

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

08 October 2019

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Delegated

1 AMENDMENTS TO HR POLICIES AND PROCEDURES

- 1.1 As part of a regular review of policies and to take account of various issues that have arisen in the past few months, a number of amendments to existing HR policies and procedures are proposed. The changes proposed have been considered by Management Team and the JECC, and Member approval is now sought.
- 1.1.1 The relevant policies are attached to this report and are listed below, each with a brief explanation for the proposed changes.
- 1.1.2 **The Reorganisation, Redundancy and Redeployment Procedure.** In the draft updated policy in Annex 1, a distinction between Informal and Formal consultation has been added to make it clearer at what point an individual would be consulted with individually as opposed to as part of a group of staff and that there may be occasions when individuals ought to be consulted with at the informal stage. The pertinent clauses are at D / Informal consultation / 2nd para. There are also a couple of updated titles (e.g. Secretary of State for Business Energy and Industrial Strategy).
- 1.1.3 **The Recruitment and Selection Policy, Procedure and Guidance.** The draft updated policy in Annex 2 to this report incorporates two items to bring the policy into line with current practice and changes to the procedures for references and Right to Work checking, in accordance with recent Audit recommendations (see the final paragraph of Section 12.1 - references, and 12.4 - right to work checks).
- 1.1.4 **Sickness Absence Policy and Procedures.** The draft updated policy in Annex 3 includes guidance on responding to requests for annual leave to be paid in the event of long-term absences (see Section H of the report). This allows holiday pay to be paid during a long term absence following recent case law on the topic. Section F of the policy also contains updated information relating to the implications of the Policy pertaining to the General Data Protection Regulations.
- 1.1.5 **Flexible Retirement Policy.** Section 2:1 of the updated policy in Annex 4 includes references to sustainability of service delivery and financial viability.

1.1.6 **Flexible Working and Time-Off Policy.** Section 11 of the draft Policy attached in Annex 5 specifies levels of leave and pay in compliance with the Parental Bereavement (Leave and Pay Act 2018).

1.1.7 **Guidance regarding the Automatic Termination of Casual Working Arrangements.** The Guidelines attached in Annex 6 are required following the recommendations of a recent Audit report.

1.2 **Legal Implications**

1.2.1 The amendments to these policies ensure compliance with current legislation.

1.3 **Financial and Value for Money Considerations**

1.3.1 There is no financial risk associated with the amendment to the policies.

1.4 **Risk Assessment**

1.4.1 The risk posed by the amendments to the policies are judged to be minimal.

1.5 **Equality Impact Assessment**

1.5.1 The amendments to the policies do not conflict with the Equality Act 2010.

1.6 **Policy Considerations**

1.6.1 Human Resources.

1.7 **Recommendations**

1.7.1 It is recommended that the amendments mentioned at paragraphs 1.1.2 and 1.1.7 are endorsed by Members.

Background papers:

The Reorganisation, Redundancy and Redeployment Procedure

The Recruitment and Selection Policy, Procedure and Guidance

Sickness Absence Policy and Procedures

Flexible Retirement Policy

Flexible Working and Time-Off Policy

Guidance regarding the Automatic Termination of Casual Working Arrangements

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