them in reaching a fair decision at the appeal hearing. The

manager will discuss the grounds for appeal in detail and, based on all the facts available, will then decide whether the decision should be altered in any way. A response to the appeal hearing will be given within a reasonable timeframe~~14 days~~.

The employee may be represented and/or accompanied at the appeal by a union official or a colleague ~~or some other person of their choosing who is not acting in a legal capacity~~. If representation is not available to attend the appeal it will be re-arranged within 5 working days, however rescheduling the appeal for the convenience of a specific representative is not guaranteed and, ~~but~~ every effort will be made to accommodate a reasonable request.

~~9.0~~ **OTHER FLEXIBLE WORKING OPTIONS COVERED BY POLICIES**

~~The Council has separate Policies on each of the following flexible working arrangements and will give consideration to requests for the following flexible working arrangements.~~

~~Flexi time Scheme~~

~~Career Break~~

~~Details of all these policies may be found in the HR Policies and Procedures Manual or on the Intranet under Human Resources.~~

910.0 CONCERN ABOUT THE APPLICATION OF THIS POLICY

Any employee who believes that this policy is not being fairly applied may seek redress through the Council's Grievance Procedure.

104.0 REVIEW

~~This policy will be reviewed in the light of operating experience and/or changes in legislation. This policy will be reviewed by July 2014 or earlier in the light of operating experience and/or further changes in legislation. HR Committee agreed delegated powers to change the age to under the age of 18. (In Scope of the Policy) Following proposed changes in the legislation.~~

APPENDICES TO THIS DOCUMENT

Appendix A Application form

~~Appendix B Acceptance form~~

~~Appendix C Rejection form~~

~~Appendix D Appeal form~~

~~Appendix E Managers reply to appeal form~~

~~Appendix F Extension of time limit form~~

Appendix BG Flow Chart ~~right to request~~ flexible working



FLEXIBLE WORKING APPLICATION FORM

Note to the employee

~~You can use this form to make an application to work flexibly under the right provided in law to help eligible employees care for their children or for an adult. Before completing this form, you should first read the Flexible Working Policy.~~

~~Please Please note that under the right it may take up to 14 weeks to consider a request before it can be implemented and possibly longer where difficulties arise, therefore ensure that you submit your fully completed application to your manager well in advance of the date you wish the request to take effect.~~

~~It will help to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions- to give your manager as much information as possible about your request as otherwise your application may not be valid. When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues. Once you have completed the form, you should immediately forward it to your manager or appropriate person who will consider your request and may meet with you to discuss your flexible working application within a reasonable timeframe employer. Your employer will then have 28 days after the day your application is received in which to arrange a meeting with you to discuss your request.~~

~~If the request is granted, this will normally be a permanent change to your terms and conditions unless otherwise agreed.~~

Note to the manager

~~Please discuss the request with a member from the HR team as soon as you receive the request to agree an appropriate way forward.~~

~~This is a formal application made under the legal right to apply for flexible working and there is a duty on employers to consider applications seriously. Managers have 28 days after the day you received this application in which to either agree to the request or arrange a meeting with your employee to discuss their request.~~

1. Personal Details

Name: Job family Group:

Directorate: Manager:

To the manager

I would like to apply to work a working pattern that is different to my current working pattern under the Flexible Working Policy, I confirm I meet the eligibility criteria as follows:

Either

~~I have responsibility for the upbringing of a child under 17 and I am. _____~~

- ~~o The mother, father, adopter, guardian, special guardian or foster parent or private foster carer of the child or a person who has been granted a residence order in respect of a child.~~

~~○ Married to, or the partner or civil partner of one of the above.~~

Or

I am, or expect to be, caring for an adult who is. _____ _____

~~○ The spouse, partner, civil partner or relative of the adult in need of care or~~

~~○ Someone who lives at my address.~~

And

I have worked continuously as an employee of S.L.D.C. for the last 26 weeks.

And

I have not made a request to work flexibly under this right during the past 12 months.

Date of any previous request to work flexibly under this right: Date: -

If you are unable to tick all of the relevant boxes then you do not qualify to make a request to work flexibly under the statutory procedure, however your request will still be considered as S.L.D.C offers flexible working to all their employees as best practice.

2a	Describe your current working pattern (days/hours/times worked):
2b	Describe the working pattern you would like to work in future (days/hours/times worked):
2c	I would like this working pattern to commence from: Date:

3.	Impact of the new working pattern
I think this change in my working pattern will affect my employer and colleagues as follows:	

4.	Accommodating the new working pattern
I think the effect on my manager and colleagues can be dealt with as follows:	

Name:

Signed:

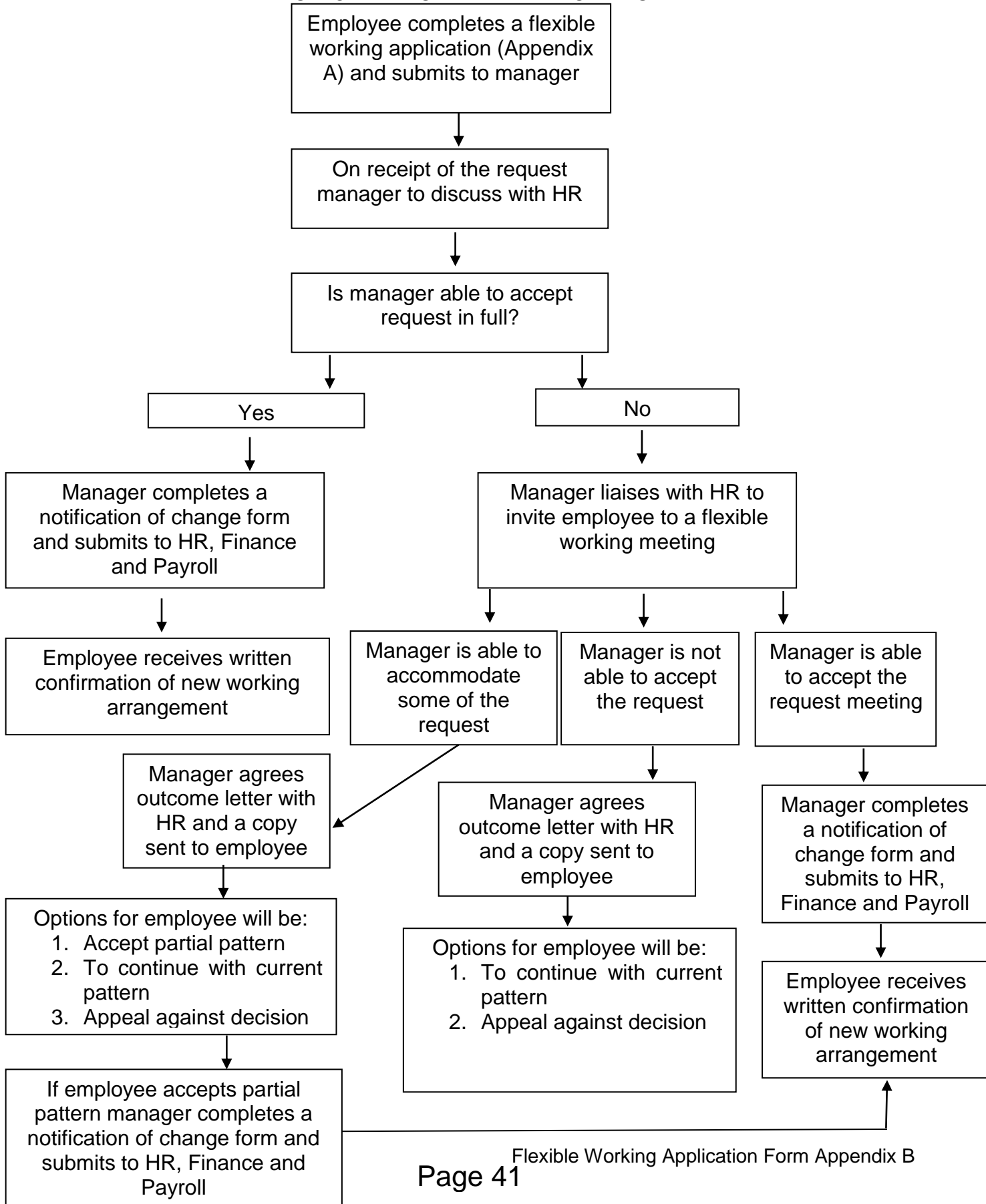
Date:

Pass this application to your manager

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FLOW CHART FOR FLEXIBLE WORKING



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Recruitment Policy

Version 1.1	
Last reviewed	Dec 2021
To be reviewed by	Dec 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes



RECRUITMENT POLICY AND SELECTION

1.0 INTRODUCTION

South Lakeland District Council (SLDC) recognises that its employees are fundamental to its success its greatest assets. SLDC therefore needs to be able to attract and retain employees of the highest calibre and a strategic and professional approach to recruitment is essential to do this. ~~It is essential that not only the right staff are recruited at the right time, but they should also reach maximum efficiency in the role as soon as possible. Once in post employees should work to their full potential with access to opportunities and benefits, which allow staff to value their own employment with the Council.~~

This Policy outlines the various stages of the recruitment and selection process. Further ~~and more complete~~ guidance will be available from ~~the~~ Human Resources ~~(HR) Group~~. This policy meets the requirement of the Council's Equality and Diversity Policy, the Equality Act 2010 and all other relevant employment legislation.

2.0 SCOPE OF THE POLICY

~~This~~ policy guidance set out in this policy is intended for all employees and potential employees of the Council, although due to Constitutional requirements the recruitment process for senior posts (Heads of Service and above) will follow a different format and is outlined in a separate policy.

This Policy outlines:

- The underpinning commitment to recruitment and selection within the Council
- The recruitment and selection procedures and processes for permanent and fixed term employees
- The recruitment and selection procedures and processes for casual and agency personnel
- The responsibilities for key areas for each aspect of the recruitment and selection process

3.0 GENERAL PRINCIPLES

- We will seek to recruit the best candidate for the role based on merit. The recruitment and selection process should ensure the identification of the person best suited to the role and SLDC
- We wish to encourage the recruitment of staff with disabilities and will make reasonable adjustments to all stages of the recruitment process as required in order for a successful candidate with a disability to undertake the role
- We will ensure that the recruitment and selection of employees is conducted in a professional, timely and responsive manner and in compliance with current employment legislation
- We will provide appropriate training, development and support to those involved in the recruitment. Any member of staff involved in the selection of employees should satisfy

themselves that they are appropriately trained and can comply with the requirements of this policy and procedure

- We will ensure the recruitment and selection process is cost effective
- All documentation relating to applicants will be treated confidentially in accordance with the GDPR legislation and applicants will have the right to access any documentation held on them in accordance with GDPR
- This policy embodies a number of key principles:
- The recruitment and selection of employees in the Council will demonstrate a clear application of equal opportunities and diversity.
- Robust workforce planning will be carried out on a continual basis
- Managers are fully trained and updated in aspects of recruitment and selection procedures to enable them to manage the process effectively
- The Council will actively work in partnership with local agencies in relation to local workforce issues
- The HR Group will provide all candidates with appropriate and accurate information at all stages of the recruitment process notifying them of delays as necessary

4.0 Recruitment and Selection Procedure

There are a number of key stages in the recruiting and selecting for a role. This section outlines the key stages**4.0 — LEGISLATION**

South Lakeland District Council is committed to adhering to current legislation in connection with the recruitment and selection of new employees. The Council is also committed to ensuring compliance with any future statutory requirements and codes of practices produced by lead organisations in employment relations i.e. the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission.

Further advice and guidance is available from Human Resources. [In addition wWe offer training courses designed to equip members of staff involved in recruitment in key aspects of the procedure.](#)

5.0 — POLICIES, PROCEDURES AND GUIDELINES

For a Recruitment and Selection Policy to be effective it is essential that it is supported and guided by other HR policies, procedures and guidelines.

The key documents for SLDC are;

Career Break Policy

Equality and Diversity in the Workplace Policy

Flexible Retirement

Flexible Working Policy

Home-working Policy

Job Share Policy

Redeployment Policy

Secondment Policy

6.0 — EQUALITY AND DIVERSITY IN THE WORKPLACE

The Council is committed to ensuring that equal opportunity practices are embedded in all the recruitment and selection processes that it undertakes. Our Equality and Diversity in the Workplace Policy states the following regarding the recruitment and selection of employees and potential employees:

The Council will:

- Ensure that the employees of the Council are representative of the community it serves.
- Ensure that employees are recruited and promoted on the basis of ability and other relevant objective criteria to carry out the duties and responsibilities of the post for which they have applied.
- Continue to ensure that the recruitment and selection procedure is applied consistently to ensure fair access to all jobs.
- Ensure that external job opportunities are communicated to all sections of the local community.
- Ensure that at least one member of a recruitment panel is trained in equality and diversity.
- Ensure that all employees and applicants are treated with dignity and respect. Where harassment, victimisation or bullying occurs this will be confronted and dealt with through the appropriate policies and procedures.
- Ensure that recruitment policies and procedures are reviewed and updated on a regular basis and reflect and incorporate national legislation and leading models of good practice and codes of conduct.
- Consider adapting organisational requirements or existing practices where they are contrary to employee's cultural and religious needs.
- Involve and communicate effectively with all employees.
- Provide a fair, equal and transparent pay and reward system.

7.0 — THE PEOPLE STRATEGY

The Council's People Strategy outlines five key priorities one of them being 'Recruitment and Retention' which outlines how we will recruit, train and retain employees.

The Council's recruitment and selection processes have been developed to ensure that the people with the necessary skills, expertise and qualifications to deliver Council objectives and the ability to make a positive contribution to the values and aims of the Council are recruited

4.1 Preparation stage

The recruitment and selection process should not commence until a full evaluation of the need for the role against the department's strategic plans and budget MUST has been carried out prior to the recruitment and selection process commencing. met.

Following completion of Once this evaluation has been completed the appropriate manager must submit a Vacancy Authorisation Form (VAF) through ManagerHR.

Before roles are advertised, aAll new or changed posts must be formally role evaluated and graded, before that are advertised in order to help us ensure that it is 'equal pay for work of equal value'.

If an Recruiting Manager believes that they may be potential difficulties in recruiting to a role, post they should contact the Recruitment Team for advice and guidance on comparative market rates and options for appropriate action.

Managers should agree the best places to advertise vacancies and be mindful that we will take into account SLDC's the Council's need for new ideas and approaches which should support SLDC's the Council's commitments to ensuring a diverse workforce to meet it's diversity requirements.

4.2 Role profile and advert

4.2.1 Generic Rrole Pprofiles

The vast majority of roles within SLDC Council's roles fall within Job Families and Generic Role Profiles exist for the majority of most of the positions.

The role profiles must be directly related to the job and applied to all applicants include and include the essential criteria in terms of skills, knowledge and experience for the role, all of which should be directly related to the job and applied to all applicants.

The job advertisement will need to include the specifics of the role including the nature of the work they will be performing. Further information can be found by contacting the recruitment team.

4.2.2 Non generic job descriptions

For roles that have not transferred to generic role profiles, The 'A' Job Descriptions and Person Specification for the roles that have not transferred to 'Generic Role Profiles' must be produced or updated for any vacant roles. post that is to be filled. The job description should accurately reflect the elements of the role. post.

The Person Specification should state both the essential and desirable criteria in terms of qualifications, knowledge, skills and experience for the role. All of which should be directly related to the role and applied equally to all applicants.

Take care Care should be taken when writing the Person sSpecification to ensure that criteria used does not indirectly discriminate against certain groups of applicants.

The job advertisement will need to include the specifics of the role including the nature of the work they will be performing. Contact the Further information can be found by contacting the Recruitment Team for further information.

4.3 Redeployment

Guaranteed priority interviews are given to Employees who are on the Redeployment Register will be guaranteed a priority interview for vacancies where they meet the minimum criteria.

Further information is available from the recruitment team.

4.4 Merit list (Internal and External Applicants)

Where an interview process identifies more appointable candidates suitable candidates, these applicants are added to SLDC's Merit List, and after obtaining consent from the individual. than there are available vacancies, after obtaining consent from suitable candidates that will be placed on the Council's Merit List. This may be used for up to 12 months (or longer with an applicant's permission) to fill the same role or similar roles with the same essential criteria without further assessing of merit.

The Merit List will be referred to before any vacancies are advertised and where there are candidates who meet the job requirements of the new vacancy they may be advised that they are the 'preferred candidate'.

Further information is available from the recruitment team.

4.5 Agency Workers

The Recruiting Manager must ensure that an IR35 is completed before the workers first day. The IR35 check is a CEST tool completed on the Gov.uk website. Once the IR35 has been completed the Recruiting Manager should provide the results to the Recruitment Team.

The Recruitment Team and Recruitment Manager will work together to provide the following:

- An outcome letter completed by the Recruitment Team following the IR35 check
- A copy of the letter and the outcome document will be sent by the Recruiting Manager, to the Agency and the worker
- Communication if any appeals have been received (in relation to CEST outcome)

Documents to be obtained by the Recruiting Manager:

- DBS check/fraud check (if applicable) (as part of contract)
- Proof of essential qualifications (as part of contract)
- Right to Work in the UK (as part of contract)
- Copy of Contract of Service received by HR.
- Authorised User Agreement

4.6 Casual Workers

Casual workers may apply for internal advertised posts. However, internal candidates considered 'at risk' will have priority at the section stage

4.7 Advertising

Managers will be responsible for drafting the advertisement for their vacancy according to the corporate guidelines and advice where needed will be provided by the Recruitment Team. HR Group.

In the first instance roles will be advertised internally — to help maximise equality of opportunity where possible to — and provide employees with opportunities for career development, and to thus maintaining the skills and expertise of existing staff.

Following internal advertisement, consideration will be given to advertising the role post-externally where there is an insufficient pool of candidates. Where needed, managers can also consider the vacancies to be advertised internally and externally concurrently. Internal candidates will still receive priority in the short-listing/ interview process.

Please liaise with the Recruitment Team to discuss and agree the appropriate duration of advertised roles.

Roles will be advertised using one or more of the following:

- Professional journals
- Local press
- Local radio
- Job Centres
- E-recruitment sites
- Local schools and colleges
- Throughout the Council SLDC via intranet, email and on employee notice boards

Advertisements will be displayed in places, which can be accessed in a variety of formats to ensure maximum access by all groups, including the disabled and minority groups.

Managers should ensure they have the appropriate budget to support with the required advertising of roles posts.:

Consideration will be given to job share arrangements for all full time posts. Secondment opportunities will be considered for all fixed term posts under a duration of two years. ~~two years duration.~~

4.8 Applications

All applications should be submitted using the application process on SLDC's website. SLDC is a Disability Confident Employer and will accept applications in various accessible formats.

The deadline for the submission of applications will be 23:59 on the stated closing date. The Recruitment Panel may make a decision to accept late application providing the short-listing process has not been completed.

CVs alone are not accept. However, can be submitted along with an application online.

4.96 The Recruitment Panel

At least one member of the Recruitment Panel must be trained in recruitment and selection and all panel members must complete the online equality and diversity training.

The panel itself will be made up, where possible, of a minimum of two people, one of whom should be the recruiting manager. We encourage the Rrecruitment pPanel to be diverse where possible and to consider the promotion of Equality and Diversity.

The Rrecruitment Ppanel should stay the same throughout the whole process and all members should fully participate in both the short listing and interviewing stages.

Members of the Recruitment Panel must declare if they know any of the applicants and the capacity in which the applicant is known to them.

One person will be designated the Chair (normally the recruiting manager). The Chair will take the lead in the recruitment process and be the key contact for recruitment purposes. The Chair will be responsible for ensuring the process is carried out in a fair and equitableequal manner and ensure that all decisions are recorded clearly.

A member of Human Resources will not normally be on a panel unless required for certain positions.

The panel will

- Carry out the short listing
- Decide the selection method to be used – usually an interview
- Develop questions and liaise with the Rrecruitment Tteam regarding additional selection methods to be used e.g. a presentation
- Conduct interviews
- Make a decision on the final appointment
- Complete all necessary paperwork clearly and completely and return these to the recruitment team

4.107 Short listing

Shortlisting may involve the whole panel but must be carried out by a minimum of 2 people to avoid any possibility of bias, one of whom would normally be the direct line manager.

Applications will be assessed against the criteria contained in the Role Profile, with those applicants most closely matching the criteria being selected for interview. The decision must be based upon the evidence provided and not on assumptions.

The recruitment Chair is responsible for ensuring that the appropriate shortlisting documentation is fully completed and returned to the Recruitment Team.

All short-listed candidates will be notified of the next stage of the recruitment process. Reasonable notice will be given to the short-listed candidates of the selection process and the candidates will be provided with the following information as a minimum:

- The date, time and venue
- Map/ directions to the venue
- Selection methods to be used and guidance on how to prepare (if appropriate)

4.10.1 Disabled/Veteran Applicants and the Guaranteed Interview Scheme

SLDC encourages applicants from disabled people and/or veterans and is a Disability Confident Employer. Providing a **disabled** and/or **veteran** applicant meets the minimum criteria specified in the shortlisting process, they will be **guaranteed** an interview.

4.10.2 Disabled/Veteran Applicants and Reasonable Adjustments

SLDC has a statutory duty to make reasonable adjustments in relation to disabled/veteran applicants where SLDC knows, or could reasonably be expected to know, that the person in question is or may be a disabled/veteran applicant for the post. Or where the application form has revealed that an applicant has a disability or is a veteran.

Reasonable adjustments might include the following:

- Rearranging the time of the interview
- Accommodating a hearing impaired applicant by ensuring that the interviewer faces the applicant, speaks clearly and is prepared to repeat questions, or providing a hearing loop or a signer
- Allowing the applicant with a learning impairment to bring a friend or relative to assist when answering questions that are not part of tests.

4.118- ~~Selection and~~ Selection and Interview

- HR will provide a bank of competency based interview questions after the shortlisting has been completed, for the interviewing panel to agree on the format of the interview. Interview questions and the structure of the interview should be consistently applied to all candidates

Interviews should be carried out by a minimum of two people, one of whom should be the Recruiting Manager involved from the shortlisting stage.

The interview is the most common form of selection method used. The interview allows the panel to assess the candidate's suitability for the role by acquiring additional relevant information beyond that already contained in the application. It also allows the candidate the opportunity to further demonstrate their skills, knowledge and behavior as well as meeting the Lead and/or the Team Leader and asking questions about the post.

Ideally it is advised that no more than six candidates are interviewed. However, this may depend on the role that has been advertised. Where possible all interviews should take place on the same day.

If, in exceptional circumstances, a candidate is unable to make the interview date it is up to the Recruitment Panel to decide if the interview can be rescheduled ensuring that no other person has been disadvantaged. In such circumstances there should be no changes to the Panel or to the format of the interview.

The Recruitment Panel must ensure that:

- Sufficient time is allowed for preparation of interview questions and exercises prior to the interview date
- When carrying out the interview candidates are asked questions about the same matter, although these do not have to be exact same questions. Supplementary questions can be used to explore areas of concern, interest or other aspects of the candidates application
- Detailed notes are taken during the interview
- Questions are focused on obtaining relevant information and evidence of the candidate's ability to do the job
- Questions are allocated to specific panel members according to expertise and knowledge
- Any requests for variations in terms and conditions or about the duties of the role are recorded
- All paperwork (including all notes) is completed clearly and returned to the Recruitment Team.
- All paperwork will be kept for a minimum of 6 months following the selection process.
- Questions are not asked in relation to personal lives, for example childcare arrangements.
- Feedback will be provided to all unsuccessful internal candidates by the Recruiting Manager
- If requested feedback will be provided to unsuccessful external candidates

Giving feedback must be done sensitively and respectfully and will, as a minimum, receive telephone or written notification of the outcome of the selection process.

4.12 The Preferred Candidate

The Recruiting Manager should be aware of the terms and conditions of the role and inform the Recruitment Team of the successful candidate.

The Recruitment Team will start the pre-employment checks (including Disclosure and Barring Service where relevant) prior to making a formal offer.

The 'preferred candidate' must not commence in the role until all the appropriate checks are completed and candidates has formally accepted the role.

5.0 The Appointment Process

A flowchart outlining the 'Appointment Process' can be found in Appendix C.

5.1 Pre-employment Checks

The Recruitment Team are responsible for carrying out the relevant pre-employment checks for each preferred candidate.

The pre-employment checks are:

- Two references for new employees, one of which must be from the current/most recent employer. The Recruiting Manager will be offered access to these references once received by the Recruitment Team
- Fitness Certificate through the Occupational Health service
- Disclosure and Barring Service (DBS) - certain posts within SLDC have restrictions and will only be formally offered subject to receipt of a satisfactory DBS.
- Criminal Convictions - candidates are required to disclosed on the application form, whether they have any convictions for criminal offences in line with the Rehabilitation of Offenders Act. If an applicant is found not to have completed this question accurately appropriate action would be taken.
- Fraud Check - certain posts within SLDC have restrictions and can only be formally offered subject to receipt of a satisfactory Fraud Check
- All applicants will be required to prove their eligibility to work in the UK - The Asylum and Immigration Act 1996 makes it a criminal offence for an employer to employ those who do not have permission to live or to work in the United Kingdom
- Qualifications - copies of all relevant qualifications will be made and kept on an individual's personal file

5.2 The Formal Offer

Once all the appropriate pre-employment checks are satisfactory. The Recruitment Team will make a formal offer, following completion and return of the correct paperwork from Recruiting Manager.

The starting salary for all new appointments will be at the lowest salary scale point for the appropriate salary grade. Internal promotions will always attract at least one additional spinal column point. If the Recruiting Manager wishes to appoint at a higher level they must consult with the Recruitment Team.

6.0 Commencement of Employment

6.1 The Probation Period

All appointments will be subject to the satisfactory completion of a six-month probation period. Please refer to the Probation Policy for further information.

6.2 The Induction Process

All new permanent and temporary employees will have a comprehensive induction timetable. Please refer to the Induction Policy for further information.

7.0 Recording and Storage of Recruitment Documentation

The Recruitment Team will create and maintain a file containing all the relevant information. Copies of all relevant documents relating to the filling of each role must be kept for a minimum of six months following appointment to a role.

Records, which must be kept, are as follows:

- A copy of the advertisement
- Role Profile/Job Description
- All unsuccessful application forms
- Details of the Recruitment Panel and their notes throughout the process
- All correspondence between SLDC and the applicants
- All correspondence between SLDC and the referees

Equal Opportunity Monitoring Forms will be held separately from the application form and details contained on the forms logged by the HR Team and then destroyed after a maximum period of six months.

Applications will be held in a secure area and will only be made available to those involved in the recruitment process. Information will not be passed on to anyone outside this process without the express consent of the individual applicant.

8.0 Review of the Policy

This policy is reviewed on a regular basis in the light of operating experience and/or changes in legislation.

~~8.0 WORK/LIFE BALANCE~~

~~The Council will encourage a good 'work-life balance' by giving consideration to more flexible ways of working particularly if recruitment to certain posts is difficult.~~

9.0 RESPONSIBILITIES

9.1 The Role of the Manager/ Chair of the Recruitment Panel

~~The recruiting manager will normally be the Chair of the Recruitment Panel and should ensure that they;~~

- ~~• Ensure new posts that increase the establishment have been through the appropriate authorisation process and supporting documentation is available to confirm this.~~
- ~~• Liaise with the HR Group regarding the recruitment process and the completion of a Vacancy Authorisation Form.~~
- ~~• Co-ordinate the recruitment panel in the short listing process~~
- ~~• Chair the interviews~~
- ~~• Ensure the Recruitment Pack is fully completed and returned to the HR Group~~
- ~~• Provide feedback to the unsuccessful candidates if required~~
- ~~• Ensure that the departmental induction is completed~~

9.2 The Role of the Human Resources (HR) Group

~~The HR Group will;~~

- ~~• Work in partnership with all managers who are recruiting~~
- ~~• Provide advice and guidance to all employees and potential employees in relation to the recruitment and selection process.~~
- ~~• Check that the post has been job-evaluated as applicable~~
- ~~• Check the Redeployment Register for potential matches.~~
- ~~• Ensure the post is advertised in a timely and cost-effective manner.~~
- ~~• Notify applicants that they have been short listed for interview~~
- ~~• Notify candidates in writing that they have been unsuccessful following interview.~~
- ~~• Carry out the pre-employment checks on the preferred candidates.~~
- ~~• Send out offers of employment, Statement of Particulars and associated paperwork.~~
- ~~• Ensure new employees complete the Induction Programme~~

9.3 The Role of the Heads of Service Team

~~The Heads of Service Team (HoST) will;~~

- ~~• Consider the advertising of posts as submitted on a Vacancy Authorisation Form by a recruiting manager.~~

10.0 THE RECRUITMENT AND SELECTION PROCESS

~~The recruitment and selection process can be divided into three main areas as follows:~~

- ~~The Pre-Selection Process~~
- ~~The Selection Process~~
- ~~The Appointment Process~~

~~10.1 The Pre-Selection Process~~

~~A flowchart outlining the 'Pre-Selection Process' can be found in Appendix A.~~

~~10.1.1 Prior to advertisement~~

~~A vacancy can provide opportunities for managers to rethink a role or area of work: (a replacement of the old post, hours, duties etc. should not automatic). Consideration should be given to the following:~~

- ~~Is the post still required?~~
- ~~Are there new duties which need to be added to the role?~~
- ~~How much has the role changed since its original creation?~~
- ~~Are there any technological changes ahead which may affect the functions of the role or the skills and abilities of the person to perform it?~~
- ~~Reallocation of duties to other members of a team~~
- ~~Reorganisation within the department~~
- ~~Is there sufficient budget for the post?~~
- ~~Is this an opportunity for a secondment?~~

~~10.1.2 Job Description and Person Specification~~

~~Once the above questions have been answered the manager should complete a job description and person specification. In drawing up the job description consultation should be made with any relevant parties. The job description should clearly state the main duties and tasks for this new role and be compiled using the corporate job description template that may be found on the intranet under Human Resources—Forms.~~

~~From the job description a detailed person specification should then be completed using the corporate person specification template. This will allow the organisation to profile the ideal person to fill the job. A person specification will detail the relevant skills, knowledge and aptitudes required which are directly related to the job. It is essential that in compiling the person specification any criteria relating to personal qualities or circumstances should not be potentially discriminatory. Managers should seek guidance from the HR Group.~~

~~It is essential that the job description is clear and precise and the person specification makes a clear distinction between essential and desirable criteria. The success of the recruitment process is based on these documents; which are used at evaluation, advertisement stage and during the assessment process.~~

~~10.1.3 Job Evaluation~~

~~Every post within the Council is required to be evaluated under the Council's Job Evaluation (JE) scheme so that an appropriate grade can be attached to it.~~

~~Posts that have had the job description and/ or person specification amended must be sent to the HR Group who will consider if the post needs to be re-evaluated.~~

~~10.1.4 Vacancy Authorisation~~

~~Once a post has been evaluated, the manager should ensure they have fully completed the Vacancy Authorisation Form before sending it to the HR Group. The HR Group will conduct their own checks and then the form will be sent to a Heads of Service Team meeting for approval for advertising.~~

~~A post will not be advertised until it has been through the authorisation procedure.~~

~~10.1.5 Redeployment and 'At risk' Situations~~

~~There may be times when posts are considered to be at risk or, for post holders there may be issues in relation to return to work or redeployment. In such situations posts may be assessed to see if these can be offered as suitable alternative employment. Reference to the Council's Redeployment Policy should be made.~~

~~Employees who are on the Redeployment Register will be guaranteed a priority interview for vacancies where they meet the minimum criteria.~~

~~10.1.6 Agency Workers~~

~~Agency and casual workers may apply for internally advertised vacant posts. However, internal candidates considered 'at risk' will have priority at the selection stage.~~

~~10.1.7 Advertising~~

~~Managers will be responsible for compiling the advertisement for their vacancy according to the corporate guidelines and advice provided by the HR Group.~~

~~Initially all vacant posts will be advertised internally within the Council unless prior agreement with HoST has been reached for the post to be advertised internally and externally concurrently. Where internal advertising of a post only results in a pool of three or less applicants the Chair of the recruitment panel may opt to advertise externally. However where there is an insufficient pool of candidates and the vacancy has been advertised externally or the vacancies are advertised internally and externally concurrently, internal candidates will still receive priority in the short-listing/ interview process.~~

~~Posts will be advertised using one or more of the following mediums:~~

- ~~• Professional journals~~
- ~~• Local press~~
- ~~• Local radio~~
- ~~• Job Centres~~
- ~~• E-recruitment sites~~
- ~~• Local schools and colleges~~
- ~~• Throughout the Council via intranet, email and on employee notice boards~~

~~Advertisements will be displayed in mediums, which can be accessed in a variety of formats to ensure maximum access by all groups, including the disabled and minority groups.~~

~~When considering where to advertise it is essential that consideration should be given to the cost and maximum coverage to target groups before making a decision. The HR Group will be able to advise in this matter.~~

~~Consideration will be given to job share arrangements for all full time posts. Secondment opportunities will be considered for all fixed term posts under two years duration.~~

~~10.1.8 Application Packs~~

~~Applicants interested in any of the vacancies advertised will either be able to have an application pack sent to them in the post or they will be able to download the information from the intranet/ internet.~~

~~Each application pack will contain the following as a minimum:~~

- ~~● Covering letter~~
- ~~● An application form~~
- ~~● An Equal Opportunities Monitoring Form including details of why the information is requested and how it will be used.~~
- ~~● Guidance notes on completing the application form~~
- ~~● Job description and person specification~~
- ~~● Conditions of service~~
- ~~● Details of the closing date, the possible interview date and who to contact for informal discussion with regard to the post~~
- ~~● Any additional information that is relevant to the post such as structure charts, Council Reports and Annual Reports.~~

~~**10.1.9 Applications**~~

~~Applications may be submitted on line or by post. The deadline for the submission of applications will be 12.00 noon on the stated closing date.~~

~~The recruitment panel may make a decision to accept a late application providing the short listing process has not been completed.~~

~~**10.2 The Selection Process**~~

~~A flowchart outlining the 'Selection Process' can be found in Appendix B.~~

~~**10.2.1 The Recruitment Panel**~~

~~At least one member of the Recruitment Panel must have received training on interviewing skills.~~

~~The panel itself will be made up, where possible, of at least three people of mixed gender, one who will be the manager of the post being appointed to and one acting as a representative from the HR Group. The recruitment panel should stay the same throughout the whole process and all members must fully participate in both the short listing and interviewing stages.~~

~~Members of the Recruitment Panel must declare if they know any of the applicants and the capacity in which the applicant is known to them.~~

~~One person will be designated the Chair (normally the recruiting manager). The Chair will take the lead in the recruitment process and be the key contact for the HR Group. The HR Group will ensure the process is carried out in a fair and equitable manner and ensure that all decisions are recorded clearly.~~

~~The panel will~~

- ~~● Carry out short listing~~
- ~~● Decide the selection method to be used~~
- ~~● Develop questions and liaise with the HR Group regarding additional selection methods to be used e.g. a presentation~~
- ~~● Conduct interviews~~
- ~~● Make a decision on the final appointment~~

- Complete all necessary paperwork clearly and completely and return these to the HR Group

10.2.2 Short listing

Applications will be assessed against the criteria contained in the job specification with those applicants most closely matching the criteria being selected for interview. The decision must be based upon the evidence provided and not on assumptions.

Short listing **MUST** be carried out by all members of the Recruitment Panel. Under no circumstances will short listing be carried out by only one member of the Recruitment Panel.

All documentation provided in the Recruitment Pack must be fully completed and returned to the HR Group.

All short listed candidates will be notified of the next stage of the recruitment process. Reasonable notice will be given to the short listed candidates of the selection process and the candidate will be provided with the following information as a minimum:

- The date, time and venue
- Map/ directions to the venue
- Length of time the process is expected to take
- The names and job titles of the Recruitment Panel members
- Selection methods to be used and guidance on how to prepare (if appropriate)
- Travel claim forms

10.2.3 Disabled Applicants and the Guaranteed Interview Scheme

South Lakeland District Council has been awarded the 'positive about disabled' two ticks symbol. To achieve this, the Council agreed to take action to meet five commitments regarding the employment, retention, training and career development of disabled employees. Within recruitment if a disabled applicant meets the minimum criteria specified for a post they would be guaranteed an interview.

10.2.4 Disabled Applicants and Reasonable Adjustments

The statutory duty to make reasonable adjustments in relation to disabled applicants applies where the Council knows, or could reasonably be expected to know, that the disabled person in question is or may be an applicant for the post, or that a particular applicant has a disability which is likely to place them at a disadvantage, e.g. where the application form has revealed that an applicant has a disability.

Reasonable adjustments might include the following:

- Rearranging the time of the interview;
- Accommodating a hearing impaired applicant by ensuring that the interviewer faces the applicant, speaks clearly and is prepared to repeat questions, or providing a hearing loop or a signer;
- Paying additional expenses to meet any special requirements, e.g. travelling expenses for a support worker and
- Allowing the applicant with a learning impairment to bring a friend or relative to assist when answering questions that are not part of tests.

10.2.5 Selection Methods

The Recruitment Panel chooses the selection method to be used. This can include one or more of the following:

- Interviews
- Written exercises
- Practical tests i.e. keyboard skills
- Presentations
- Group discussions or exercises (i.e. problem solving)
- Assessment Centres

It is important that the method used is appropriate to the job being applied for: i.e. it would not be appropriate to ask a candidate to give a presentation if the job will not require the post holder to make presentations in the course of their work. The method used must relate to the requirements of the job as identified in the person specification.

Any tests that are used should not be directly or indirectly discriminatory. The validity and reliability of the methods should be clearly established.

The candidates must always be notified of the proposed selection method to be used when they are invited for interview.

10.2.6 The Interview

The interview is the most common form of selection method used. The interview allows the panel to assess the candidate's suitability for the post by acquiring additional relevant information beyond that already contained in the application. It also allows the candidate the opportunity to further demonstrate their knowledge and skills as well as meeting the line manager and asking questions about the role.

For each vacancy it is advisable that no more than six candidates are interviewed. Ideally all interviews should all take place on the same day. In exceptional circumstances they may take place on separate days, but ideally should be held consecutively.

The Recruitment Panel must ensure that:

- Sufficient time is allowed for preparation, carrying out the interview and writing detailed notes.
- Candidates are asked questions about the same matters, although these do not have to be the exact same questions. Supplementary questions can be used to explore areas of concern, interest or other aspects of the candidate's application.
- Questions are focussed on obtaining relevant information and evidence of the candidate's ability to do the job.
- Questions are allocated to specific panel members according to expertise and knowledge.
- Any requests for variations in terms and conditions or about the duties of the role are recorded.
- All paperwork is completed clearly and returned to the Human Resources Group.
- Questions are not asked in relation to personal lives for example childcare arrangements.

If, in exceptional circumstances a candidate is unable to make the interview date it is up to the Recruitment Panel to decide if the interview can be rescheduled ensuring that no other person has been disadvantaged. In such circumstances there should be no changes to the Panel or to the format of the interview.

10.2.7 The Preferred Candidate

The manager should always consult with the HR Group on all aspects of the terms and conditions of the post before advising the candidate that they are the 'preferred candidate'.

All pre-employment checks should be completed prior to a formal offer being made, but there may be occasions where an offer will need to be made immediately and this will mean that the offer is made subject to satisfactory references or medical assessments being received. (No offer can be made if the post is subject to a satisfactory CRB check). The 'preferred candidate' must not commence in post until all the appropriate checks have been completed.

10.2.8 The Reserve Candidate

The Recruitment Panel may select a reserve candidate who they consider capable of undertaking the vacant post should the preferred candidate decline the offer of employment or the pre-employment checks prove to be unsatisfactory.

10.3 The Appointment Process

A flowchart outlining the 'Appointment Process' can be found in Appendix C.

10.3.1 Pre-employment Checks

For each preferred applicant a number of pre-employment checks will need to be made. The HR Group is responsible for administering all aspects of the checking procedures.

Medical Assessment

This will be carried out through the Occupational Health service commissioned by the Council. A job description and person specification will be provided along with a completed confidential medical form to ensure that an assessment is made only against that particular vacancy.

Eligibility to Work in the UK

The Asylum and Immigration Act 1996 makes it a criminal offence for an employer to employ those who do not have permission to live or to work in the United Kingdom.

All new recruits must provide evidence of their eligibility to work in the UK and the HR Group will coordinate this pre-employment check prior to a formal offer of employment being made.

Criminal Records Bureau (CRB)

Certain posts within the Council have restrictions and can only be filled subject to receipt of a satisfactory Disclosure check that has been made through the Criminal Records Bureau (CRB).

Criminal Convictions

Applicants are asked on the application form whether they have any convictions for criminal offences. Information on the provisions of the Rehabilitation of Offenders Act and the requirements for completion of this section will be enclosed in the vacancy information pack. If an applicant is found not to have completed this

~~question accurately appropriate action would be taken. Further advice on this matter should be sought from the HR Group.~~

References

~~Reference(s) will be sought for preferred candidates. For new employees to the Council at least two references will be sought, one of which must be from the current or most recent employer. For preferred candidates that are already employed by the Council only one reference will be required. The Chair of the interview panel will be offered access to these references upon receipt by the HR Group.~~

Qualifications

~~Copies of all relevant qualifications will be made and kept on an individual's personal file.~~

10.3.2 The Formal Offer

~~Only once all the appropriate checks have been completed and are deemed satisfactory will a formal offer of employment be made. The HR Group will send the employee the Formal Offer pack once they have been provided with a start date from the recruiting manager.~~

~~The starting salary for all new appointments will be at the lowest salary scale point for the appropriate salary grade. If the manager wishes to appoint at a higher level they must submit a detailed report highlighting the supporting reasons to the Management Team for approval.~~

11.0 COMMENCEMENT OF EMPLOYMENT

11.1 The Probation Period

~~All appointments of 12 months duration or longer will be subject to the satisfactory completion of a six month probation period. This condition will also apply to employees transferring internally (except for those employees transferring under the secondment or redeployment policies, where different conditions apply) or from another authority. A probation period will enable the manager to;~~

- ~~• assess the initial performance of the candidate and their suitability for the post~~
- ~~• to identify the employee's development potential in the role.~~

~~A probation review meeting should be held with the post holder before the end of their first month in employment, at the three months stage and again **BEFORE** the end of the six-month period. The purpose of the probation review meeting is to discuss how the commencement in post is progressing as well as to potentially identify any problems that the new employee may be experiencing in their post.~~

~~If there are noticeable problems with an employee's performance during the six-month probation period these must be addressed at the earliest opportunity to enable the employee to improve their performance. It is unreasonable to 'wait' until the end of the six-month period before highlighting any problems.~~

~~If at the end of the six-month probation period the employee's performance has not met the standard required the manager can, after discussion with the HR Group, choose to;~~

- ~~• extend the probationary period for up to three months implementing new agreed performance targets and timescales; or~~
- ~~• terminate the employment following the appropriate procedures.~~

The manager must complete the 'Probation Review Form' at each of the three review meetings and a copy should be sent to the HR Group to be placed on the employee's personnel file at the end of their probationary period.

11.2 The Induction Programme

The Council will provide all new permanent and temporary employees with a comprehensive induction programme.

The overall responsibility for ensuring that an effective induction programme is communicated throughout the Council lies with the HR Group. The HR Group is also responsible for advising line managers on the induction process.

The Induction Programme is divided into two main areas, departmental induction and corporate induction.

11.2.1 Departmental Induction

Responsibility for providing a departmental induction lies with the manager. The manager should complete the 'departmental induction checklist' with the employee and a copy should be sent to the HR Group to be placed on the employee's personnel file.

11.2.2 Corporate Induction

The corporate induction is a half-day programme and aims to provide new employees with an understanding of the following:

- The political and organisational structure of the Council
- Council vision, aims and objectives
- Health and Safety Awareness
- The Job Consultation Process
- Providing Good Customer Service

Corporate induction training will be held quarterly and managers should ensure that any new employee is booked on to the next scheduled date and afforded the time to attend. A 'corporate induction checklist' will also be completed by the employee at the corporate induction training, and a copy placed on the employees personnel file by the Learning and Development Officer.

12.0 RECORDING AND STORAGE OF RECRUITMENT DOCUMENTATION

Copies of all relevant documents relating to the filling of each vacancy should be kept for a minimum of six months following the appointment to a post, and the HR Group will create and maintain a file containing all the relevant information.

The records, which must be kept, are as follows:

- A copy of the advertisement
- Job Description
- Person Specification
- All unsuccessful application forms
- Details of the Recruitment Panel and their notes throughout the process
- All correspondence between the Council and the applicants
- All correspondence between the Council and the referees

~~Equal Opportunity Monitoring Forms will be held separately from the application form and details contained on the forms logged by the HR Group and then destroyed after a maximum period of six months.~~

~~Applications will be held in a secure area and will only be made available to those involved in the recruitment process. Information will not be passed on to anyone outside this process without the express consent of the individual applicant.~~

~~13.0 RECRUITMENT AND SELECTION TRAINING~~

~~All employees managing or supervising staff will receive training in recruitment and selection. Others that are identified as potentially participating in the recruitment and selection process will have access to training. In particular the training will address short listing and interviewing techniques and equal opportunities in recruitment and selection.~~

~~14.0 CONCERN ABOUT THE APPLICATION OF THIS POLICY~~

~~Any employee of the Council who believes that this policy is not being fairly applied may seek redress through the Council's Grievance Procedure.~~

~~External applicants may write to the Head of Human Resources outlining their concerns.~~

~~15.0 REVIEW OF THE POLICY~~

~~The Policy will be reviewed on a regular basis in the light of operating experience and/or changes in legislation.~~

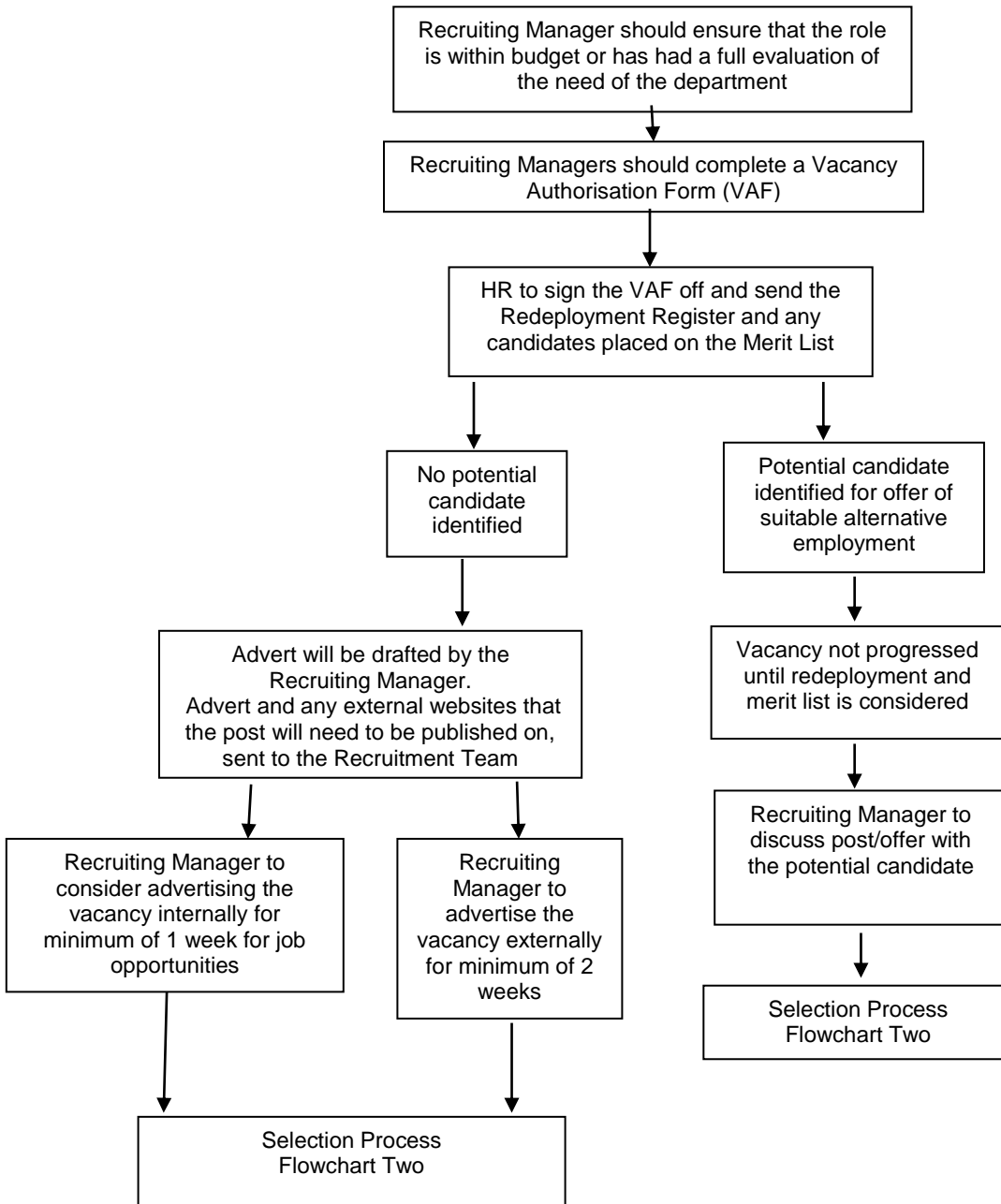
APPENDICES TO THIS DOCUMENT

- Appendix A Flowchart One – Pre-Selection Process
- Appendix B Flowchart Two – Selection Process
- Appendix C Flowchart Three – Appointment Process

[Should you require any help or support of any aspect of this policy, please contact the Recruitment Team.](#)



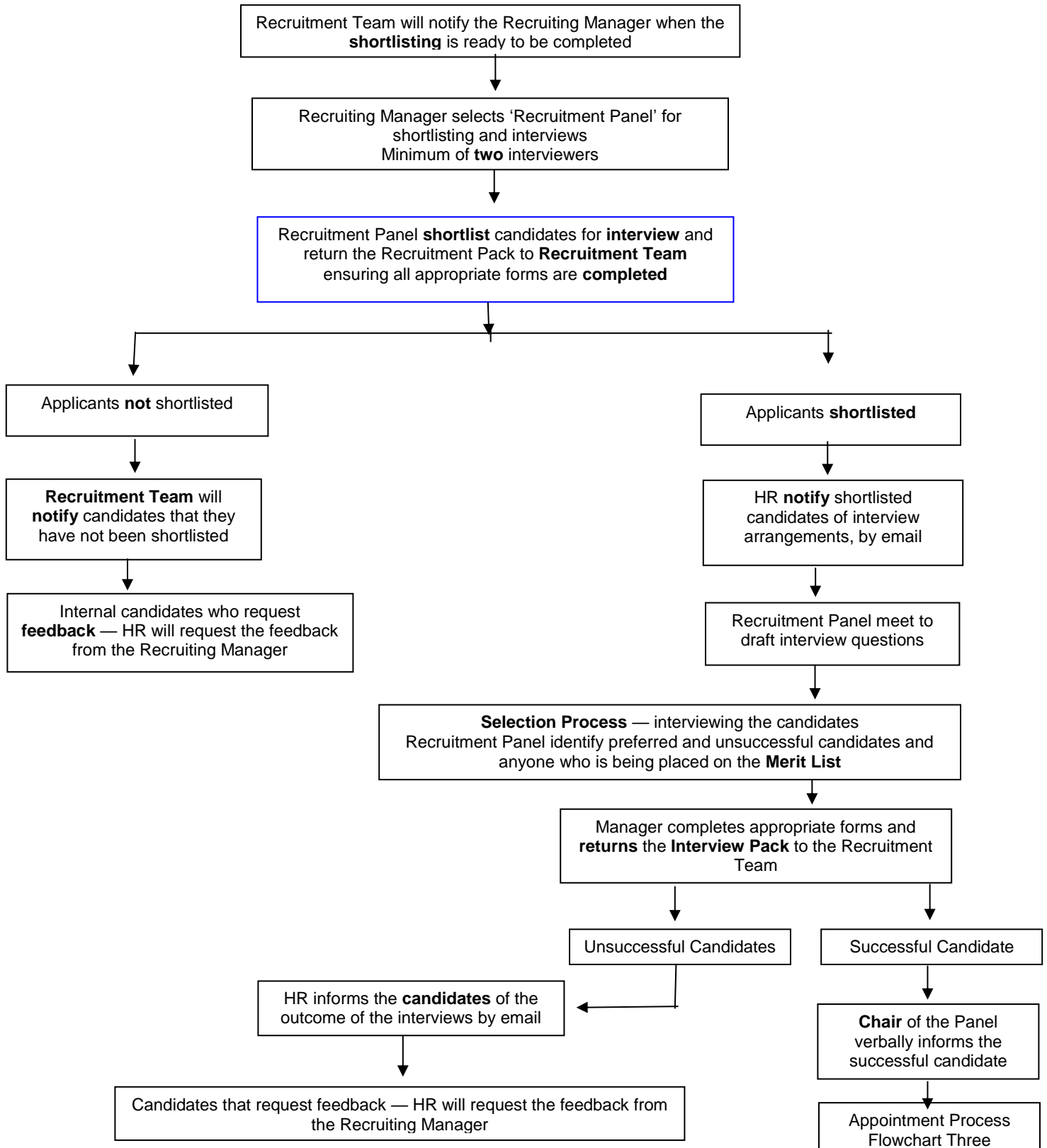
FLOWCHART ONE – RECRUITMENT AND SELECTION PROCEDURE



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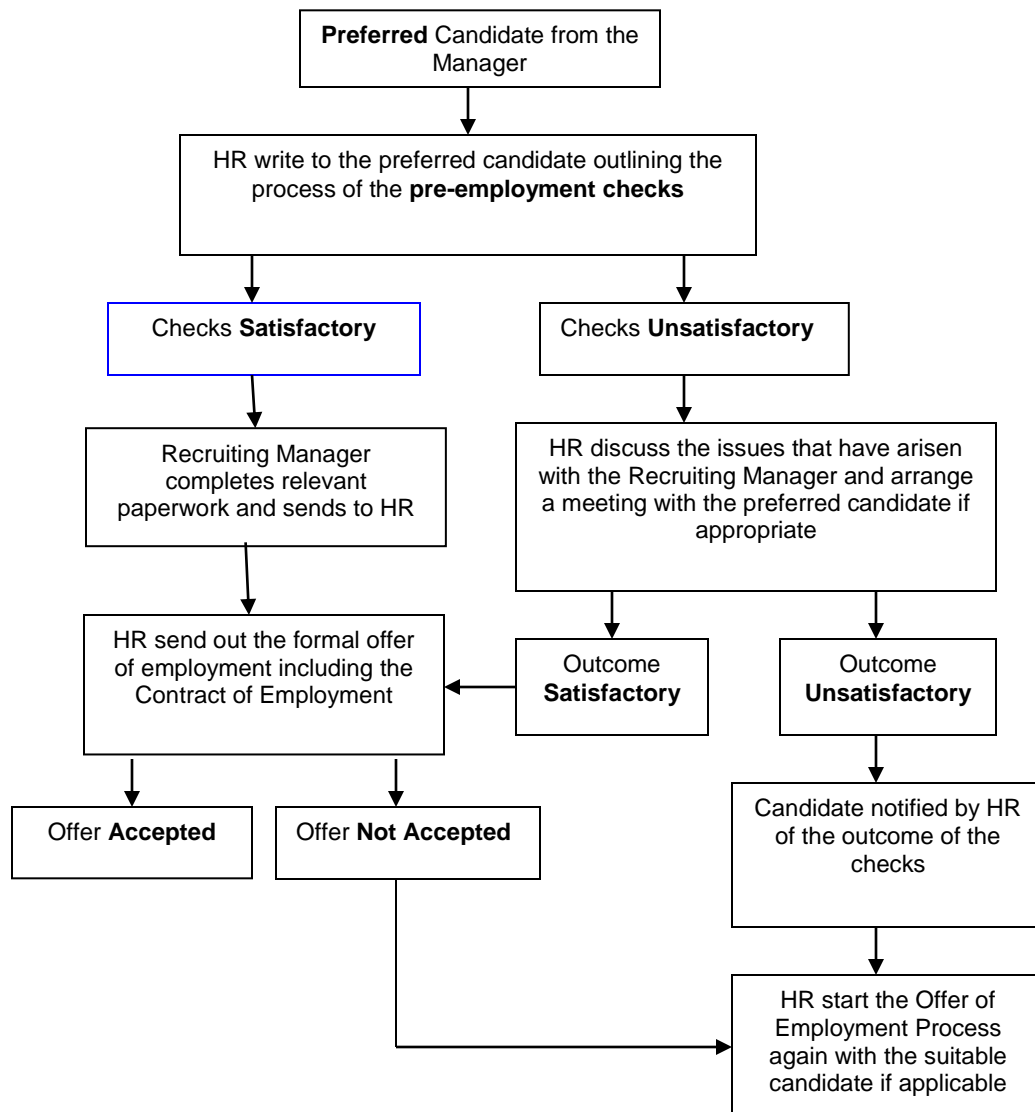
FLOWCHART TWO – SELECTION PROCESS



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FLOWCHART THREE – APPOINTMENT PROCESS



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Capability Policy

Version 1.1	
Last reviewed	Feb 2022
To be reviewed by	Feb 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes

1.0 Introduction

South Lakeland District Council (SLDC) is committed to providing the highest quality service to the public. In order to do this, it is dependent on its' workforce to perform effectively at all times.

It is recognised that careful recruitment, an appropriate level of induction, appraisal, ~~and~~ training and development will help to minimise the risk of poor performance.

This policy is designed to help and encourage employees whose performance falls below standard to achieve and maintain the standard of job performance expected by the Council.

The policy will reflect the principles established within the ACAS Code of Practice.

2.0 Scope

This policy and procedure applies to all employees of the Council, except for;

- The Chief Executive, who is covered by a separate procedure for Chief Executives. As set out in the National Salary Structure and Conditions of Service handbook for Chief Executives.
- The Directors, who are covered by a separate procedure for Chief Officers as agreed by the Joint Negotiating Committee for Chief Officers of Local Authorities.

This procedure is to be used for managing poor performance in which the required standard has not been met due to lack of knowledge, experience, skill or aptitude and is not to be used for poor performance due to;

- Ill health, which would be managed under the Sickness Absence Management procedure.
- A ~~willful~~willful refusal to work satisfactorily, which would be managed under the Disciplinary procedure.

3.0 Principles

The Capability policy and procedure ~~includes~~embodies a number of principles:

- 3.1 Managers are responsible for addressing conduct and behaviour issues as early as possible and for taking appropriate action. Where appropriate, steps will be taken to resolve issues on an informal basis without recourse to the formal procedure.
- 3.2 No formal capability action will be taken unless every reasonable informal measure has been ~~concluded, considered and the~~The case ~~must has have~~ been fully investigated and considered at a capability hearing
- 3.3 Role Profile/Job Descriptions should accurately ~~state~~convey the main purpose and scope of each ~~position job~~ and ~~the~~ tasks involved.
- 3.4 Careful recruitment, selection and training will minimise the risk of unsatisfactory ~~sub-standard~~ performance.

- 3.5 ~~Role Profiles/Job d~~Descriptions should accurately ~~convey-state~~ the main purpose and scope of each ~~positons-job~~ and tasks involved although it is recognised that ~~Role Profile/Job d~~Descriptions need to be dynamic and responsive to business change.
- 3.6 Standards of work required should be explained so employees know what is expected of them. Special attention should be paid to explanation and the provision of adequate training for young persons with little experience of working life.
- 3.7 At every stage in the formal procedure the individual facing allegations may seek representation and/or support from their trade union, colleague or friend. The term friend does not extend to an individual acting as a legal representative
- 3.8 At every stage in the procedure, an employee will be advised of the concerns about their performance and will be given every opportunity to state their case before any decision is made. Supporting evidence will be provided where applicable
- 3.9 The procedure compliments the Council's ~~Performance~~-Appraisal Policy.
- 3.10 The procedure is closely aligned to the Council's Disciplinary Policy and Procedure. Where there is a question as to whether an issue is to be dealt with under the capability or disciplinary policy, managers should seek advice and support from the Human Resources ~~TeamGroup~~ regarding the appropriate ~~stepsroute~~ to take.

4.0 Responsibilities

4.1 Management Responsibilities

It is the responsibility of all managers to ensure that they provide an environment in which staff can achieve the standards required of them. This would include ensuring that the standards are ~~specific, measurable, achievable, relevant and time-bound (SMART). explicit, realistic and measurable in terms of what has to be achieved within the required time frame.~~

~~Line M~~managers have a responsibility to ensure that the:

- Employee is 'inducted' into the organisation;
- Employee receives appropriate initial training and subsequent ongoing training (where necessary);
- ~~Tasks and responsibilities Appropriateness~~ of ~~the~~ job ~~content~~ is applicable to the grade;
- Expectation of work performance is realistic and that clear ~~goals~~expectations in terms of objectives and standards are set;
- Volume of work is reasonable;
- Adequate advice and ~~leadership~~supervision is available;
- The Council's ~~Performance~~-Appraisal Policy is ~~considered~~ adopted

4.2 Employee Responsibilities

All employees have a responsibility to achieve the required standard and co-operate with their ~~line~~-managers in complying with agreed action plans.

Employees have a responsibility to ensure that;

- They know the standard of work expected of them and seek clarification if unsure.
- Make their ~~line~~ manager aware of any problems they have with their work and -
Requesting the need for assistance/support is not seen as a weakness.
- Participate fully in the Council's Performance Appraisal Policy.
- Undertake any additional training recommended by their ~~line~~ manager

5.0 ~~Performance~~ Appraisal Policy

The ~~Performance~~ Appraisal Policy is a system for regularly reviewing and recording the performance, potential and development needs of an employee. This appraisal process will ensure that employees are clear about what is expected of them and how they will be supported. The process is two-way and provides an opportunity to help identify and reveal problems which may be restricting progress and causing poor work performance.

The ~~Performance~~ Appraisal is a continuous process and not limited to a formal review once a year. It is essential where work performance problems arise that they are addressed at the time, rather than waiting for the annual review.

~~Line m~~Managers will review the performance of new employees/staff in the first six months of employment using the Council's Probation Policy Scheme.

6.0 Action in Serious Cases

Where an employee commits a single error and the actual or potential consequences of the error are extremely serious, warnings will not normally be appropriate. The Disciplinary Procedure will normally be invoked in these circumstances and appropriate action may be taken which may include dismissal.

7.0 Capability Procedure

An employee's level of work performance varies over time. In the case of temporary poor performance the matter can normally be resolved by giving guidance and support. In the majority of cases work performance does not fall to unacceptable levels for prolonged periods, but where it does every attempt must be made to provide support and guidance.

A flowchart outlining the stages of the Capability Procedure can be found in Appendix A.

7.1 Informal Procedure

Informal counseling discussion, guidance and support are a part of normal management practice. The formal procedure will not normally be implemented without guidance first being offered informally. However, in some circumstances it may be appropriate to invoke the formal procedure where the employee's poor performance or competence warrants such action.

It is expected that a majority of minor faults in an employee's performance may be dealt with informally by holding a performance review meeting using the Performance Plan (Appendix B by setting the objectives to be achieved). A record of the performance review meeting should be made using the Record of Discussion Form (Appendix CB).

A copy of the Performance Plan/Record of Discussion Form should be given to the employee and a copy retained on their personal file but it will be discounted for disciplinary

purposes after 6 months of the final review meeting, provided that they are not required as part of a formal capability case.

A performance review meeting is to be used to bring to the employee's attention aspects of their performance that is regarded as being unsatisfactory. Where improvement is required the employee must be given clear guidelines as to:

- a) What is expected in terms of improving shortcomings in performance
- b) The timescales for improvement
- c) When this will be reviewed
- d) Where appropriate, the employee must also be told that failure to improve may result in formal capability action.

~~A record of the performance review meeting should be made using the Record of Discussion Form (Appendix B). A copy of the Record of Discussion Form should be given to the employee and a copy retained on their personal file but it will be discounted for disciplinary purposes after 6 months of the final review meeting, provided that they are not required as part of a formal capability case.~~

Managers can seek support from the HR Team during the informal process. However, it is not ~~necessary~~ appropriate for anyone other than the employee and their manager to be involved in the meetings at this stage. There is no right of appeal related to the Performance Meeting, counselling.

7.2 Formal Procedure

The formal procedure is intended as a framework to ensure consistent and fair treatment for all employees. The stages of the procedure will normally be implemented ~~consecutively~~ sequentially, however, where the ~~under performance~~ underperformance is significant, managers may take action under the latter stages of the process following consultation with Human Resources.

There are three stages under this procedure:

Stage One - Written Warning

Where work performance remains unsatisfactory following the Informal Process, the employee will be invited to attend a formal capability hearing under stage one of the procedure.

A full and thorough review will take place and the employee will be given an opportunity to state their case and any mitigating circumstances will be taken into consideration.

The employee will be informed that their performance is expected to improve to an acceptable standard and a clear Performance Plan ~~action plan~~ will be ~~drafted~~ drawn up, which both the manager and employee will agree and sign. A written warning may be issued and the employee informed that if their performance does not improve then further action under stage two of the procedure may be necessary.

The outcome of the hearing will be confirmed in writing to the employee within five working days of the hearing and the warning will remain live for a period of six months.

Stage Two - Final Written Warning

If the required improvement has not been ~~achieved~~ ~~made~~ following stage one, the employee will be invited to attend a formal capability hearing under stage two of the procedure.

The hearing process will be the same as the previous stage and ~~an~~ Performance action plan will be agreed and signed by both the manager and the employee ~~drawn up~~. A final written warning may be issued and the employee informed that if their performance does not improve then further action under stage three of the procedure may be necessary.

The outcome of the hearing will be confirmed in writing to the employee within five working days of the hearing and the warning will remain live for a period of twelve months.

7.3 Review Meetings

The manager of the employee will be responsible for ensuring all items under an agreed Performance action plan are reviewed, regular feedback is given and all training and support has been implemented.

The employee will be allowed to raise any mitigating factors and the manager should consider at each stage whether it is appropriate to continue to the next stage or extend the review period.

Stage Three – Dismissal

If the required improvement has not been ~~achieved~~ ~~made~~ following stage two, the employee will be invited to attend a formal capability hearing under stage three of the procedure. A manager with the level of authority to dismiss should chair the meeting.

The hearing process will be the same as the previous stages but dismissal with notice or an alternative to dismissal may be the appropriate outcome. The manager will make a decision on the suitability of the employee to continue in employment with the Council and dismissal with notice or an alternative to dismissal may be the appropriate outcome.

Written confirmation of the decision will be sent to the employee within five working days.

Action Short of Dismissal

Action short of dismissal may be considered. The employee may be transferred or demoted on capability grounds. If this action is taken the employee will have their terms and conditions of employment changed to those applicable to the new position, with effect from the date of transfer.

7.43 Appeals

7.34.1 Appeal against Capability Action below Dismissal

Everyone has the right of appeal against capability action taken. In the case of written/final written warnings, the appeal will be to another manager not already involved with the proceedings. Individuals who wish to lodge an appeal should do so in writing to the manager named on the confirmation letter within 10 working days of the date of the receipt of the written notification of the capability action. The notification of appeal must include the grounds for the appeal.

The grounds on which an appeal can be heard are limited to:

- A review of the reasonableness of the decision that is subject to appeal;
- A plea that the penalty imposed is too harsh in the light of mitigating circumstances-~~or~~
- That the correct procedure was not followed-.

The decision made by the manager hearing the appeal is final.

~~7.43.2~~ Appeal Against Dismissal

In the case of dismissal, an employee has the right of appeal to the HR Appeals Panel. Appeals must be lodged by writing to the Human Resources ~~Lead Service Manager~~ within ~~ten~~ 10 working days of the date of the being informed in writing written notification of the dismissal.

The decision made by the HR Appeals Panel is final.

Record Keeping

All written records produced as a result of following the Capability procedure will be filed on the employee's personnel file, held with the HR ~~Team~~ Group. They will be retained on file for 12 months from the date of the last correspondence after which they will be destroyed.

~~8.0~~ Review Meetings

~~The manager of the employee will be responsible for ensuring all items under an agreed action plan are reviewed, regular feedback is given and all training and support has been implemented.~~

~~The employee will be allowed to raise any mitigating factors and the manager should consider at each stage whether it is appropriate to continue to the next stage or extend the review period.~~

~~89.0~~ Review

This policy will be reviewed on a regular basis in the light of operating experience and/or changes in legislation.

Appendices to this Document

Appendix A - Capability Flowchart Procedure

Appendix B – Performance Plan

Appendix CB - Record of Discussion Form

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Performance Plan

Name:	Click here to enter text.
Job Title:	Click here to enter text.
Position	Click here to enter text.
Date and Time of Meeting:	Click here to enter text.
Line Manager Name:	Click here to enter text.

Areas of Performance Discussed:		
Click here to enter text.		
Objective	Objective Indicators	Target Date
Click here to enter text.	Click here to enter text.	Click here to enter a date.
Click here to enter text.	Click here to enter text.	Click here to enter a date.
Click here to enter text.	Click here to enter text.	Click here to enter a date.
Areas of Performance Discussed:		
Click here to enter text.		
Assistance Required: (e.g. training, coaching, resources)		
Click here to enter text.		
To Complete on First Meeting:		
Employee Signature	Click here to enter text.	Date: Click here to enter a date.
Manager Signature	Click here to enter text.	Date: Click here to enter a date.
Next Review Date:	Click here to enter a date.	

Summary of Planned Reviews		
Review Date	Comments	Status*
Click here to enter a date.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Choose an item.
Click here to enter a date.	Click here to enter text.	Choose an item.

Final Review	Comments	Status*
Click here to enter a date.	Click here to enter text.	Choose an item.

Agreed Actions Following Final Review			
<p>Following the Final Review agree the appropriate action.</p> <p>Suggested actions could include:</p> <ul style="list-style-type: none"> • Continuing with Performance Plan • Move into a formal Procedure • No further action <p>Please indicate what actions are required.</p> <p>Click here to enter text.</p>			
Employee Signature:	Click here to enter text.	Date:	Click here to enter a date.
Manager Signature:	Click here to enter text.	Date:	Click here to enter a date.



Probation Policy

Version 1.1	
Last reviewed	Feb 2022
To be reviewed by	Feb 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes

1.0 INTRODUCTION

~~This policy and procedure sets out the process for dealing with staff during their probationary period. It is South Lakeland District Council's (SLDC) policy that all newly appointed temporary and permanent employees are subject to a probationary period of six months, or nine months if extended.~~

~~The Manger/Team Leader is responsible for ensuring that all new employees are properly monitored during their probationary period, addressing any issues promptly. The probationary period is designed to be a positive, supportive and structured, two way process.~~

~~The probationary period gives South Lakeland District Council (the Council) the opportunity to assess the new employee's suitability in the role and for the employee to demonstrate their ability to effectively perform their duties. also allows the employee to demonstrate the standard of performance, attendance and conduct expected of them. The probationary period is designed to be a positive, supportive and structured process that ensures the employee has the opportunity to discuss training and development needs at an early stage in their employment.~~

~~The probationary period also allows the employee to demonstrate the standard of performance, attendance and conduct expected of them. The probationary period is designed to be a positive, supportive and structured process that ensures the employee has the opportunity to discuss training and development needs at an early stage in their employment.~~

2.0 SCOPE OF THE POLICY

This policy and procedure applies to all new, temporary and permanent employees, as well as existing employees who have previously completed a probationary period and are moving to a new position within ~~the Council.~~SLDC.

3.0 PRINCIPLES

This policy includes ~~embodies~~ the following ~~values~~principles:

- Existing employees who have previously completed a probationary period and are moving to a new position within SLDC~~the Council~~ will be required to have an initial, interim first and final review meeting. These meetings will support the employee in their new role and help identify any developmental requirements. An existing employee will not have to successfully complete a probationary period and cannot be dismissed under this policy. Any concerns related to the performance of existing employees~~staff~~ in new roles will be dealt with under the Capability Policy.

~~• All new employees, whether temporary or permanent, will be required to undertake a 6 month probationary period.~~

- The 6 month probationary period can be extended for a maximum period of 3 months where it has not been possible to fully assess the employee's performance. This may occur when the:
 - Employee has had period of sickness absence or authorised absence.
 - Manager has evidence to suggest that the employee's performance is likely to improve during the extension.

A decision over whether or not a probationary period should be extended will be made in either the probationary hearing or the probationary appeal hearing.

- Where an employee is recruited to a temporary position for a period of 6 months or less, the probationary process will be followed for the duration of the contract.
- Successful completion of the probationary period will be subject to satisfactory performance, conduct, timekeeping and attendance. Any concerns about one or more of these areas may result in the employee's contract being ended.
- Confirmation of appointment is dependent upon the satisfactory completion of the probationary period. If the probationary period is unsuccessful, the employee's employment may be terminated by giving 1 months' notice, regardless of grade as detailed in the Local Terms and Conditions of employment.

4.0 RESPONSIBILITIES:

4.1 Managers

Managers have the responsibility to:

- Familiarise themselves with the Probationary Policy and Procedure.
- Ensure all new temporary and permanent employees are aware of the Probationary Policy and Procedure. Along with the responsibilities of their role agreed, within their induction period
- Prepare a 6 month probationary plan that will help the employee achieve the standards expected of them this involves setting dates for the review meetings, identifying the targets to be achieved during the first 6 months' and arranging any essential training.
- Ensure the employee's performance is reviewed and assessed during the probationary period as detailed in this policythe Probationary Policy and Procedure.

- Ensure that the employee receives the support and development required to be successful in the role.
- Seek advice from Human Resources where appropriate.
- Keep detailed records of the discussions held with the employee.
- All completed and signed review forms and performances plans should be forwarded to HR.

4.2 Employees

Employees have the responsibility to:

- Take ownership for their performance and development in the role which will allow them to perform to the ~~role to the~~ expected standards of SLDC~~the Council~~.
- Raise any difficulties / concerns at an early stage to their manager
- Undertake any training or support identified by the manager.

4.3 Human Resources

Human Resources will be responsible for:

- Advising and supporting ~~line m~~Managers/Team Leaders in the application of this policy and procedure.
- Monitoring that line managers are complying with the policy and procedure.

5.0 PROCEDURE

5.1 Initial Review

Within the first month of the probationary period an Initial Review should be held with the employee to set targets and ensure the requirements for the ~~rolepost~~ have been clearly explained.

During the meeting, the ~~m~~Manager/Team Leader should:

- ~~Make the employee aware of the Probationary Policy and Procedure.~~
- ~~Make the sure the employee is clear about the responsibilities of the role.~~
- Discuss any issues with ~~Ensure the employee is clear about what is expected of them. This discussion should include issues such as~~ timekeeping, attendance, behaviours and conduct in the initial review meeting.

- Set the objectives/targets that for the employee to meet-is expected to meet during their ongoing probationary period.
- Arrange any essential job training for the employee.
- Set dates for the interim and final review meetings during which the employee's performance in the role will be discussed.
- Identify the support that is available to the employee during the first 6 months

A summary of the discussion that took place should be recorded on the Initial Review Form (Appendix A) which is then signed by both the manager and employee. (Appendix A)

5.2 Interim Review

The Interim Review is held by the end of the third month of employment in the new role.

This is a formal meeting to review the employee's performance and objectives as agreed in the initial review. in the role, their conduct, timekeeping and attendance. It is also an opportunity for the mManager/Team Leader to provide constructive feedback. ~~therefore~~ The meeting should highlight where the employee's performance is not to the expected standard ~~any shortfalls in performance~~ as well as any acknowledging any achievements - ~~and~~ **examples must be provided.**

If the employee is successfully fulfilling the duties of the role and meeting the agreed objectives/set targets, the Manager/Team Leader ~~line manager~~ should verbally inform the employee of this and confirm the date for the final review meeting. The Manager/Team Leader ~~line manager~~ needs to record the contents of the discussion in the Interim Review Form (Appendix B) which is then signed by ~~both~~ the mManager/Team Leader and employee. (Appendix B)

If there are concerns about the employee's ability or conduct in the role, the Mmanager/Team Leader should verbally discuss with the employee:

- The areas that need to be improved.
- The standards that are required.
- Set an/Implement a Performance Plan ~~improvement plan~~ (Appendix C) that details the objectives, required standards and any additional support or training that will be provided.
- Confirm the date for the final review meeting.
- Explain the process that will take place if the required improvement is not achieved and that it may result in the employee's probation period being extended or termination of employment from SLDC ~~the Council~~.

The manager ~~needs to must~~ record the contents of the discussion on the Interim Review Form (Appendix B) and develop an Performance Plan/Improvement plan (Appendix C). ~~which is then signed by the Manager/Team Leader and employee. The Interim Review Form (Appendix B) and the Improvement Plan (Appendix C) needs to be signed by both the manager and employee.~~

~~A signed copy of the Interim Review Form (Appendix B) and if applicable, the Improvement Plan (Appendix C) should be sent to Human Resources.~~

5.3 Final Review

The Final Review is held before at the end of the sixth month of employment with SLDCthe Council, although it could be held earlier if there are significant concerns. Please be aware if the final review is not completed in the given timeframe an employee will be deemed as having successfully passed their probation.

This is a formal meeting to review the employee's performance and objectives as agreed in the interim review. in the role, their conduct, timekeeping and attendance. It is also an opportunity for the manager to provide constructive feedback. ~~The meeting should highlight where the employee's any shortfalls in performance is not to the expected standard as well as any acknowledge,~~ achievements, examples must be provided.

Should the employee be successful in the role and has met the set objectivestargets, the ~~m~~Manager/Team Leader should verbally inform the employee of this. The ~~line m~~Manager/Team Leader must needs to record the contents of the discussion ~~io~~ on the Final Review Form (Appendix D) and indicate on the form that the employee has successfully completed their probationary period. This form is then signed by ~~both~~ the ~~m~~Manager/Team Leader ~~and~~ employee and forwarded to Human Resources who will write to the employee to confirm the successful completion of their probationary period.

If the concerns about the employee's ability or conduct in the role still remain, the ~~M~~anager/Team Leader should discuss this verbally discuss with the employee and explain the next steps, which will be a Probationary Hearing.:

5.4 Probationary Hearing

~~The areas of concern that still remain and as such, The Hearing will confirm whether or not: Confirm whether or not they are going to:~~

- The employee's probationary period will be Eextendeded the employees Confirm that the employee's probationary period up to a maximum of will be extended by 3 months'. If this is the case, the manager must confirm what performance objectives should be achieved for the probationary period to be successfully completed and the review process for the period.
- The oemployee's contract will terminate the employee's contract by giving one months' notice.
- The employee will be summarily dismissed without notice

The ~~manager conducting the Probationary Hearing will confirm the outcome within 5 working days outlining the line manager needs to record the contents of the discussion on the Final Review Form (Appendix D) and indicate on the form that the out~~ probationary period has either been unsuccessful or has been extended with agreed objectives to be met in a given time frame. ~~A signed copy of the Final Review Form (Appendix D) then needs to be forwarded to Human Resources who will confirm the outcome in writing.~~ Employees who have had their employment terminated are issued with one months' notice of termination will be provided ~~have the~~ with the right to appeal.

6.0 APPEAL

An employee who appeals against the decision to end their contract must do so in writing detailing the specific reasons why they are appealing. This letter must be received within 10 working days of the date of the letter receipt of the letter ~~confirming the outcome of the probationary hearing. period.~~

Appeals will be heard by a ~~Leadn Assistant Director~~ except when the termination relates to a Leadn Assistant Director, which will be heard by a Director. The decisions available to the manager hearing the appeal are:

- To overturn the original decision and confirm the employee has successfully completed their probationary period.
- To overturn the decision and confirm that the employee's probationary period will be extended by 3 months'. If this is the case, the appeal manager must confirm what performance objectives should be achieved for the probationary period to be successfully completed and the review process for the period.
- To uphold the decision to dismiss.

The employee will receive confirmation of the date and time of the appeal by letter and will be provided with at least 5 working days' notice of the appeal. Included with the letter will be any papers that will be referred to during the appeal. The employee has the right to be represented at the probationary hearing by a union official, work colleague or some other person of their choosing who is not acting in a legal capacity.

The format of the appeal is contained at Appendix E.

The Chair of the appeal will confirm the outcome in a letter within 5 working days.

In the event of termination being upheld the effective date of the termination will be as originally advised.

If the termination is overturned, the employee will be reinstated from the date of the termination and pay and continuity of service will be reinstated.

The decision of the appeal manager is final and there will be no further right of appeal.

7.0 ACTION IN SERIOUS CASES OF CONDUCT OR CAPABILITY

Where an employee commits a single act or error and the actual or potential consequences of that act or error are, or could be, extremely serious, warnings and the opportunity to improve may not then be appropriate. In these circumstances, a manager may decide that it is appropriate for the employee's employment to end.

Depending on the severity of the error or action, the manager could decide that the employee is either given ~~notice that their employment will terminate at the end of the probationary period; or given~~ one month's notice in accordance with their contract of employment or summarily dismissed without notice.

If it is necessary to investigate the incident, a manager can decide to suspend the employee. Suspension is a neutral act and is not to be regarded as formal action. During the period of suspension the employee shall be paid an amount equivalent to their normal basic pay.

Ideally the employee must be informed of the suspension in the presence of a witness. This may be a trade union representative or a work colleague. The suspension meeting cannot be postponed to allow specific representatives or colleagues to be in attendance. Employees will have the conditions of suspension explained to them verbally at the time and written confirmation will be sent within five working days.

A suspended employee will be offered a designated contact person within ~~SLDC the Council~~ to whom they may seek support, advice, guidance and access to services such as the Employee Assistance Programme. ~~occupational health provision~~.

Whilst suspended from duties the employee is not allowed to enter ~~any SLDC Council~~ properties or contact any other employees, suppliers or customers of the organisation, except the employee's designated contact, without prior authorisation from the appropriate manager. The employee is expected to remain contactable and available for meetings during the times when they would normally have been in work.

8.0 REVIEW

This Policy will be reviewed on a regular basis in the light of operating experience and/or changes in legislation.

Appendices to this Document:

Appendix A – Initial Review

Appendix B – Interim Review

Appendix C – Performance Plan

Appendix D – Final Review

Appendix E – Formal of the Hearing



Grievance Policy

Version 1.1	
Last reviewed	Feb 2022
To be reviewed by	Feb 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes

1.0 INTRODUCTION

~~The council~~SLDC recognises that the grievances of individuals should be dealt with fairly, respectfully and ~~as quickly as possible~~. It is the intention of this policy that grievances may be resolved at the earliest ~~possible~~ stage wherever possible. Grievances are defined in the A.C.A.S code ~~as concerns, problems, or complaints that employees raise with the employer and in the Guidance~~ as “a problem or concern that an employee has about their work, working conditions or relationships with colleagues”.

In line with the Employment Act 2008 and the A.C.A.S. ~~code of P~~practice and guidance, ~~the council~~SLDC has put less emphasis on the mechanics of how to manage a grievance with more flexibility to resolve problems at an early stage.

2.0 SCOPE OF THE POLICY

This procedure will apply to all employees~~workers~~ of South Lakeland District Council except for;

- The Chief Executive, who is covered by a separate procedure for Chief Executives
- The Directors who are covered by a separate procedure for Chief Officers

3.0 GENERAL PRINCIPLES

3.1 The Grievance Procedure applies to working practice and does not apply to matters where separate procedures exist, such as that in the Dignity at Work Policy.

3.2 Where the grievance personally involves the employee's immediate ~~m~~Manager and it is inappropriate to follow all of the stages of the procedure, then the procedure may be begin ~~invoked~~ at the appropriate stage.

3.3 Where it is not possible to adhere to timescales the employee will be given an explanation for the delay and told when a response can be expected.

3.4 Where any stage of the grievance is unable to be progressed due to a ~~M~~manager/~~Lead Assistant Director~~/Director being absent for a long period of time, another ~~M~~manager operating at the same level may deal with the grievance.

3.5 Should a disabled employee become involved in the procedure, the ~~M~~manager in conjunction with the Human Resources ~~Group~~ will ensure that any reasonable adjustments are made so that the employee is not disadvantaged in any way. This, for example, may include assistance in writing a grievance for submission.

4.0 RIGHT TO BE ACCOMPANIED AND/OR REPRESENTED

An employee may be represented and/or accompanied during the informal and formal stages of the procedure either by a union official, by a colleague or some other person of their choosing who is not acting in a legal capacity. (Individuals will be able to ask one person only

to accompany and/or represent them). Rescheduling of grievance meetings for the convenience of a specific representative is not guaranteed, but every effort will be made to accommodate a reasonable request.

5.0 COLLECTIVE GRIEVANCES

Grievances may be dealt with collectively where more than one employee has the same grievance. Representation may be made by a trade union official or a maximum of two individuals from the group raising the collective grievance.

6.0 STATUS QUO

For the purposes of this procedure, 'status quo' means the working arrangements or practices in place immediately before the event causing the grievance/dispute occurred.

We will not take any action that will affect the status quo (Except where working practices are dangerous, where there is a breach of statute, or where there would be a significant impact on employee welfare or the reputation of the organisation). Until the issue has been resolved or the formal stages of the procedure have been completed.

~~When a grievance is raised by an employee or group of employees the status quo, i.e. the conditions prevailing prior to the grievance being raised, will be applied unless continuance of the status quo would contravene statutory requirements. Wherever practicable, a status quo arrangement will operate until either the grievance has been resolved or the procedure has been exhausted.~~

7.0 MEDIATION

~~The council SLDC~~ is able to offer and actively promotes mediation as a form of resolving workplace disputes. Employees wishing to use mediation as a form of resolving a dispute they may have, should contact the HR ~~Team Group~~ for further information. A summary of the use of mediation to resolve disputes is contained in Appendix A.

If appropriate, the option of mediation can be considered at either the informal or formal stages of the procedure. (if mediation is used during the formal grievance procedure the ongoing formal procedures will be put on hold). If mediation does not resolve the situation there will be an option for the formal procedures to continue and this may be raised with the ~~M~~manager and/or the HR ~~Team group~~ or union representative. A trained mediator will be used. ~~either internal or external to The council may be used.~~

7.1 Mediation Stage

Mediation is a voluntary process but ~~the council SLDC~~ would encourage its use to seek early resolution to disputes such as:-

- Conflict involving work colleagues or between a line ~~M~~manager and their employee.
- To address a range of issues, including relationship breakdown, personality clashes, communication problems etc.:-

~~Mediation may also be invoked at any stage during the formal grievance procedure and the ongoing formal procedures will be put on hold. If mediation does not resolve the situation there will be an option for the formal procedures to continue~~

8.0 LOCAL GRIEVANCE PROCEDURE

The flowchart outlining this procedure can be found in Appendix B.

8.1 Informal Stage

Where an employee is aggrieved on any matter, the matter should, in the first instance, be discussed informally with the Team Leader/supervisor/Manager/Lead, where the employee should explain their grievance and how they see the issue being resolved. ~~It is hoped that the majority of grievances can be resolved at this level by having an honest, open and respectful cordial and honest conversation, would benefit both employer and employee and it is hoped that the majority of grievances can be resolved at this level.~~

The Team Leader/supervisor/Manager/Lead will respond verbally to the grievance within five working days.

8.2 Formal Stage

If a grievance is not, or cannot be resolved at the informal or mediation stage the employee may raise a grievance under the formal procedure.

Stage One

The employee(s) should complete section A of the Grievance Form in Appendix C and submit ~~this it~~ to the appropriate Manager explaining how the issue should be resolved.

The Manager will investigate the matter then hold a meeting with the employee within 10 working days of receiving the grievance, ~~to discuss the issues~~. The Manager will provide a response setting out any action to resolve the grievance, in writing, within ~~five~~ 5 working days of hearing the grievance.

If the employee believes the grievance has not been resolved satisfactorily and continues to be aggrieved, then the grievance may be raised at the next stage ~~– stage two-~~

Stage Two

~~If the employee believes the grievance has not been resolved satisfactorily and continues to be aggrieved, then the grievance may be raised at the next stage.~~ Section B of the grievance form must be completed to appeal the decision taken at stage one of the procedure and submitted to the appropriate Assistant Director/Lead within 10 working days of receiving the response from stage one.

Within 10 working days of receiving the grievance, the Lead Assistant Director will organise a meeting with the employee to discuss the grievance. The Assistant DirectorLead may also request the attendance of any person considered able to assist with the proceedings.

Following the stage two meeting the LeadAssistant Director will provide the employee and the Mmanager with a written decision on the matter within five-5 working days.

This is the last-final stage of the local grievance procedure and any decision made by the Lead Assistant Director will be final.

8.3 Senior PestsRoles

In the case of Operational Managers, If the grievance/s are with the individuals Managers, this may be raised in the first instance with the appropriate Assistant DirectorLead. If the grievance cannot be resolved at this stage, the matter should be referred to the appropriate Corporate Director.

In the case of a grievance relating to a LeadAssistant Directors, grievances may be raised in the first instance with the appropriate Corporate-Director. If the grievance cannot be resolved at this stage, the matter should be referred to the Chief Executive for action.

8.4 Withdrawal of a Grievance

Any grievance will be considered withdrawn unless it is referred in writing to the next stage of the procedure within the given timescales.

9.0 REVIEW

This policy will be reviewed on a regular basis in the light of operating experience and/or changes in legislation.

Appendices to this Document:
Appendix A Mediation Process
Appendix B Grievance Procedure
Appendix C Grievance Form

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Mediation Process

The Aim of Mediation

The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.

Process

~~The council~~ SLDC is able to offer and actively promotes mediation as a form of resolving workplace disputes. Employees wishing to use mediation as a form of resolving a dispute should contact the HR ~~Team~~ Group for further information.

What is Mediation?

Mediation is a process that involves an independent impartial person, the mediator, helping two or more individuals or groups reach a solution that's acceptable to everyone.

Mediation in the work place is a dispute resolution process whereby a third party helps people to identify issues they need to talk about and helps the parties to produce a solution to a conflict. It is ~~unique in that it is~~ the parties involved in the situation ~~conflict~~ that decide how the conflict is ended.

Both parties are required to agree to mediation, as it is a voluntary process.

When is Mediation used?

Mediation may be used for most kinds of ~~dispute-disagreement~~ and it can be used at any stage in a dispute but is known to be most effective if used early on. It is a completely voluntary and confidential form of alternative dispute resolution. There are no hard -and- fast rules for when you can or cannot use mediation.

- It can be used for conflict involving colleagues of a similar job or grade, or between ~~line m~~Managers and their ~~team/s~~ staff
- It can be used, ~~exceptionally,~~ where there is conflict between teams, between a trade union, between groups of employees and management
- It can be used at any stage in the conflict as long as any ongoing formal procedures are put on hold ~~in abeyance~~, or where mediation is a stage in the procedures themselves
- It can be used after a formal dispute has been resolved to rebuild relationships
- It can be used to address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment

The other issues particularly suited to mediation are bullying and harassment, and perceived discrimination issues. ~~a~~ Although each situation needs to be judged on a case -by- case basis, ~~a~~ As serious cases of bullying and harassment, and clear cases of discrimination, may need to be dealt with by more formal procedures.

The Aim of Mediation

~~The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.~~

The Benefits of Mediation

Mediation is independent and it is a non-judgmental process, the mediations strengths are that it is voluntary and that it gets to the crux of the problem. It does not have to look to blame either of the parties it simply provides the platform for the aggrieved parties to come together and it encourages individuals to co-operate to solve their problems.

Mediation can:

- Provide an opportunity to resolve a problem in a professional manner without the time or stresses involved in using the formal procedure
- Leave both parties in control of what is finally agreed rather than having someone else decide the outcome
- Be quicker, more flexible and less stressful and may generate better and longer lasting solutions
- Help mend working relationships, as in agreeing to mediation, both parties have taken a step back from the immediate dispute
- Agreements reached through mediation aren't legally binding in respect of any potential claim to an employment tribunal, but, because of the voluntary and inclusive nature of the process, any positive outcome arrived at tends to be respected by the parties.

What does the Mediator Do?

- ~~__~~ The mediator will decide the best way to carry out the mediation
- ~~_, -t~~ They will usually start by talking to the people involved in the dispute or disagreement separately
- ~~and -t~~ Then later on, talk with everyone together.

Both sides can talk to the mediator openly because the mediator will not pass on anything said without the agreement of the person who said it. The mediator helps to uncover underlying problems to assist the parties to understand the issues. ~~-a~~ And help them to clarify the options for resolving their problem and/or improve the situation. ~~-, but A mediator they will not tell anyone what they should do. The mediator is impartial and is not there to provide a solution they will not take sides or make any judgment on who may be right or wrong.~~

Confidentiality

Anything said during the mediation is confidential to the parties. They may choose to reveal some or all of what has occurred during the mediation to colleagues, or their managers, but only if all parties agree. The only exceptions are where, for example, a potentially unlawful act has been committed or there is a serious risk to health and safety.

Grievance Procedure

INFORMAL Wherever possible, it is hoped that problems can be resolved by informal discussion with the manager who will reply verbally to the grievance within 5 working days.

MEDIATION Mediation may be used at any stage of the procedure informal or formal.

**FORMAL
STAGE 1**

Employees raises the grievance formally. Section A of the Grievance Form is completed and submitted to the manager.

Mediation may also be undertaken at any stage of the formal procedure

Manager holds a meeting to discuss grievance and provides written response within 5 working days of the meeting.

YES No further Action

**STAGE 2
FIRST APPEAL**

Issue Resolved

NO

Employee completes section B of the Grievance Form and submits to Lead within 10 working days of receiving the written response from the Manager.

The Lead will arrange a meeting with the employee and Manager within 10 working days of receiving grievance. Written decision to be provided within 5 working days of the meeting.

Any decision by the Lead will be final.

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Dignity at Work Policy

Version 1.1	
Last reviewed	Feb 2022
To be reviewed by	Feb 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes

1.0 INTRODUCTION

Harassment and bullying –of employees and workers, ~~(including bullying), which is when~~ not properly and effectively dealt with can result in tension and conflict at work, stress, ill health and absence, interference with work outputs, and even resignation.

~~SLDCouth Lakeland District Council~~ is an equal opportunities employer and therefore believes that everyone has a right to a working environment in which the dignity of individuals is respected and in which harassment and bullying is unacceptable. ~~The Council SLDC~~ is committed to providing a safe and healthy workplace and will deal seriously with any instances of harassment that could affect this, ~~w~~Whatever form this might take.

~~It is for a~~All Council-Employees, Workers and Elected Members to remember to:

- ~~T~~Treat others as they would wish to be treated themselves
- ~~N~~Never cause others to feel humiliated
- ~~R~~Remember that we are all working towards the same goal

~~And remember that~~

- ~~That the~~ highest standard of behaviour is expected from all at SLDC South Lakeland District Council

2.0 SCOPE OF THE POLICY

This policy covers bullying and harassment in the workplace and in any work-related situation e.g. business trips and work-related social events, for of and by Managers, Employees, Councillors, Contractors and anyone else engaged to work for ~~the Council SLDC~~. ~~It covers bullying and harassment in the workplace and in any work-related situation e.g. business trips and work-related social events.~~

The Policy does not cover bullying and harassment by the public, suppliers or visitors to ~~the Council SLDC~~ and any such behaviour should be reported to the manager who will deal with the issue under the Violence at Work Policy. Bullying or harassment of the public, suppliers or visitors to ~~the Council SLDC~~ will be dealt with under the disciplinary procedure.

3.0 WHAT IS BULLYING AND HARASSMENT?

Bullying and Harassment (which includes ~~bullying and~~ victimisation) is a complex and sensitive issue with no simple or adequate definition. It takes many forms, it can be isolated or repetitive behaviour and may be directed at individuals or groups. It is a very personal issue because what constitutes acceptable behaviour for one individual may be deemed harassment by another.

In the workplace it means:

“Unwanted behaviour which is not justified by the working relationship and is offensive to the recipient.”

Generally, it means:

Any unwanted behaviour or attention that a person finds unreasonable, objectionable or offensive and/or creates a hostile working environment, any of which makes him or her feel intimidated, humiliated, threatened or uncomfortable, leading to a loss of dignity or self-respect

Bullying is a distinct form of harassment defined as:

Persistent, offensive, abusive, intimidating, malicious or insulting behaviour, abuse of power or unfair use of penal sanctions, which makes the recipient feel threatened, humiliated, or vulnerable, undermines their self-confidence and which may cause distress.

Harassment (which includes bullying) can be based on:

- Race, nationality, skin colour or ethnic background
- Gender or sexual orientation
- Disabilities, sensory impairments or learning difficulties
- Age
- Religious or other similar philosophical belief, or political convictions
- Possible links to HIV/AIDS
- Membership or non-membership of a Trade Union
- Status as an ex-offender
- Willingness to challenge harassment (leading to victimisation)
- Personal beliefs

Harassment is unlawful in many cases and individuals may could be held personally liable for their actions and may have to pay compensation themselves, separately from and in addition to any payment ~~the Council~~ SLDC may be ordered to make.

3.1 Forms of Harassment

Harassment can take many forms. The harasser may even be unaware of their actions. It can take less obvious forms, for example, persistently ignoring someone or more extremely as physical violence.

Whatever the form, it will be unwanted, unwelcome and unpleasant. A single incident can be classed as harassment if it is sufficiently serious.

Possible forms of harassment include the following:-

- Unwelcome physical contact or invading a person's space
- Unwelcome suggestive comments or innuendo
- Persistent unwelcome attention
- Singling out or victimising
- Inappropriate, detailed checking of work, times of coming and going or excessive supervision
- Ostracising or freezing out; unreasonably withholding information, resources or training.
- Unreasonable allocation of duties, work or areas of responsibility
- Public reprimand, ridicule, sarcasm or humiliation
- Belittling or patronising comments
- Display or issue of offensive literature or pictures
- Practical jokes or initiations
- Rifling Searching, damaging or stealing of personal possessions
- Shouting, swearing, abuse, nicknames or malicious gossip
- Persistent reminders of past failures
- Deliberate wrongful attribution of blame
- Grabbing a person or their clothing
- Pushing, jostling, prodding or stalking

- Physical assault
- The malicious use of emails, ~~other electronic media faxes~~ or telephone calls within the working environment or to a person's home, invading their privacy.

3.2 **The Impact of Bullying and Harassment**

~~This policy recognises that conduct constituting h~~arassment and bullying has ~~aan~~ an adverse negative impact on the working environment and ~~therefore~~ the effectiveness with which ~~the Council SLDC~~ operates. ~~— has a negative impact on employees and SLDC, such as: Some examples of the possible impact on employees who may be subject to harassment and bullying are given below.~~

- Physical Effects – ~~f~~Feeling sick, tearful, sweating, disturbed sleep, loss of energy
- Emotional Effects – aAnxiety, irritability, depression, anger, lack of motivation
- A major financial impact on the organisation, through reduced performance, attitude towards the organisation and potential litigation costs.
- A impact on health and safety at work
- It infringes on the dignity and respect that should be given to individuals.

Bulling and harassment is a disciplinary offence.

4.0 **WHY BULLYING AND HARASSMENT WILL NOT BE TOLERATED...?**

It is contrary to the Code of Conduct for Local Government Officers, the Code for the Protection of the Dignity of Men and Women at Work, Equal Opportunities and Human Rights Legislation.

- ~~It can have a major financial impact on the organisation, through reduced performance, attitude towards the organisation and potential litigation costs.~~
- ~~It can impact on health and safety at work~~
- ~~Bullying and harassment is a disciplinary offence~~
- ~~It infringes on the dignity and respect that should be given to individuals.~~

5.0 **RIGHTS OF INDIVIDUALS**

Both those who consider themselves ~~to be~~ harassed and those who are the alleged perpetrators have the right to:

- Be taken seriously and have their views heard
- Expect prompt appropriate investigation in accordance with specific procedures
- Expect confidentiality to be maintained so far as practicable within the bounds of any investigation
- Be kept informed of progress with investigations and receive a written response at its conclusion-
- Receive support from a ~~support~~ adviser/colleague/friend/trade union or other representative-

Additionally those who consider themselves a target of to be harassment have the right to:

- Ask the perpetrator to stop
- Make a formal complaint if an informal approach has been unsuccessful

6.0 **KEY ROLES AND RESPONSIBILITIES**

There are a number of key personnel involved in the procedure that has been devised to deal with harassment and their roles and training are as follows:

6.1 — Support Advisors

~~Support Advisors will act as advisors providing sympathetic, confidential support. The key objective as a contact about bullying and harassment is to help complainants decide which course of action would be best, by helping them understand and review their options.~~

~~Those using Support Advisors are under no obligation to take the matter further or to approach a Support Advisor before they decide to pursue a case.~~

~~All Support Advisors will receive training in;~~

- ~~• The Council's Dignity at Work Policy and Procedure~~
- ~~• The role of the Support Advisor~~

~~Basic Counselling~~

6.1 Managers

It is the manager's role to:

- Receive complaints informal and formal and initiate investigations if appropriate.
- Ask the HR Team to appoint Investigating Officers
- Consider the findings of the investigations and decide whether any further action is required either informal or formal
- Arrange a disciplinary hearing to hear the case if appropriate.
- Follow up formal cases to ensure that the situation has been effectively resolved and that no victimisation or retaliation has occurred

All managers will receive training in:

- The Council's Dignity at Work Policy and Procedure
- The Council's Disciplinary Policy and Procedure
- The legislative framework governing discipline and harassment complaints

6.2.2 Investigating Officers

The role of the investigating officers is to investigate a formal complaint, prepare and present a report so that Managers can make decisions.

Investigating Officers may work in teams of two in order to maximise objectivity in reaching decisions and to aid the process of note taking and preparing statements.

Investigating Officers should take an impartial, non-judgmental view and where practicable be from outside the complainant's immediate department.

The role has many similarities to the investigation of disciplinary cases and the processes followed will be the same. Should the Manager receiving the investigation report decide formal action may be warranted, the Investigating Officers will be expected to present their findings at a formal disciplinary hearing.

All investigating Officers will receive training in;

- The Council's Dignity at Work Policy and Procedure
- The Council's Disciplinary Policy and Procedure
- The legislative framework governing discipline and harassment
- The role of the Investigating Officer
- Conducting interviews of all parties to a case
- Collecting, recording and analysing information

- Compiling independent reports for managers in order that they may then be able to make decisions on appropriate disciplinary or other action

6.3 — Managers

It is the manager's role to:

- ~~Receive complaints informal and formal and initiate investigations if appropriate. (The HR Group will be asked to appoint Investigating Officers).~~
- ~~Consider the findings of the investigations and decide whether any further action is required either informal or formal.~~
- ~~Arrange a disciplinary hearing to hear the case if appropriate.~~
- ~~Follow up formal cases to ensure that the situation has been effectively resolved and that no victimisation or retaliation has occurred.~~

All managers will receive training in:

- ~~The Council's Dignity at Work Policy and Procedure~~
- ~~The Council's Disciplinary Policy and Procedure~~
- ~~The legislative framework governing discipline and harassment complaints~~

6.34 Human Resources

The HR ~~Group~~ Team has 'end to end' involvement in the dignity at work process. There will be a dedicated fully trained member of the HR ~~Team~~ Officer allocated to work with all parties in each case. Their role will be to:

- Ensure informal options have been considered before formal investigation takes place If appropriate
- Advise Managers receiving complaints about how to deal with them
- Appoint Investigating Officers and manage the process of an investigation
- ~~Advise Support Advisors and Investigating Officers about their role and the operation of the Dignity at Work procedures~~
- ~~To a~~ Advise those who feel that they have been harassed and those who are alleged harassers about the policies, procedures, various contacts and their roles within the procedure
- Monitor the progress of cases making sure they are dealt with as quickly as possible and ensuring that all parties are kept informed
- Authorise Investigating Officers to access records of sickness, training etc, as relevant to any particular case
- ~~To r~~ Receive copies of all correspondence/notes generated in all cases
- Monitor the effectiveness of the policy and procedure.

7.0 THE PROCEDURE FOR DEALING WITH COMPLAINTSCONCERNS

7.1 Raising a ComplaintConcern

The ~~SLDC's~~ Council's policy is to encourage employees and workers who feel they are being harassed to raise their concerns ~~complain~~ about it rather than to suffer the distress it can cause.

~~Making a complaint~~ Raising your concerns can be difficult and distressing and ~~the Council~~ SLDC will ensure that the employee or worker receives all necessary support.

Individuals may raise concerns ~~or complaints~~ with their manager, or use the following reporting procedure if appropriate:

- Where the manager is the person complained about concerns may be raised with the next most senior manager in the department-
- Where the person complained about is a Director who reports directly to the Chief Executive or is a Councillor, contact should be made with the Chief Executive
- Where the person complained about is the Chief Executive the matter should be raised with the Leader of the Council-

There may be times when Managers and Directors to whom incidents of bullying and harassment are reported, may need to designate others to act in their place in dealing with the harassment complaint.

Managers at the appropriate levels will consider matters jointly where the individual raising the complaint and the person being complained about are in different Directorates or Departments.

While it is up to the individual, there may be occasions when ~~an Mmanager or a support Adviser~~ may need to override the wishes of the complainant, ~~for~~ informal action if the behaviour is serious enough to warrant immediate formal investigation. Examples could be allegations of sexual assault or racial harassment. In these circumstances, advice ~~must~~ should be sought from the HR ~~Group Team~~ before deciding what to do next.

Raising malicious claims, which prove to have no substance will be regarded as a serious breach of ~~the~~ discipline and ~~could be~~ potentially ~~classed as~~ gross misconduct, ~~individuals~~ should fully understand that the outcome of any malicious allegations could have serious implications that may result in disciplinary action being taken against ~~them which~~ ~~them~~. ~~Which~~ will be dealt with under the Council's Disciplinary Policy and Procedure.

7.1.1 Informal Action

If the decision is taken to deal with the matter informally, then the complainant can take one or more of the following actions;

- Ask the person to stop the harassment, making it clear what aspect of their behaviour is offensive and unacceptable. This can be done face to face or in writing. Some people are unaware that their behaviour in some circumstances is harassment. If it is clearly pointed out to them that their behaviour is unacceptable, the problem can sometimes be resolved.
- Contact a ~~Support Adviser~~, friend, colleague or trade union representative who will talk the matter through with them and who may at their request, raise the matter with the person complained about or the appropriate ~~M~~manager.
- Talk to their ~~m~~manager who will listen to their concerns and will agree with them how to take the matter forward. The ~~m~~manager will make a record of the discussion using the Record of Discussion form (Appendix A) and this will be forwarded to the HR ~~Group Team~~ for ~~retention-filing~~.

Individuals are advised to keep a record of any incidents that occur and any approaches made to alleged perpetrators to stop any harassment. These may be used as evidence if formal action is required.

7.1.2 Formal Action

If informal action does not result in stopping the harassment, or if the incident is serious enough to make a formal complaint straight away, ~~the~~ matter should be reported by completing and submitting the Dignity at Work Complaint Form (Appendix B) to the appropriate Manager and sending a copy to the HR ~~Group Team~~. ~~This form is available on the intranet, or from the HR Group, the Support Advisers or the Trade Unions.~~

Any formal complaint must be made within three months of the last incident of harassment in order for it to be investigated.

Any investigation will start within five working days of the complaint being submitted and will be completed as soon as practicable. ~~Past investigations have taken approximately three months to complete and although it is hoped that such matters will be dealt with as quickly as possible it can often be the case that there are circumstances that may make this timescale particularly difficult to meet.~~

The Formal Investigation

Following a full investigation the Investigating Officers will prepare a detailed report and submit it to an appropriate Mmanager. The Investigation Report will contain the following;

- A clear description of the complaint and its' impact upon the person complaining-
- Details of the supporting evidence
- Conclusions to indicate whether they believe the complaint to be founded
- Recommendations on the appropriate action to be taken-

The Mmanager will then discuss the report with ~~a member of~~ the HR Group Team and consider what action ~~is to~~ will be taken.

The Mmanager will arrange to hold separate meetings with both the complainant and the person complained about to inform them of the outcome of the formal investigation and to inform them of his decision. The meetings should be arranged within five working days of the manager receiving the report.

7.2.1 Appeals

Both the complainant and the alleged harasser have the right of appeal following receipt of the Mmanager's decision, this appeal may be based on.

- The investigation process was procedurally flawed and therefore unfair *and/or*
- The Investigating Officers' findings are inconsistent with the facts established during the investigation

The purpose of the appeal is, ~~therefore~~, to consider whether or not the process of the investigation was fair and/or whether the conclusions, recommendations and final decision are reasonable in all the circumstances. The purpose is not to reinvestigate the complaint.

Any appeal must be made in writing within 10 working days of the date of the letter receiving the received stating the Mmanager's decision. The letter must include the specific grounds for appealing and should be addressed to the Mmanager specified in the letter sent regarding the decision.

At an appeal hearing the Mmanager will discuss the grounds for appeal in detail and, based on all the facts available, will then decide whether the investigation findings or action decided as a result should be altered in any way. A response to the appeal hearing will be given within five working days.

7.3 Record keeping

7.3.1 Informal Action

Managers will make a record of any informal discussions concerning bullying or harassment using the Record of Discussion form. The form will be retained in a central file by the HR Group Team for a period of 12 months.

7.3.2 Formal Action

A record of the investigation and the outcome will be kept in a central file by the HR Group Team for a period of 12 months ~~and destroyed after this time~~.

Whether you are the complainant or the person complained about, details of the case would not be placed in your personal file unless disciplinary action is taken against you.

8.0 MEDIATION

If appropriate, the option of mediation can be considered at either the informal or formal stages of the procedure and this may be raised with your manager, HR, ~~a support adviser~~ or your trade union representative.

Both parties to the complaint must be willing to try and resolve the situation. Mediation is entirely voluntary and gives both parties the opportunity to settle the situation before relationships deteriorate.

The purpose of mediation is to gain a rapid but lasting solution to a complaint, with the aim of securing genuine agreement on both sides. If the situation is resolved and both parties are satisfied then no further action will be taken. If mediation does not resolve the situation a full investigation will commence.

A trained mediator will may be sourced internally or from an external organisation such as ACAS or the North West Employers Organisation or they may be sourced from another Council.

9.0 ALTERNATIVE WORKING ARRANGEMENTS

There may be times when the implementation of alternative working arrangements needs to be considered and this may affect either the complainant or the person complained about. Consideration may be given to alternative working arrangements either on receipt of a formal complaint, while an investigation is taking place or if a disciplinary hearing is to be called until the proceedings have been concluded. Any of the following actions may be considered:

- Restricting the employee's access to areas of work or the type of work undertaken;
- ~~Relocating movingthe them to~~ employee to a different work area altogether;
- Changing their work pattern

If the allegation is serious enough suspension may be considered in line with the Council's SLDC's Disciplinary Policy and Procedure.

Following the conclusion of a case whether the complaint is upheld or not, it may be appropriate to relocate or transfer either party if it appears there is little likelihood of a positive working relationship between them. The contractual position of the individuals involved will be taken into consideration and advice from the HR Group Team must be sought.

10.0 RIGHT TO BE ACCOMPANIED AND/OR REPRESENTED

At all stages throughout the procedure the complainant and the person complained about may be represented and/or accompanied at any meetings by their trade union representative, colleague or some other person of their choosing who is not acting in a legal capacity. Individuals will only be able to ask one person to accompany and/or represent them at formal meetings.

~~Support Advisers will not normally be able to attend formal meetings and individuals are advised to seek alternative representation.~~

11.0 CONFIDENTIALITY

Confidentiality is critical throughout, to maintain trust, to safeguard the integrity of the investigation and to protect all parties involved. Everybody involved in a case where harassment has been alleged must maintain confidentiality; failure to do so will be considered a disciplinary offence.

The only occasion where confidentiality may be breached is when an employee talks to a manager/an HR Team member~~Support Adviser~~ about a serious allegation of sexual or racial harassment, but does not wish to pursue this complaint. In this event the Adviser person spoken to will have to use his/her discretion to determine whether or not other employees

may be at potential risk in the future from the alleged harasser, in which case they will be obliged to report the issue because of the 'Council's SLDC's duty of care' to protect all of its employees.

12.0 SUPPORT FOR ANYONE INVOLVED IN A COMPLAINT

It is recognised that all those involved in harassment or bullying at work may experience different emotional or psychological reactions to their experiences. This includes the complainant, the person against whom the allegations have been made and any witnesses. Support can be sought from the Employee Assistance Programme provided by SLDC, The Council's this is an independent and confidential counselling service, (accessed via the Occupational Health Service of Capita) is available to all concerned. Further details can be obtained from the HR Group Team, or via the HR website.

13.0 MONITORING

On going monitoring of all cases is essential to ensure that any harassment has stopped and to ensure that there is no victimisation. Managers will follow up each case, one month after completion of any investigation to ensure that the situation has been effectively resolved and that no victimisation or retaliation has occurred.

~~The HR Group will ask anyone leaving the organisation to complete a Leaver's Questionnaire (Appendix D) with a view to identifying whether or not it is as a result of harassment or victimisation.~~

14.0 REVIEW

This Policy will be reviewed on a regular basis in the light of operating experience and/or changes in legislation.

APPENDICES TO THIS DOCUMENT

- Appendix A Record of Discussion Form
- Appendix B Complaint Form
- Appendix C Dignity at Work Procedure
- ~~Appendix D Leaver's Questionnaire~~
- Appendix DE Mediation Process



DIGNITY AT WORK PROCEDURE

INFORMAL ACTION

Unacceptable behaviour experienced by Individual

Informal approach to alleged harassment/bully made

Meeting with Manager to discuss

MEDIATION OPTION

Can be considered at either informal or formal stages of the procedure

FORMAL ACTION

Formal complaint submitted to Manager

Allocation of Investigating Officers by Human Resources

Investigation Process

- Interviews and signed statements
- Report prepared

Investigating Officers submit report to Manager

Manager advised by Human Resources, decides on action to be taken

Manager holds separate meetings with the complainant and the person complained about and informs them of his/ her decision

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Mediation Process

The Aim of Mediation

The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.

Process

~~The council~~ SLDC is able to offer and actively promotes mediation as a form of resolving workplace disputes. Employees wishing to use mediation as a form of resolving a dispute should contact the HR ~~Team~~ Group for further information.

What is Mediation?

Mediation is a process that involves an independent impartial person, the mediator, helping two or more individuals or groups reach a solution that's acceptable to everyone.

Mediation in the work place is a dispute resolution process whereby a third party helps people to identify issues they need to talk about and helps the parties to produce a solution to a conflict. It is ~~unique in that it is~~ the parties involved in the situation ~~conflict~~ that decide how the conflict is ended.

Both parties are required to agree to mediation, as it is a voluntary process.

When is Mediation used?

Mediation may be used for most kinds of ~~dispute-disagreement~~ and it can be used at any stage in a dispute but is known to be most effective if used early on. It is a completely voluntary and confidential form of alternative dispute resolution. There are no hard ~~-and-~~ fast rules for when you can or cannot use mediation.

- It can be used for conflict involving colleagues of a similar job or grade, or between ~~line m~~Managers and their ~~team/s~~ staff
- It can be used, ~~exceptionally,~~ where there is conflict between teams, between a trade union, between groups of employees and management
- It can be used at any stage in the conflict as long as any ongoing formal procedures are put on hold ~~in abeyance~~, or where mediation is a stage in the procedures themselves
- It can be used after a formal dispute has been resolved to rebuild relationships
- It can be used to address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment

The other issues particularly suited to mediation are bullying and harassment, and perceived discrimination issues. ~~a~~ Although each situation needs to be judged on a case ~~-by-~~ case basis, ~~a~~ As serious cases of bullying and harassment, and clear cases of discrimination, may need to be dealt with by more formal procedures.

The Aim of Mediation

~~The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past.~~

The Benefits of Mediation

Mediation is independent and it is a non-judgmental process, the mediations strengths are that it is voluntary and that it gets to the crux of the problem. It does not have to look to blame either of the parties it simply provides the platform for the aggrieved parties to come together and it encourages individuals to co-operate to solve their problems.

Mediation can:

- Provide an opportunity to resolve a problem in a professional manner without the time or stresses involved in using the formal procedure
- Leave both parties in control of what is finally agreed rather than having someone else decide the outcome
- Be quicker, more flexible and less stressful and may generate better and longer lasting solutions
- Help mend working relationships, as in agreeing to mediation, both parties have taken a step back from the immediate dispute
- Agreements reached through mediation aren't legally binding in respect of any potential claim to an employment tribunal, but, because of the voluntary and inclusive nature of the process, any positive outcome arrived at tends to be respected by the parties.

What does the Mediator Do?

- ~~__~~ The mediator will decide the best way to carry out the mediation
- ~~__,t~~ They will usually start by talking to the people involved in the dispute or disagreement separately
- ~~and,t~~ Then later on, talk with everyone together.

Both sides can talk to the mediator openly because the mediator will not pass on anything said without the agreement of the person who said it. The mediator helps to uncover underlying problems to assist the parties to understand the issues, ~~a~~ And help them to clarify the options for resolving their problem and/or improve the situation, ~~, but A mediator they~~ will not tell anyone what they should do. The mediator is impartial and is not there to provide a solution they will not take sides or make any judgment on who may be right or wrong.

Confidentiality

Anything said during the mediation is confidential to the parties. They may choose to reveal some or all of what has occurred during the mediation to colleagues, or their managers, but only if all parties agree. The only exceptions are where, for example, a potentially unlawful act has been committed or there is a serious risk to health and safety.



Secondment Policy

Version 1.1	
Last reviewed	March 2022
To be reviewed by	March 2023
Specific changes	Changes to Management titles and level of authorities and legislative changes

1.0 INTRODUCTION

~~South Lakeland District Council is committed to achieving excellence by providing a responsive and efficient service to the local population. To achieve this it requires an adaptable workforce who are highly skilled and able to respond to organisational changes, promoting a flexible culture.~~ Secondments within SLDC are used to improve the skills and experience of our employees, in the development of discrete projects, to cover vacancies and “long-term” absences of individuals; i.e. maternity leave, sickness, career breaks etc. ~~External secondments may also be used prior to entering in to long-term share service arrangements~~

2.0 SCOPE OF THE POLICY

This policy applies to all full time and part time permanent employees of South Lakeland District Council who have a minimum of **one year's continuous SLDC service**, ~~and deals with external and internal secondments.~~

3.0 WHAT IS A SECONDMENT

A primary purpose of a secondment is as an opportunity for development of employees. In such cases the secondment should provide an opportunity to develop a particular set of skills or allow the employee to be exposed to a work environment that provides them with valuable experience.

During a secondment an employee is transferred to take on duties for a particular project or role for a limited period of time. The normal duration is between a minimum of three months and a maximum of two years. At the end of the secondment the employee returns to their substantive post.

Secondments can be on a full time or part time basis and can be worked alongside the substantive post, i.e. two days on the substantive post and three days on the secondment.

4.0 EXAMPLES OF SECONDMENT

Examples of situations where an employee could be released on a secondment:

- A short or long-term vacancy that could create internal job opportunities or redeployment opportunities
- Employees would like to carry out work of a particular kind, to facilitate a career change
- Where ~~the Council~~ SLDC could operate in a more efficient and economic manner as a result of a secondment
- SLDC facilitates a secondment to another Authority
- SLDC asks another authority for support Secondments can be initiated in the following ways:

4.1 Secondments as Projects

A project may be identified by a department and then offered as a secondment to all SLDC employees. The Secondment will be advertised internally using the normal recruitment processes.

4.2 Secondments Covering Vacancies

All vacancies that are fixed term of up to two years duration or temporary can be considered for secondment opportunities.

5.0 BUDGET IMPLICATIONS AUTHORIZATION

~~The appropriate manager must submit a completed Vacancy Authorisation Form (VAF) through ManagerHR for approval. The Manager should ensure that there is adequate budget for the role to include any training.~~

~~The Council/department/group receiving the secondment will meet the costs associated with a secondment for e.g. salary, training, travel expenses incurred, as part of the job.~~

6.0 ADVERTISING OF SECONDMENTS

Where a vacancy has been identified as a secondment opportunity, this will be advertised via the normal internal recruitment process ~~with . Secondment vacancies will have a current full Role Profile/Job Description, and person specification drawn up and will be evaluated through the Council's job evaluation process.~~

All fixed-term or temporary vacancies with a duration of two years and under must be advertised specifying that applications for secondment will be considered.

~~Applications by employees must clearly state that they are applying on a secondment basis.~~

7.0 APPLICATION PROCEDURE

Employees wishing to apply for a secondment must, prior to submitting an application, obtain their ~~Lead/Manager/Team Leader's line manager's~~ approval. Supporting applications would be dependent on the needs of their particular service. A manager must take into consideration the service demands of the ~~group/~~department when deciding whether to support an employee wishing to apply for a secondment. All requests for approval to apply for a secondment will be fully considered and will not be unreasonably refused. ~~However,~~ should an employee feel that their ~~M~~manager is withholding their approval unfairly they may seek ~~resolution redress~~ through the grievance procedure.

The selection process to fill a vacancy will be as per the normal process as outlined in the Recruitment and Selection Policy.

8.0 SECONDMENT ARRANGEMENTS

8.1 Confirmation of Secondment

The Human Resources ~~Team Group~~ will draft a Secondment Agreement, following receipt of the Confirmation of Secondment (Appendix A) form, from the recruiting ~~M~~manager. ~~a Secondment Agreement.~~

8.2 Secondment Agreement

The terms of a secondment will be drawn up in the form of a Secondment Agreement and will include the following:

- When the secondment is expected to commence and finish
- The grade and agreed pay point of the secondment
- The hours/days to be worked
- The name of ~~M~~manager the employee will report to
- The objectives for development purposes

- Training requirements during the secondment

Guidance dates for the review meetings:

- **First Week**
Set initial objectives identify and agree any initial training needs and arrange the dates for future review meetings.
- **First Month - Initial Review**
Carry out the one-month review including setting further objectives.
- **Third Month - Interim Review**
By the end of the third month agree new objectives to be carried forward to the next review.
- **Before the end of the Sixth Month - Final Review**
Carry out final review and build on future performance by agreeing new objectives to be carried forward.

Employees are guaranteed to return to their substantive post at the end of a secondment subject to any re-organisation that may have taken place or is taking place.

8.3 Extending the Secondment

Approval must be sought from all parties before an extension to the secondment arrangements can be agreed. A secondment should not extend past a maximum ~~two~~-year period.

8.4 Post-Role Available for Permanent Appointment

Should an internal vacancy filled by a secondment become permanently available at the end of the period of secondment, the role~~post~~ if occupied for **under** 12 months, will be re-advertised and the seconded employee may apply. If the employee has held the post-role for 12 months or more the post-role **will** be offered to that employee without the need to advertise.

8.0 SALARY IMPLICATIONS

Higher Grade: - Where the secondment grade is higher than the current grade of the employee the bottom SCP point will be used. When the employee is on an overlap SCP/Grade they will go across and up one SCP.

Same Grade: - If the grade of the secondment post is the same as the substantive post the employee will continue to receive payment on the same grade/SCP.

Lower Grade: - If the grade of the secondment post is lower than the substantive post the employee will ~~continue to~~ receive the relevant grade for the role. payment at their substantive rate.

10.0 RETURNING TO THE SUBSTANTIVE POST

10.1 Early Termination of a Secondment

Employees may return to their substantive post prior to the expected end date by giving the appropriate contractual notice and SLDC may terminate a secondment for business reasons with the appropriate contractual notice. Any performance issues will be dealt with via a regular secondment

review process. If it is felt necessary to consider the early termination of a secondment due to poor performance, discussions should be held between all parties including a representative from the HR ~~Team~~Group before a final decision is made.

10.2 Termination at the end of a Secondment

At least one month prior to the end of a secondment, discussions between all parties must take place to specifically address the ending of the secondment and the return of the seconded employee to their substantive post. One month's notice will be given to the employee for their return to their substantive post, or less by agreement from all parties. The individual covering the seconded employee's substantive role will also be provided with the appropriate notice.

When secondments are over 12 ~~months~~month's duration a re-induction programme will be put in place by the ~~substantive post's line M~~anager to manage the employee's return. The aim of the re-induction will be to bring the employee up to date with developments within their ~~group~~team and with their role and refresh any job specific skills as necessary.

11.0 SECONDEES AFFECTED BY ORGANISATIONAL CHANGE

Seconded employees will return to the substantive post they held prior to taking up the secondment unless the post has been affected by organisational change.

Should there be any organisational changes within ~~the Council~~SLDC that involve a seconded employees substantive post then the ~~Assistant Lead~~/Director will ensure that they are involved fully in the consultation process as though they were still in that post. If the substantive post is to be removed from the establishment the employee will be placed on the 'at-risk' register, although they will continue to work in the seconded post. They will be consulted regarding redeployment opportunities or the possibility of redundancy, which would become effective at the end of the secondment period.

12.0 EXTERNAL SECONDMENT

An external secondment involves an SLDC employee working in some capacity for an external organisation. The employee will remain employed by SLDC at all times and will not be deemed to be an employee of the other authority or organisation by virtue of the secondment.

HR ~~group~~Team will draft ~~up~~ a secondment agreement outlining the terms of the secondment, which may cover:

- Employee status
- Re-charge costs
- Accountability
- Holidays and sickness
- Health and safety
- Grievance and disciplinary procedures
- Travel and subsistence costs
- Liabilities and indemnities
- Confidentiality

- Intellectual property
- Termination
- Data protection

13.0 REVIEW

This code will be reviewed by March 2023~~January 2015~~ or earlier in the light of operating experience and/or changes in legislation

Appendices to this document

Appendix A - Confirmation of Secondment

By virtue of paragraph(s) 1,2,3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

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