

**Personnel Committee – 22 October 2019**

**Employment Policies Review (phase 2)**

**1. Purpose of the report**

1.1 To gain PC approval for the revised and new employment policies (detailed below).

**2. Recommendations**

2.1 PC is recommended to approve the following employment policies (detailed below).

**3. Background Information**

3.1 This report covers the revision of 5 existing employment policies and the introduction of 2 new employment policy, as follows;

a) Grievance Policy (revised policy, previously grievance and dignity at work procedure) – (Appendix 1)

b) Collective Grievance Policy (new policy) – (Appendix 2)

c) Dignity At Work Policy (new policy) – (Appendix 3)

d) Disclosure & Barring Service (DBS) Policy (revised policy) – (Appendix 4)

e) Clear Desk and Screen Policy (revised policy) – (Appendix 5)

f) Fixed Term and Temporary Contracts Policy (revised policy) – (Appendix 6)

g) Right to Request Flexible Working Policy (revised policy) – (Appendix 7)

*Aim*

3.2 In order to ensure the Council is enabled to deliver against its priorities it is imperative that the council has an effective employment framework of policies, procedures and guidance and that these align to the vision and values of the Council. It has been agreed that the current suite of employment policies be reviewed across the board to provide the opportunity to ensure they are up to date, fit for purpose and support and enable the development of the Walsall Proud Programme (WPP) ensuring a consistent approach that reinforces the councils standards and behavioural framework. This report covers phase 2 of the employment policies review and includes the 7 policies outlined in section 3.1. As part of the review all of the policies have been re-formatted and/or designed to reflect the following principles;

- Alignment with Walsall Proud Programme and vision;
- Clear identification of accountabilities in line with behaviours;
- Clear, consistent and concise policy containing easily identifiable principles and procedure;
- Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents where applicable.

### *Know*

- 3.3 Policy a), Grievance Policy this is a review of the existing grievance and dignity at work procedure (last updated in 2015) and has been designed in line with the WPP principles.

The policy has been reviewed and updated in line with best practice and recent case law, the main changes are as follows;

- Further clarity regarding who is in and out of scope of this policy (appendix 1 section 2);
- Further clarity regarding in what circumstances grievances should be considered and what circumstances matters should be better addressed through another formal process or policy (appendix 1 section 2.6);
- Strengthening of guidance relating to repetitive, vexatious or malicious complaints and actions that can be taken (appendix 1 section 3.6 & 3.7);
- General focus on timely and supportive address throughout the policy with the further clarity provided on the option of mediation at any point in the process. As well as an encouragement to address informally and at the lowest possible level to seek swift and sustained resolution;

- 3.4 The new draft also includes guidance on which level of manager should consider grievances (appendix 1 of grievance policy at appendix 1) particularly at the higher levels of the organisation and this has been included firstly to encourage consistency and secondly to attempt to address matters as the lowest possible levels to prevent matters that are not dismissals being escalated when they could otherwise be addressed. It should be noted that the caveat to appendix 1 states that there may be extenuating circumstances that prevent it being adhered to.

- 3.5 Policy b), Collective Grievance Policy has been designed in line with WPP principles and it is a new policy that provides a specific procedure for dealing with collective grievances, previously covered within the existing grievance and dignity at work procedure and whilst it follows many of the grievance policy principles (as detailed in 3.3 above) it deals with issues relating to collective cases.

- 3.6 Policy c), Dignity At Work Policy has been designed in line with WPP principles and is a new policy that provides specific advice and guidance to employees and managers on matters of bullying and harassment in the

workplace. The Council's existing grievance and dignity at work procedure was silent on detailed guidance relating to bullying and harassment and the new policy provides clarity regarding how such matters should be dealt with in a supportive manner outside of the specific grievance policy. The policy has also been requested previously by trade union colleagues.

- 3.7 Policies d), e), f), and g) (reference para. 3.1) have no significant amendments and have primarily been reviewed in line with WPP principles (reference para. 3.2), as such, it was agreed with trade union colleagues that there would be no requirement for consultation and instead these policies would be shared with trade unions for information.

#### *Council corporate plan priorities*

- 3.8 These policy reviews are directly aligned to the people priority within the Corporate Plan, reference 12, developing 'a resilient council', and employees who 'embody council values'.

#### *Response*

- 3.9 Subject to approval, HR will finalise all associated guidance/forms (where relevant) and prepare a workforce communications and implementation plan ready for publication.

#### *Review*

- 3.10 Employment policies will usually be reviewed on a three yearly cycle, unless legislation or internal organisational need prompt a review earlier.

## **4. Financial Implications**

- 4.1 There are no intended financial implications arising from this report.

## **5. Legal Considerations**

- 5.1 Legal services have considered the draft grievance policies and have no issues to raise with the contents.

## **6. Risk Management**

- 6.1 Relevant equality impact assessments are attached as follows;

EqIA Grievance Policy (Appendix 8)  
EqIA Collective Grievance Policy (Appendix 9)  
EqIA Dignity At Work Policy (Appendix 10)  
EqIA Disclosure & Barring Service Policy (Appendix 11)  
EqIA Clear Desk & Screen Policy (Appendix 12)  
EqIA Fixed Term & Temporary Contracts Policy (Appendix 13)  
EqIA Right to Request Flexible Working Policy (Appendix 14)

## **7. People**

- 7.1 The revised WPP policy principles include a scope section in all employment policies (where applicable) and in each policy clearly sets out who the policy applies to and who it doesn't (reference section 2.0 of Appendices 1-7).
- 7.2 There is no direct impact on our citizens as a result of these policies. However the policies are part of the employment framework that's helps to ensure that the residents of Walsall get the best possible service from council employees.

## **8. Consultation**

- 8.1 The Grievance Policy, Collective Grievance Policy and Dignity At Work Policy have all been consulted upon with trade union colleagues and senior managers across the organisation between 20 September – 04 October.
- 8.2 The Disclosure & Barring Service Policy, Clear Desk and Screen Policy, Fixed Term and Temporary Contracts Policy and Right to Request Flexible Working Policy have not been widely consulted upon with senior managers due to the reviews being predominantly administrative and of a reformatting nature, however in certain cases relevant colleagues were consulted to support specific sections and included colleagues from Information Governance and Human Resources. Trade union colleagues have agreed for these policy revisions to be shared with them for information and this has been completed.
- 8.3 All enclosed policies have been considered and endorsed by CMT 10 October 2019.

### **Author**

Nic Rickhuss  
HR Manager – Strategy & Planning  
Human Resources

☎ 655617

✉ [nicola.rickhuss@walsall.gov.uk](mailto:nicola.rickhuss@walsall.gov.uk)

### **Sponsoring Director**

**James Walsh - Executive Director**

**11<sup>th</sup> October, 2019**