



MEETING : HUMAN RESOURCES COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 3 JULY 2013
TIME : 3.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Councillors C Woodward (Chairman), P Ballam, Mrs D Hone, J Ranger,
P Ruffles, J Thornton and N Wilson

Substitutes

Conservative Group: Councillor A Warman
Group of Independents:

*(Note: Substitution arrangements must be notified by the absent Member
to Democratic Services 24 hours before the meeting)*

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

AGENDA

1. Appointment of Vice Chairman

2. Apologies

To receive apologies for absence

3. Minutes (Pages 5 - 12)

To receive the Minutes of the meeting held on 20 March 2013.

4. Declarations of Interest

To receive any Member's Declaration of Interest and Party Whip arrangements.

5. Chairman's Announcements

6. Human Resources - Quarterly Performance Report (Pages 13 - 16)

7. Employing and Managing People with Disabilities Policy (Pages 17 - 32)

8. Recruitment Policy (Pages 33 - 54)

9. Health and Safety : Long Term Faults and Defects (Pages 55 - 64)

10. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE HELD
IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 20 MARCH 2013, AT 3.00 PM

PRESENT: Councillor C Woodward (Chairman)
Councillors P Ballam, Mrs D Hone,
G McAndrew, J Ranger, P Ruffles and
N Wilson

ALSO PRESENT:

Councillors D Andrews

OFFICERS IN ATTENDANCE:

| | |
|--------------------|--|
| Lorraine Blackburn | - Democratic Services Officer |
| Adele Taylor | - Director of Finance and Support Services |

707 APOLOGIES

An apology for absence was received from Councillor A Warman. It was noted that Councillor G McAndrew was substituting for Councillor A Warman.

708 MINUTES

In relation to Minute 544 (Pay Policy Statement), the Director of Finance and Support Services undertook to ensure that all Members received an update regarding how many employees still had use of a lease car.

RESOLVED – that the Minutes of the meeting held on 16 January 2013 be confirmed as a correct record and signed by the Chairman.

709 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that the Head of People, ICT and Property Services had given birth to a boy, Marty. Members wished both mother and baby well.

The Chairman reminded Members that a supplementary item had been circulated regarding Learning and Development for 2012/13.

710 LEARNING AND DEVELOPMENT 2012/13

The Head of People, ICT and Property Services submitted a report reviewing the Corporate Training Plan delivered during 2012/13 and which sought approval for the Corporate Training Plan for 2013/14, the detail of which was set out in the report now submitted and in Essential Reference Paper 'B'.

In response to a query from the Chairman regarding the need to share "E-learning" training with towns and parishes, Officers undertook to write to Members with an update.

Councillor J Ranger commented that training per head appeared to have dropped and expressed his concern at this. The Director of Finance and Support Services explained that the Council regularly sought out ways to ensure that training was delivered in the most cost effective manner e.g. via "E-Learning" which would have a positive impact on costs. The Chairman drew attention to the fact that in some areas, training was mandatory, and sought assurances that where necessary, those Officers were receiving appropriate training and not exposing the Council to risk. Officers undertook to review this.

In response to a query from Councillor G McAndrew, the Director of Finance and Support Services explained how the Unified Communicator Advanced (UCA) was used and what actions the Council took to safe guard its employees.

Officers drew attention to the fact that recruitment and retention would shortly be brought back in-house. It was suggested that training on personal resilience would help Managers adapt and manage change related stress.

In response to a query by Councillor P Ruffles regarding the use of social media in a professional manner. The Director of Finance and Support Services explained that this was to be considered elsewhere on the agenda.

Councillor J Ranger referred to a recent staff survey and commented that many men felt that they were being “held back” from a career viewpoint. Members discussed the issue of career progression through and the advantages of, mentoring.

Members noted the Corporate Training Plan for 2012/13 and approved the Corporate Training Plan for 2013/14 as now submitted .

RESOLVED – that (A) the Corporate Training Plan for 2012/13 as now submitted; be noted

(B) the Corporate Training Plan for 2013/14, as now submitted, be approved.

711 SENIOR PAY REVIEW FEBRUARY 2013

The Director of Finance and Support Services submitted a report summarising a Senior Pay Report by HayGroup, the detail of which was set out in the report now submitted and Essential Reference Papers. Officers explained the background to the report and how the pay structures had been evaluated.

The Chairman referred to organisational pay benchmarking adding that narrow pay banding appeared to be the modern approach in determining senior pay. Members considered other types of pay structure for senior officers, set out within the report now submitted and supporting Essential Reference Paper ‘B’ and considered the advantages of performance related pay. The merits of the “E pay check” were considered as a comparator for senior salaries and how this might be useful in evaluating the salary for the Chief Executive and Director of Customer and Community Services.

Members agreed that Chief Officers remain on fixed spot salaries, and that no changes be proposed for Heads of Service. Members also agreed that the Chief Executive / Director and Directors, remain on fixed spot salaries. Members also requested that a review be undertaken of the Chief Executive and Director of Customer and Community Services base pay as part of "E pay Check" ensuring that his role of Head of Paid Service be taken into account in comparing "like for like".

RESOLVED - that (A) Chief Officers remain on fixed spot salaries, and that no changes be proposed for Heads of Service;

(B) the Chief Executive / Director and Directors remain on a fixed spot salaries; and

(C) the Chief Executive and Director of Customer and Community Services base pay be reviewed using "E pay Check", ensuring that his role of Head of Paid Service be taken into account in comparing like for like.

712 EMPLOYEE ENGAGEMENT ACTION PLAN

The Interim Head of People Services submitted a report providing an updating on the Employee Engagement Action Plan, the detail of which was set out in the report now submitted and Essential Reference Paper 'B'.

In response to a query from the Chairman regarding response rates on PDRs across all Council sections, the Director of Finance and Support Services provided an update on how PDRs were designed to achieve a level of consistency and how frequently they were held. The Director of Finance and Support Services explained that she would ask the Interim Head of Human Resources, who would be joining the Council on 1 April 2013, to undertake spot checks across the Council. In response to a query from Councillor N Wilson regarding PDRs, and staff questions raised within the context of the bi-annual Staff Survey, Officers agreed to circulate to Members the questions posed within the Survey.

In response to a query from Councillor J Ranger regarding how the Council communicated with staff, the Director of Finance and Support Service provided an update on what formal and informal information links the Council used and how this was disseminated to staff.

Members noted the report and were pleased to see how many of the actions within the Employee Engagement Action Plan had been achieved.

RESOLVED – that the report be noted.

713 EQUAL PAY AUDIT: UPDATE REPORT

The Interim Head of People Service submitted a report detailing and update on actions following the Equal Pay Audit in 2011, the detail of which was set out in the report now submitted. In response to a query from the Chairman regarding potential overtime anomalies between genders, Officers undertook to investigate this and write to Members. Members noted that because of the confidential nature of the issue that it might be difficult to collate this information but that staff forums could be mechanism.

Officers explained the difficulties of career progression as managerial roles were removed from the structure. The merits of mentoring were debated and the advantages to both the individual in terms of career progression and to the Council in terms of knowledge and expertise gained.

Members noted the report.

RESOLVED – that the report be noted.

714 HUMAN RESOURCES - QUARTERLY PERFORMANCE REPORT

The Interim Head of People Services submitted a report summarising people management statistics and human resource delivery for the quarter up to 1 March 2013. Updates were provided in relation to turnover and short term sickness figures. Officers reminded Members that the

Council's contract with Manpower would terminate in April 2013 and of the Council's arrangements to bring back "in-house" recruitment services. The impact of this on Managers and Head of Service, was discussed.

Officers provided an update on the new payroll arrangement and of a new "E-Learning" initiative which had been introduced. It was noted that there was a need to update the Employee Handbook and to review the Council's Redeployment Policy. In response to a query from Councillor G McAndrew regarding a breakdown of the 27 staff who had left the Council, Officers undertook to write to Members with a breakdown of the statistics.

RESOLVED – that the report be noted.

715 LOCAL JOINT PANEL - MINUTES OF THE MEETING HELD ON 19 FEBRUARY 2013

RESOLVED – that the Minutes of the Local Joint Panel meeting held on 19 February be received.

(See Minutes 716 – 719 below)

716 MATERNITY AND PATERNITY POLICY

The Committee considered and supported the recommendations of the Local Joint Panel meeting held on 19 February 2013 on the Maternity and Paternity Policy.

RESOLVED – that the revised Maternity, Paternity and Adoption Policy, as submitted, be approved.

(see also Minute 715 above)

717 OFFICERS' CODE OF CONDUCT

The Committee considered and supported the recommendations of the Local Joint Panel meeting held on 19 February 2013 on the Officers' Code of Conduct Policy.

RESOLVED – that the Officers' Code of Conduct, as

now amended, be approved

718 DISCLOSURE AND BARRING SERVICE POLICY

The Committee considered and supported the recommendations of the Local Joint Panel meeting held on 19 February 2013 on the Disclosure and Barring Service Police.

RESOLVED – the Disclosure and Barring Service Policy and the Recruitment of Ex-Offenders Policy, as now submitted, be approved.

719 SOCIAL MEDIA POLICY

The Committee considered and supported the recommendations of the Local Joint Panel meeting held on 19 February 2013 on the Social Media Use Policy.

RESOLVED – the Social Media Use Policy, as now submitted be approved.

The meeting closed at 4.05 pm

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|----------------|
| Chairman |
| Date |

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HR Quarterly Performance Report: June 2013

People statistics 1/4/2013 - 31/3/2014

At 30 June 2013:

| | | | |
|---------------------------|----------------------------------|---|-----------|
| Current Headcount | 347 | Number of Leavers | 7 |
| Number of Starters | 6 | Vacant Number of FTE posts (funded hours expressed as FTE): | 30.31 |
| Current Turnover | 2.02% | Average number of short term sickness days per FTE staff in post: | 0.43 days |
| Common reason for leaving | Retirement and personal reasons. | PDRS completed to date: | 94.3% |

Following the last quarter, we reported that 180 PDRs had been completed, this has now increased to 263, an increase of 46%. The missing numbers in directorates are accounted as follows;

Customer and Community Services – 1 PDR outstanding related to partnership working.

Finance and Support Services - 8 PDRs outstanding due to some transition of staff : reviews are now booked in.

Neighbourhood Services – 7 PDRS outstanding :PDR's are now booked in, and are being monitored.

Objectives have been agreed with 273 staff: 16 objectives are outstanding. The reasons are 2 are disputed: a few staff have been absent :some staff are in transition. The missing objectives in directorates are accounted as follows;

Customer and Community Services – 1 objective setting outstanding

Finance and Support Services - 11 objectives setting outstanding

Neighbourhood Services – 4 objectives setting outstanding

These are now booked into diaries, and are being monitored.

HR are continually supporting the Heads of Service and Directors to ensure the rest of the PDR's are completed.

The following actions support the People Strategy 2009-2013

Shared Support Services Programme

Proposals on shared support services were made to CMT/SMB in December 2012 to proceed with formal shared services with SBC for ICT, Design, Print and Business Improvement services in 2013. The consultation process commenced on the 14 May 2013 with staff and Unison and closed on the 14 June 2013.

| Activity | | When |
|--|--|------------|
| Consultation with unions from EH and SBC, and regional | UNISON and management | 14/5/2013 |
| Meeting with Directors of Internal resources from E Herts and SBC, HR and UNISON. All staff have confirmed that they attended and were consulted in the meeting. | EH Employees | 14/5/2013 |
| Subsequent meeting between HR and one service support officer who did not attend the meeting | Orphaned service | 15/5/2013 |
| Informal unison meeting with HR at East Herts | EH HR and Unison | 20/5/2013 |
| 1-1s with all staff and HR and management at East Herts | EH employees | |
| Informal drop ins 5/6 2.30- 3.30 12/6 2-3.00 17/6 – 12am – 4pm | EHC employees with managers and HR | June 2013 |
| Meeting with Print and Graphic team | EH employees and managers | 12/6/2013 |
| Feedback from consultation and a further opportunity to raise issues with unions from EH and SBC, and regional. Date offered was 12 th , but regional not available. Offered 13 th at 11.30, regional not available. | EH and SBC management team HR and unions | 13/ 6/2013 |

Key issues raised

Staff were pleased to have the opportunity to raise concerns: many of those were helpful suggestions which will inform the development of shared services.

The business case will be amended to include some of these suggestions. An induction plan is being developed which will be shared with staff.

The business plan will go to Executive in July 2013. The proposed transfer date is the 1st August 2013.

Monitor Absence Levels

Short term absence is currently at 0.43 days lost per FTE. Last year it was 0.79 days. This shows a reduction of 0.36 days per FTE.

Long term absence is currently at 1.30 days lost per FTE. Last year it was 1.17 days. This shows an increase of 0.13 days per FTE.

The total absence lost last year was 6.19 days per FTE, we project that over the following year it will be 6 days per FTE.

Management Actions to mitigate increased pressures (Medium Term Financial Plan)

HR is continuing to support a number of service changes including restructures, transfers and shared service programmes. These include:

- Community Health and Safety Services

Resourcing/Reward

The Council has an interim 6 month contract with an external supplier for temporary recruitment. All permanent recruitment is being managed, at the moment, internally by line managers with some support from HR. As advertising is not centralised, we are not able to report on costs at this point in time.

Payroll

The transfer of the East Herts Payroll & Human Resources system went live on 1 April. At present we are continuing to work on the new system.

Learning and Development

The Corporate Training for 2013/14 was agreed in March 2013. Courses are currently been planned for the forthcoming year and further E Learning training is in development.

As part of the Corporate Training Plan 2013/14 the following courses have being held in April and May:

- Corporate Induction – 10 attended
- Recruitment Training – 18 attended
- Trainer Development - 7 attended

Policies

The following policy is currently being reviewed :

- Grievance Policy

HR Strategy

Work on revising the HR strategy will commence in August 2013.

Disability two ticks

The council's Disability "Two Ticks" accreditation is reviewed by JobCentre Plus every year and in May the Council passed the 2013 assessment. The assessor praised the way the council embraces the ethos of the five commitments it entails.

The symbol

The symbol is given by JobCentre Plus to employers who have agreed to take action to meet five commitments regarding the employment, retention, training and career development of disabled employees.

The five commitments:

- To interview all disabled applicants who meet the minimum (essential) criteria for a job vacancy
- To have a mechanism in place to discuss, at any time, but at least once a year, with disabled employees what can be done to make sure they can develop and use their abilities
- To make every effort when employees become disabled to make sure they stay in employment
- To take action to ensure that all employees develop the appropriate level of disability awareness to make these commitments work
- To annually review the five commitments.

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 3 JULY 2013

HUMAN RESOURCES COMMITTEE - 3 JULY 2013

REPORT BY SECRETARY TO THE EMPLOYER'S SIDE

EMPLOYING AND MANAGING PEOPLE WITH DISABILITIES POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

To approve the revised Employing and Managing People with Disabilities Policy.

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|---|--|
| <u>RECOMMENDATION FOR LOCAL JOINT PANEL: That:</u> | |
| (A) | The revised Employing and Managing People with Disabilities Policy be supported; and |
| | |
| <u>RECOMMENDATION FOR HUMAN RESOURCES COMMITTEE: That:</u> | |
| (A) | The revised Employing and Managing People with Disabilities Policy is approved |
| | |

1.0 Background

1.1 The Council's employing and retaining people with Disabilities Policy was last reviewed in 2006. The Council's programme of policy review is after two years or sooner in line with legislation and best practice.

2.0 Report

2.1 **Key changes**

2.2 The policy has been updated to reflect changes in legislation, especially since the Equality Act came into force in 2010. The

policy takes into account the definition of disability under the new Act.

2.3 The policy complies with the provisions in the NJC Green Book and The Equality Act 2010. This policy adheres to the Equality Code of Practice which is issued by the Equality and Human Rights Commission

2.4 The revised employing and managing people with disabilities policy can be found at **Essential Reference Paper 'B'**.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

| | |
|---|--|
| Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i> | People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable. |
| Consultation: | UNISON to be consulted |
| Legal: | None |
| Financial: | None. |
| Human Resource: | As detailed in the report |
| Risk Management: | None. |

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East Herts Council

Employing & Managing People with Disabilities

Policy Statement

Policy Statement No 28 (Issue No 2)

May 2013

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1 Purpose

- 1.1 The purpose of this policy is to ensure that East Herts Council complies with its legal obligations under the Equality Act 2010. This act replaces and harmonises previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995). It provides protection from discrimination for the following protected characteristics: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.
- 1.2 Many of the previous disability provisions have been retained (e.g. an employer is required to make reasonable adjustments) but the Equality Act has made it easier for a person to show that they are disabled and introduced new protection from indirect discrimination.
- 1.3 The Equality Act 2010 provides a framework for managers in their dealings either with disabled people who apply for jobs with the Council or, with people who become disabled whilst working for the Council. The policy, procedure and guidance are designed to ensure that this section of the community is not subjected to unlawful discrimination.
- 1.4 The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. For the purposes of the Act;
 - Substantial means neither minor nor trivial
 - Long term means that the effect of the impairment has lasted or is likely to last for at least 12 months
 - Normal day-to-day activities include everyday things like eating, washing, walking and going shopping
 - A mental illness does not need to be 'clinically well-recognised'

People with HIV, cancer and multiple sclerosis are covered by the DDA effectively from the point of diagnosis, rather than from the

point when the condition has some adverse effect on their ability to carry out normal day-to-day activities.

- 1.5 The Act includes protection from discrimination arising from unfavourable treatment because something is connected with an individual's disability (e.g. tendency to make spelling mistakes due to dyslexia).
- 1.6 It also requires the Council to make reasonable adjustments to any provision, criterion or practice applied by the Council or to any physical features of premises occupied by the Council which places the disabled person at a substantial disadvantage with people who are not disabled.
- 1.7 The Council is aware that only a relatively small proportion of the disabled community is visibly disabled and has, therefore, adopted the following policy principles and procedure to support this group.

2 Principles of the policy

- 2.1 The Council is responsible for raising employees awareness of employment-related disability issues.
- 2.2 There are sound business reasons for employing disabled people which include;
 - Widening the pool of candidates from which to recruit staff
 - Improving staff moral and loyalty by being inclusive and representative
 - Providing services to those with disabilities within the community
- 2.3 The Council will seek to ensure applicants and employees with a disability/ies receive full and fair consideration for all types of vacancies, as well as for training and promotion.
- 2.4 The Council is committed to avoiding stereotypical assumptions.

- 2.5 If any member of staff with a disability considers that he or she has been treated in a way that is contrary to these principles, the issue should be raised either through informal means or formally through the Council’s grievance policy. Every effort will be made to secure a satisfactory resolution.
- 2.6 The council will ensure that people with disabilities are offered all the reasonable support and are provided with all reasonable equipment and facilities to continue their employment.
- 2.7 Costs of making a reasonable adjustment will not be regarded as a legitimate defence.
- 2.8 The Council will monitor the composition of its workforce and this policy to ensure it is being properly implemented. Employees and job applicants are requested to co-operate in the monitoring process.
- 2.9 The Council will review related policies to ensure they support the Employee Disability Policy: e.g. Recruitment & Selection, Redeployment policy, induction and training.

3 Recruitment Procedure

- 3.1 All posts will specify the job and the person specification will detail the qualification, knowledge, experience, abilities and aptitudes required.
- 3.2 Care will also be taken to ensure that any legitimate requirements are not written in such a way as to potentially discriminate against disabled people. For example a person specification may include the requirement to have a driving licence where the actual requirement of the role is the ability to travel to various locations. Specifying a driving licence could disadvantage disabled people who are unable to drive but may still be able to travel using alternative forms of transport. Advice and assistance should be sought from the appropriate Human Resources department if in doubt.
- 3.3 The Council application forms include a separate insert on disability within the monitoring from which applicants for any position in the Council will be asked to complete. The form will not be used for selection purposes but the information will be

retained by the Council in order to monitor its recruitment process, to ensure fairness.

Recruitment Advertising

- 3.4 The Council encourages job applications from disabled people. All job advertisements should include the Disability Two Ticks symbol.

Selection processes

- 3.5 All job applicants will be told clearly how the selection process will operate and be asked whether they would like any adjustments to assist them in the recruitment process.

Short-listing Process and interview arrangements

- 3.6 The Council has been awarded the disability Two Tick Symbol by the Jobcentre Plus. As a symbol user, we guarantee to interview anyone with a disability whose application meets the minimum criteria for the post and who identifies themselves as disabled during the application process.
- 3.7 All job applicants will be assessed on their suitability for a post against the criteria detailed on the person specification.
- 3.8 All interview invite letter to candidates include details of who to contact should the candidate require any reasonable adjustments for the interview process.
- 3.9 Candidates will be issued with clear information about the nature of the job and they will be asked whether any adjustments to the premises, equipment or machinery or to working arrangements will assist them to perform the duties of the job.
- 3.10 In some rare circumstances it may not be possible for the Council to make the required adjustments, for example if the cost is prohibitive. However the Council must explore all options (for example external funding for the adjustments) before the final decision is made. Care must be taken not to treat the disabled candidate less favourably and any

decisions made regarding reasonable adjustments must be capable of being objectively justified

- 3.11 A new provision in the Equality Act introduces, for the first time, a ban on employers asking questions about health or disability at the interview.
- 3.12 Any new joiner will be subjected to the relevant pre employment checks and will need to complete an Occupational Health screening form, any adjustments that may need to make will derive from the advice given from Occupational Health Service (OHS).

4 Helping Disabled People at Work

4.1 The council operate many different initiatives enables to help disabled people at work these are through the following;

- **Induction:** Our induction training is accessible for disabled people.
- **Training:** We will offer disabled people as wide a choice of training as their colleagues without disabilities. We will consider the needs of disabled people during training.
- **Disciplinary action:** If it is necessary to take disciplinary action against a disabled person we will consider any reasons related to their disability, which may have contributed to the event that prompted the disciplinary action
- **Redundancy:** We will apply the same arrangements and requirements for redundancy for disabled people as for others. We will ensure that the selection criteria are not unjustifiably discriminatory
- **Health and safety:** We will take into account the needs of disabled people when assessing risks. We will not use health and safety issues as an excuse to discriminate against disabled people

5 Employees who become disabled

- 5.1 Those employees who become disabled during the course of their employment with the Council will be referred to Occupational Health Service to obtain medical advice. This will normally identified through the absence management procedure and will help the council make reasonable adjustments.
- 5.2 On receipt of medical advice a meeting will be convened with the individual to discuss the content and the need to make the reasonable adjustments. The individual will be given the right to bring a workplace colleague or a representative to this meeting.

Making reasonable adjustments

- 5.3 The Equality Human Rights Commission gives an example of a reasonable adjustment as
- Allowing the person to be absent during working or training hours for rehabilitation, assessment or treatment.
- 5.4 The Council will take into account making reasonable adjustments. This will depend on the circumstances of the individual case but could include one or more of the following:-
- ✓ Making adjustments to premises i.e. lowering door handles or widening doorways.
 - ✓ Reallocating some of the disabled person's duties to a colleague.
 - ✓ Transferring the disabled person to fill an existing vacancy.
 - ✓ Changing the person's hours of work or training.
 - ✓ Assigning the person to a different place of work or training.

- ✓ Allowing absence during work / training hours for rehabilitation or treatment.
- ✓ Giving or arranging for training or mentoring.
- ✓ Acquiring new or modified equipment.
- ✓ Modifying instructions or reference manuals.
- ✓ Modifying procedures for testing and assessment.
- ✓ Providing a reader or interpreter.
- ✓ Providing supervision or alternative support.
- ✓ Permitting flexible working.
- ✓ Participating in supported employment schemes such as Workstep and Access to Work.
- ✓ Recording of sickness absence related to disability can be seen as a reasonable adjustment.

5.5 Managers should liaise with HR to consider the possibility or viability of making any such adjustments in the event of the OHS recommending that they are necessary. This may include seeking financial assistance from external sources such as Access to Work.

5.6 If the adjustments are not financially or operationally viable then consideration will be given to other alternatives e.g. redeployment, part time working, light duties.

5.7 Where redeployment into another post is identified as a reasonable adjustment, the individual will be given a skills assessment and a timescale within which to identify a suitable vacancy.

5.8 Following the assessment, the employee will be placed on the East Herts Redeployment Register and will have access to all suitable job vacancies as they arise. Those that are disabled will be prioritised.

- 5.9 The disabled status of the individual will entitle them to be matched to posts identified by the HR Team. Under this arrangement the skills assessment will be used to match the individual to suitable vacant posts.
- 5.10 If redeployment has not proved successful at the end of the agreed period, the position will be reviewed to determine whether an extension of the time period can be agreed or whether there are any other alternatives. For more further information, please refer to the redeployment policy
- 5.11 The Council is committed to supporting all staff with a disability, impairment or long-term condition. If managers are unsure whether an employee would meet the threshold of disability advice should be sought from Human Resources or Occupational Health. Staff who do not reach the threshold for disability should still be supported through the relevant Council policies (absence management, flexible working)

When to make reasonable adjustments

- 5.12 Having established that the disabled individual is subsequently disadvantaged if adjustments are not made, the Council should consider the following points:-
- ✓ The effectiveness and practicality of a proposed adjustment in preventing disadvantage.
 - ✓ The financial and other costs of the adjustment and the extent of any disruption caused, which will include a consideration of the value of the individual’s experience and expertise to the Council (including a consideration of the resources invested in the individual, their length of service, their level of skills and knowledge, their level of relationships with other stakeholders of the Council and their level of pay).
 - ✓ The extent to which the individual will co-operate with any adjustments.

6 Grievance

- 6.1 If any member of staff with a disability considers that he or she has been treated in a way that is contrary to these principles, the issue should be raised either through informal means or formally through the Council’s grievance procedure. Every effort will be made to secure a satisfactory resolution.
- 6.2 If an employee believes that they have been unfairly treated by the Council, they will have recourse to the Grievance Procedure.

7 Review

- 7.1 This procedure will be reviewed every 2 years, or sooner if there are any changes in legislation requiring amendments to be made.
- 7.2 This policy and procedure reflects the Equality Code of Practice issued by the Equality and Human Rights Commission.

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EAST HERTS COUNCIL

LOCAL JOINT PANEL – 3 JULY 2013

HUMAN RESOURCES COMMITTEE - 3 JULY 2013

REPORT BY SECRETARY TO THE EMPLOYER'S SIDE
OFFICER

RECRUITMENT POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

To approve the revised Recruitment Policy. This was approved by CMT on 14 May 2013.

| | |
|--|---|
| <u>RECOMMENDATION FOR LOCAL JOINT PANEL:</u> | |
| That: | |
| (A) | The revised Recruitment Policy be recommended for approval. |
| | |
| <u>RECOMMENDATIONS FOR HUMAN RESOURCES COMMITTEE:</u> | |
| That: | |
| (A) | The revised Recruitment Policy be approved. |
| | |

1.0 Background

1.1 The Council's programme of policy review is after two years or sooner in line with legislation and best practice.

2.0 Report

2.1 **Key changes**

2.2 The policy has been updated to reflect changes to legislation, including those in the Equality Act 2010, the Disclosure and Barring Service (formally the CRB service), and the Immigration, Asylum and Nationality Act 2006.

- 2.3 The policy complies with the provisions in the NJC Green Book, the Equality Act 2010, the Protections of Freedoms Act 2012, and the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975)
- 2.4 The revised Recruitment Policy can be found attached at **Essential Reference Paper “B”** of the report now submitted.
- 3.0 Implications/Consultations
- 3.1 Consultation has taken place with UNISON and with managers. Unison have requested that we make it clear who the recruiter is: in all cases this is the manager who is recruiting.

Background Papers

None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

| | |
|---|--|
| Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i> | People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable. |
| Consultation: | UNISON and Heads of Service have been consulted with and their feedback has been incorporated. |
| Legal: | None. |
| Financial: | None. |
| Human Resource: | As detailed in the report |
| Risk Management: | None. |

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ESSENTIAL REFERENCE PAPER 'B'

East Herts Council

Recruitment Policy

Policy Statement

**Policy Statement No 35 (Issue No 3)
May 2013**

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1.0 Introduction

1.1 The objective of recruitment and selection at East Herts Council is to fairly and consistently appoint the best person for the post.

1.2 Our recruitment processes are therefore:

- Based on fairness and equal opportunity to all candidates, and that East Herts Council adheres to current legislation and the Equality Act 2010 – Employment Statutory Code of Practice.
- Flexible to ensure that they can be updated
- To comply with the Equality Act 2010 East Herts Council's recruitment process will not be discriminatory with regard to the protected characteristics of race, disability, gender, marriage and civil partnership, sexual orientation, age, gender reassignment, religion or belief.

2.0 Scope

2.1 East Herts recruitment procedures apply to all posts within the Council, excluding Chief Officers. The selection process will vary depending upon the post.

3.0 Principles

3.1 The recruitment process will be compliant with relevant recruitment legislation;

- Disclosure and Barring Service
- The Equality Act 2010
- Immigration, Asylum & Nationality Act 2006

and ensure that the Council is not put at risk.

Disclosure and Barring Service

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the

Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

Where the role is working with children or vulnerable adults an assessment will need to be carried out to determine if the role meets the definition of regulated activity as specified in the Protection of Freedoms Act 2012 and, if so, an enhanced DBS check with barred list check will need to be carried out. Further information on eligible positions is available in the Councils Disclosure and Barring Service Policy

The Equality Act, October 2010

This replaced all existing discrimination legislation and aimed to provide a simpler, more consistent and effective framework to enable employers to prevent discrimination and promote equality across 'protected characteristics'. These are age, disability, race gender, pregnancy and maternity, religion or belief, sexual orientation, marriage and civil partnership and gender reassignment.

This applies to how the Authority;

- Advertises vacancies
- How we shortlist candidates
- How we interview candidates
- The terms and conditions of employment offered
- Offers training and development

Immigration Employers' responsibility for avoiding illegal employment

The law on preventing illegal working is set out in sections 15 to 25 of the Immigration, Asylum and Nationality Act 2006 which came into force on 29 February 2006. The law is in place to;

- Make it harder for people with no right to work in the UK to unlawfully gain or keep employment
- Make it easier for employers to ensure that they only employ people who are legally allowed to work for them;

- Strengthen the Government's controls on tackling illegal working by making it easier for the UK Border Agency to take action against employers who use illegal workers

Workers who can be employed without restriction

- British Citizens
- Commonwealth citizens with the right of abode
- Nationals from the Common Travel Area
- Nationals from the European Economic Area (EEA) countries (except for Romanian and Bulgarian nationals who have restrictions placed on them)
- Family members of adult nationals from EEA countries

The following are EEA countries; Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Irish Republic, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland

Employing workers from outside the European Economic Area (EEA)

If East Herts Council wishes to employ workers from outside the EEA they will need to be sponsored. The Council would need to be licensed to sponsor these types of workers. Please contact Human Resources for further information.

Points Based Immigration System

The new points system which was rolled out by the Home Office during 2008/9 has changed the way individuals from outside the EU and EEA can work, train or study in the UK. There are now five tiers. Please contact Human Resources for further information.

Recruiting managers must have sight in the first instance of the documentation at interview stage, through a passport, or residence permits, Further detail and guidance regarding combinations of accepted identification will be given by the relevant HR Officer.

Consequence

Failure to carry out checks and results in the Council knowingly employing an illegal worker. May lead to the recruiter facing up to two years imprisonment and/or an unlimited fine. In addition to this, the Council could be fined £10,000 for each illegal worker employed. The recruiter in all circumstances is the manager that is recruiting.

- 3.2 The Recruitment Policy should also be used in conjunction with other related Council Policy as appropriate;

Redeployment Policy

Disclosure and Barring Service Policy

Employing and Managing People with Disabilities

- 3.3 As part of the council's approach to succession planning managers are requested to consider whether posts which become vacant would be suitable for trainees or apprentices recruiting. If so please contact the relevant HR officer who will assist in this process.
- 3.4 Most positions will be advertised internally first to encourage internal staff development. Any employees on the redeployment register will be notified of vacancies prior to the general advert and be given priority as set out in East Herts Council [Redeployment Policy](#). If it is identified that the necessary skills required for the role are unlikely to be met internally, the internal and external recruitment may run concurrently.
- 3.5 Non permanent vacancies, (for example maternity leave cover or back-filling of vacant hours) should be advertised internally first to give existing employees the opportunity to apply. These vacancies can be filled with fixed term contracts or secondments as applicable. For very short periods or where specific skills are needed it may be more appropriate to use temporary agency staff. See section 11 for more information.
- 3.6 Vacant posts will be advertised with a job description & person specification which have been evaluated in accordance with the Council's job evaluation policy.

3.7 Applicants will complete application forms rather than submit CVs. Any CVs that are received will not be considered as part of the recruitment process.

4.0 Job Descriptions & Person Specifications

4.1 The line manager should consult with Human Resources when reviewing the job description and person specification to ensure consistency.

4.2 Before requesting authority to recruit, the line manager of the vacancy should review the current job description and person specification to ensure it is fit for purpose for the service now and the changing needs of the authority.

4.4 A copy of the job description and person specification should be sent to Human Resources. Human Resources should be notified if any substantial changes have been made to the Job Description. The job description may be subject to evaluation should any substantial changes be made. If this is the case the Job Evaluation must take place prior to submitting a recruitment request.

4.5 Job descriptions should be reviewed annually in line with the employee PDR process.

4.6 Should a post be graded at a higher grade the postholder will be placed at the lowest SCP of the new grade band, unless the grade overlaps then the postholder will move to the next SCP.

4.7 Selection will be measured and scored against the criteria for the person specification, it is therefore important to ensure this is suitable and up to date.

4.8 Line managers should assign 'F(orm), I(nterview) or T(est)' next to each criteria on the person specification; this will inform applicants how they will be assessed for each point. Managers need to split criteria into 'essential' and 'desirable' as this will support short listing.

5.0 The Recruitment Process

- 5.1 All recruitment is subject to approval by the Corporate Management Team (CMT). This includes permanent, temps, consultants, casual and secondment appointments.
- 5.2 After reviewing the job description and person specification, the recruiting manager (usually the line manager to the vacant position, or another senior manager) must complete a recruitment request form. This form details the business case to fill the vacancy, and outlines any advertising costs. Recruitment request forms must be submitted to CMT adhering to the usual timescales for CMT reports.
- 5.3 East Herts Council does not pay interview expenses unless there is a business need to attract candidates. This will need to be agreed at CMT as part of the request to recruit.
- 5.4 Following approval, the recruiting manager should send the approved recruitment request to Human Resources with the job description and person specification, vacancy details, advert Contractual hours & working arrangements, whether it is permanent, fixed term or a secondment and recruiting manager's contact details and closing date).

6.0 Recruitment & advertising

6.1 Internal recruitment

- 6.1.1 Internal positions will be advertised on the staff intranet and via a weekly vacancy bulletin that is emailed by Human Resources.
- 6.1.2 The weekly vacancy bulletin is sent to Redeployees on Wednesday and all staff on a Thursday. Recruiting managers must send all the paperwork to HR by noon on Wednesday to ensure inclusion in the bulletin.
- 6.1.3 Positions are generally advertised internally for 2 weeks. In cases where internal recruitment is unlikely and the role needs to be filled quickly this may be reduced to one week.
- 6.1.4 Applicants will be required to complete an internal application form against the person specification and submit it to HR before the deadline. The internal application form is available on the HR

pages of the intranet. Prospective applicants for secondments should ensure they have their line manager's approval prior to submitting an application as per the Secondment Policy.

6.1.5 After the deadline, HR will email the recruiting manager with the application forms. The short listing grid, interview assessment sheets and statement of employee particulars will need to be completed by the recruiting manager, and are available to download from the Council's Intranet site. The recruiting manager should then proceed to the selection stages as detailed below.

6.1.6 Redeployees will be given priority and will be considered ahead of other internal candidates in accordance with East Herts Councils Redeployment Policy.

7.0 External recruitment

7.1. Should internal recruitment be unsuccessful the recruiting manager may proceed to external recruitment provided permission to do so was given by CMT at authorisation stage. In some cases CMT will agree to internal and external recruitment commencing simultaneously. The service will cover the cost of recruitment.

7.2 Recruiting managers must send the recruitment request form, job description and person specification and advert to HR to start the recruitment process.

7.3 Adverts must clearly state the following information;

- The grade and salary range + local weighting
- Service, team and location of the job
- Job title and reference number (usually the job number)
- Basic outline of the job role and key requirements
- Contractual hours and working arrangements
- Whether the position is permanent, fixed term, secondment etc.
- East Herts District Councils Logo/IIP Logo/ Disability two ticks symbol (all jobs)
- Contact details including email address
- Closing date

A basic advert template can be obtained from the Human Resources intranet pages.

- 7.4 HR will work with the recruiting manager to finalise the advert.
- 7.5 Applicants will be able to access information packs on the Council's website. Packs will include
- Job Description/Person Specification
 - Application Form and Guidance Notes on completing the form
 - Key terms and conditions for the post
 - Equalities Monitoring Form
- 7.6 After the deadline, HR will send the recruiting manager the application forms. Recruiting managers will also need to use shortlisting grids and interview assessments sheets. These are available on the Council's Intranet site.
- 7.7 The recruiting manager should now proceed to the selection stages detailed below.

8.0 Short listing & Interviews

- 8.1 Recruiting managers should follow the selection procedure detailed below for both internal and external recruitment.
- 8.2 Recruitment panels should be representative of gender and if possible, race, At least one member of the panel must be trained by the Council in recruitment and selection. The same panel that shortlists should be used to interview. The line manager for the vacant position should be part of the recruitment panel.
- 8.3 All stages of the selection process must be written and recorded, panel members should keep notes throughout. When the successful candidate is appointed, the panel should send their records to HR.

9.0 Equalities and Diversity

- 9.1 Under the Equality Act 2010 the Council has a duty to make reasonable changes for disabled applicants. These are known as 'reasonable adjustments'. Please see the Council's Policy on Employing and Managing People with Disabilities for further guidance.

- 9.2 East Herts Council is part of the Job Centre's Disability Two Ticks Scheme. HR will inform recruiting managers if any applicants have indicated they wish to be considered under this scheme.
- 9.3 The Two Ticks Scheme applies to applicants that have a disability and have indicated on their monitoring form that they wish to be considered under the scheme. It guarantees that applicants will be invited to interview provided that they meet the essential criteria of the person specification.

10.0 Short listing

- 10.1 The recruitment panel will shortlist the applicants against the criteria detailed in the person specification. These will be the only criteria used in the selection process. The panel should use the short listing grid to record the scores of the applicants.
- 10.2 The panel should score applications 0-3 for each criteria of the person specification (Qualifications, Job Specific Skills, Team Working, Contacts, Service Delivery and Communication).
- 10.3 The scores equate to the following rating;
- | | | |
|---|---|---|
| 3 | = | Exceeds requirements of the person specification |
| 2 | = | Meets requirements of the person specification |
| 1 | = | Below requirements of the person specification |
| 0 | = | No evidence of requirements of the person specification |
- 10.4 After short listing, the panel should use the scores to select for interview. Recruiting managers should invite both internal and external applicants (a standard template letter is available on the Human Resources intranet pages).
- 10.5 When inviting to interview, applicants should be informed of the following details;
- Date, time, location and duration of the interview
 - Who will be on the panel
 - Arrangements for arrival at Council offices, i.e. who to ask for
 - The assessment methods, i.e. interview, tests
 - To bring proof of their right to work in the UK and relevant qualifications

- Whether they require any reasonable adjustments to be made.
- 10.6 The candidate must be asked to bring proof of their right to work in the UK and relevant qualifications (as stated on their application); copies should be taken before the interview takes place and securely retained by the recruiting manager until the appointment is made.
- 10.7 The panel should meet before the interview to discuss and finalise the questions that will be asked at interview. Questions should be designed to assess whether the candidate meets the requirements of the person specification. The panel should pay particular attention to whether the person specification identifies how criteria will be assessed using 'F(orm), I(nterview), T(est)'.
- 10.8 The panel may wish to agree and write 'model answers' to their questions prior to interview, to help them to score and assess candidates.
- 10.9 If the panel are using tests to assess the candidates, it is good practice to do a 'mock' before the interview, ensure that the answers are written prior to marking and to decide the weighting the test will place on the overall decision to appoint.
- 10.10 HR can help panels to devise tests and assessments that are fit for purpose and will help to recruit the best candidate to the post.
- 10.11 Panels should ensure interviews and assessments run on time, and that candidates are given sufficient time to prepare, time to complete and breaks. Interviews should last between 40 minutes to an hour. It is advised that the maximum amount of interviews scheduled for one day is 6.
- 10.12 Every member of the panel should take notes during the interview and individually score the candidates to the following ratings;
- 5 = Exceeds specification
 - 4 = Fully matches specification
 - 3 = Matches specification well, with only slight discrepancies
 - 2 = Matches specification fairly well, but with weaknesses in some aspects.
 - 1 = Matches specification in some respects, but with important omissions.

0 = Does not match specification

10.13 An offer of appointment will be made to the candidate who scores the highest in interview and any tests if applicable. If none of the candidates meet the requirements of the role the panel is not obliged to offer the job. In this situation the recruiting manager should speak to HR to discuss the next steps for recruitment.

10.14 If the successful applicant declines the offer of appointment, the recruiting manager should consider offering the position to the person with the next highest score at interview stage. If there are no other suitable applicants the recruiting manager should seek advice from HR.

11.0 Selection & appointment process

11.1 When the panel has decided who to appoint to the post, the recruiting manager should contact the successful applicant and offer the appointment. They should inform the applicant that at this stage the offer is conditional on satisfactory reference, medical clearance and DBS check (if applicable), and that they should not hand in their notice to their current employer until HR have sent an unconditional offer of employment in writing. The recruiting manager should also discuss and agree the starting SCP and salary with the applicant.

11.2 Recruiting managers must then complete a statement of employee particulars (available on the intranet) detailing contractual entitlements and send to HR. Recruiting managers should check any details they are unsure of with HR, as this document will be used to write the appointee's terms and conditions. Recruiting managers must attach the successful candidate's application form, interview assessment sheets, copies of their right to work in the UK and qualifications to the statement of employee particulars. HR will check and send out the letter of appointment and the statement of particulars to ensure that the contract is correct.

11.3 Recruiting managers should inform both internal and external unsuccessful candidates (a standard letter is available on the Human Resources intranet pages). It is advised that unsuccessful candidates should only be informed after the successful candidate has verbally accepted the offer of appointment. This will allow recruiting managers to offer the position to the next candidate should the first choice decline or withdraw their application.

11.4 The recruiting manager should retain their interview notes in order to provide feedback to any successful candidates for a few weeks. All selection paperwork must be sent to HR, including checks of the candidates' right to work in the UK and qualifications. HR will retain the paperwork for 1 year after the closing date and then destroy it as confidential waste.

12.0 Pre employment checks before making an offer

12.1 Offers of appointment are conditional upon receipt of two satisfactory references (one from the current employer), medical clearance and DBS clearance (if applicable), and written evidence to work in the UK,. Successful candidates must be informed by the recruiting manager and HR not to give notice to their current employer until they receive an unconditional offer of employment in writing.

12.2 Should the recruiting manager or HR deem the pre-employment checks unsatisfactory, the manager should liaise with HR for advice on how to proceed. It may be appropriate to seek a third reference or arrange a medical consultation with the Council's occupational health provider. Conditional offers of appointment may only be withdrawn in agreement with HR, in which circumstances an offer will be made to the next highest scoring candidate.

Transition from non-permanent to permanent

12.3 In some cases a non-permanent vacancy may develop into a permanent post. For example an employee may be appointed to cover maternity and then the substantive post-holder may choose not to return to work. In these situations managers must seek approval from CMT prior to making the post permanent. In requesting this, the manager must demonstrate that they are complying with the principles detailed in section 3 of this document.

12.4 The post will also be advertised internally unless the incumbent employee went through a selection procedure as outlined in this policy (or the Secondment Policy) then they may be made permanent without advertising the post again. The Council must ensure there are two references and medical clearance for the individual.

13.0 Casuals

- 13.1 Casual employees are those on a 'zero hours' contract who are asked to work as and when the service needs. There is no obligation on behalf of the Council to provide work and no obligation on behalf of the individual to accept work offered.
- 13.2 Casual employees will be subject to the same recruitment process and pre-employment checks as described above.
- 13.3 If casual employees wish to become a permanent member of staff they must apply for vacant positions following the recruitment processes detailed above. Casual staff may apply for vacancies at the internal vacancy stage.

14.0 Temps

- 14.1 A 'Temp' is defined as an agency worker supplied by an agency to fill a temporary vacancy. The individual is not an employee of East Herts Council and the agency will invoice the service for any hours worked. This is different to those individuals employed by East Herts Council on Fixed-Term or 'Temporary' Contracts.
- 14.2 If a recruiting manager has a short term vacancy to fill (i.e. to cover long term sick leave) it may be appropriate to use a Temp to fill the role. Managers must obtain CMT approval to fill a vacancy as described in section 5.
- 14.3 To hire a temp to fill a vacancy, the recruiting manager should contact and liaise with Morgan Hunt directly. See the HR pages of the intranet for the temporary recruitment process.
- 14.4 Temps should be used to fill short-term vacancies and in general should not be in place for longer than 12 weeks. Temporary workers who work beyond 12 weeks are entitled to the same terms and conditions as other employees, in accordance with the Agency Workers Regulations (2010). Managers considering keeping a temp on beyond 12 weeks should contact Human Resources for advice.
- 14.5 If temps wish to become permanent members of staff they must apply for vacant positions following the internal or external recruitment as detailed above.

14.6 Temp positions that become permanent through EHC recruitment processes are subject to an agency placement fee.

15.0 Consultants and 'Sole Trader' Contractors

15.1 If a recruiting manager has a short term project which requires specialist skills, it may be appropriate to use a Consultant to fill the role. Managers must obtain CMT approval to engage a consultant. This is not a recruitment request but rather a report to CMT outlining the business case for hiring a consultant. Advice should be sought from Human Resources and Procurement to ensure the role is suitable for a consultant. Depending on the nature of the appointment it may be necessary to follow procurement regulations rather than follow the process outlined below. These can be found on the intranet under Procurement.

15.2 Morgan Hunt can assist with the hiring of consultants. This would be subject to a placement fee which should be negotiated in advance. Managers may also use other agencies for consultants.

15.3 To become a permanent, salaried employee, Contractors and Consultants must apply for a vacant position via internal or external recruitment.

15.4 Sole traders or small businesses where an individual is working as a contractor or consultant for all or most of their employment may be entitled to employment rights in the same way as temporary staff. It is the responsibility of the commissioning manager to make adequate checks. Human Resources should be consulted where this is likely to be the case.

16.0 External secondments

16.1 External secondments will be subject to the appointment procedure as described in the Secondment Policy.

16.2 If the external secondment becomes a permanent vacancy (e.g. the employee does not return from maternity leave), the post may be offered to the external secondee without advertising internally or externally provided that the secondee has already gone through a recruitment procedure and the principles detailed in section 3 are complied with.

17.0 Volunteers

- 17.1 If a recruiting manager would like to use volunteers in their service, they must contact HR for advice and read the Council's Volunteer Policy for further information

18.0 Work experience & Work placements

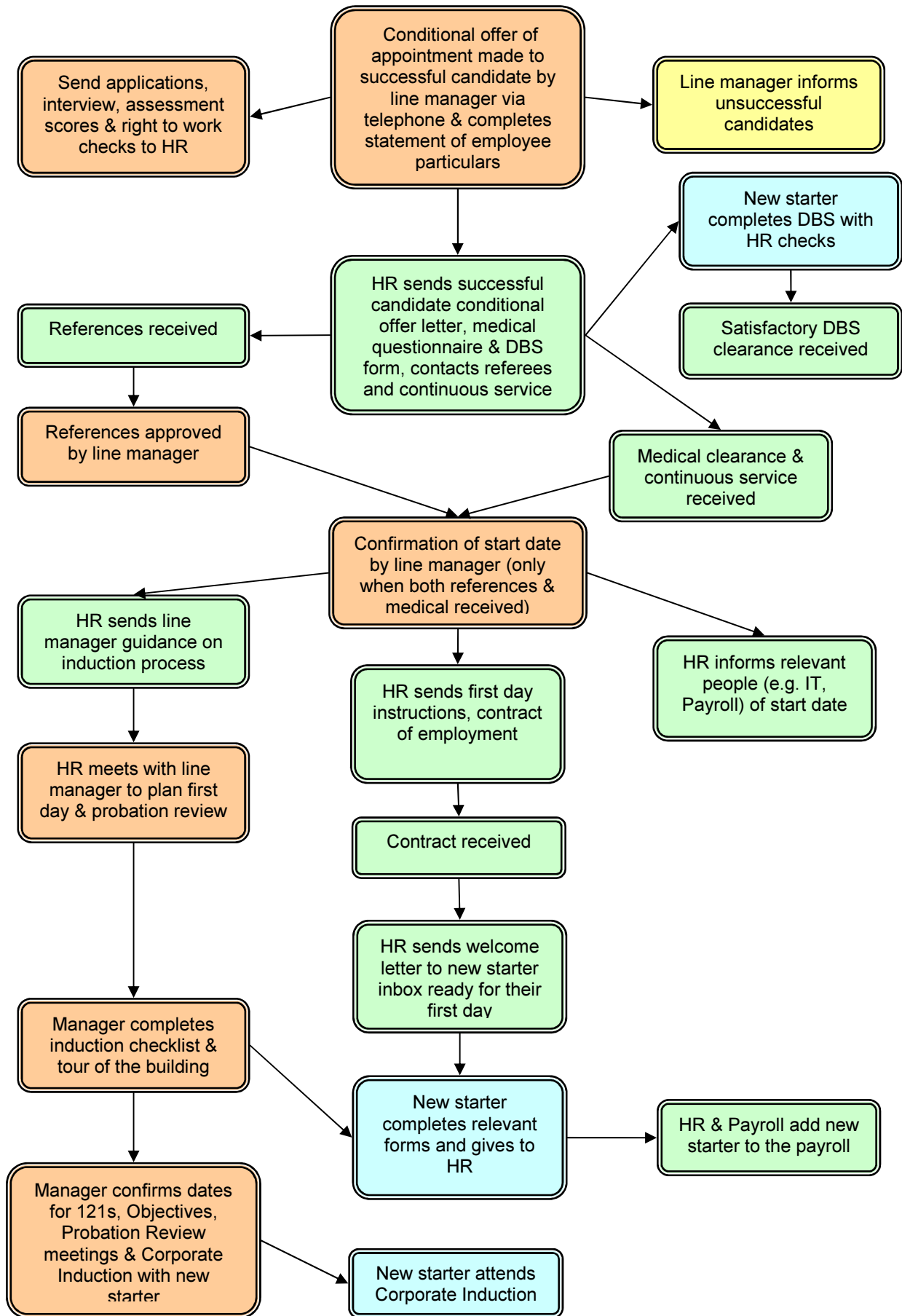
- 18.1 Work experience placements are dependant on the services capacity to support them. If the service would like to provide a work experience placement, they should contact HR to complete the necessary paperwork.
- 18.2 The Council can only support unpaid work placements where the student is undertaking work experience as part of a UK further or higher education course. Managers interested in pursuing this should contact HR for further information.

19.0 Administration

- 19.1 All recruitment and selection paperwork will be retained by HR for 12 months after the deadline for applications, it will then be destroyed as confidential waste.
- 19.2 The new starter process is outlined in Appendix 1, HR will contact the line manager directly to ensure this is followed.

20.0 Policy Review

- 20.1 This Policy shall be reviewed after two years or sooner in line with legislation and best practice to reflect the best possible level of support and management.



EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE – 3 JULY 2013

REPORT BY HEALTH AND SAFETY OFFICER

HEALTH AND SAFETY: LONG TERM FAULTS AND DEFECTS REPORT

Purpose/Summary of Report

- This report details high priority concerns identified through a monthly inspection of the Wallfields and Charringtons House offices and Buntingford Service Centre.
- These issues have already been considered by the Safety Committee on 23 May 2013 and actions agreed.

RECOMMENDATION FOR HUMAN RESOURCES COMMITTEE:

| | |
|------------|---|
| (A) | To note the long-term faults and defects and the progress made as reported to Safety Committee on 23 May 2013. |
|------------|---|

1.0 Background

- 1.1 The frequency of these inspections was increased following the appointment of the Facilities Team Leader with the full support and attendance of the Union's Safety Representatives.
- 1.2 Inspection regimes are a commonly used tool to assist management in the efficient and effective management of health and safety in the workplace.

2.0 Report

- 2.1 The purpose of these inspections is to identify faults, defects and hazards and assess the urgency of the remedy. However, only the most significant risks and breaches of statutory regulations will be reported to Safety Committee . The longer that matters remain unattended to, the greater the risk exposure to legal and financial penalties arising from claims for injury or harm, therefore funding or management support may be needed to rectify the situation.
- 2.2 Significant progress has been made since the introduction of the inspection regime and the appointment of the Facilities Team Leader

2.3 This report will be submitted to each Safety Committee meeting.

| | Defect / Hazard | Consequence | Suggested remedies / and action taken |
|----|---|---|--|
| 1. | Empty cleaners cupboard and cleaning materials left in fire escape corridor | Breach of <i>the Fire Safety Reform Order</i> . | <p>This has been reported to IT Manager, Facilities Manager and Head of Service. This has also been reported to Safety Committee.</p> <p>All safe routes must be free and clear of obstructions.</p> <p>Assess storage and space requirements of cleaning contractors. Remove cupboard and ensure corridor is clear.</p> <p><u>Current position:</u> Arrangements have now been made to relocate cleaner's cupboard.</p> |
| 2. | Fire doors wedged open in IT area. | Breach of <i>the Fire Safety Reform Order</i> . | Ensure fire doors are closed at all times. |
| 3. | Weak / Inadequate fire suppression controls in IT server room, old building. Update, there has been a lot of improvement in the server room in terms of housekeeping. | Breach of <i>the Fire Safety Reform Order</i> . | <p>Health and Safety Officer inspected this area with IT Manager and undertook risk assessment identifying a number of weaknesses at the time.</p> <p><u>Current position:</u> (a) Quotations for the suppression system were received several months ago and funding has been approved. However, this work has been put</p> |

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| | | | <p>on hold pending decision on ICT Shared Services, i.e. potential move of servers to Stevenage.</p> <p>(b) Property Team has completed most of the building related work identified in risk assessment.</p> |
| 4. | Defective fire door due to gap at base of door, access from reception to ground floor, south wing corridor. | Compromised fire safety control measure. | <p>Replace existing doors, fitted to accommodate uneven floor level to achieve an effective fit.</p> <p><u>Current position:</u> This matter was referred to Building Control and efforts are being made to find a cost effective solution to reducing this gap this matter is only regarded as a low risk by their Fire Officer.</p> |
| 5. | Deterioration of floor surface covering in area inspection office, first floor, old building. | Non compliance with <i>the Workplace (Health, Safety and Welfare Regulations 1992 – Part 12 para 1, 2 and 2 (a) ‘Condition of floors and traffic routes’</i> | <p>Replace existing carpet with hard wearing, durable, <u>non slip</u> easy clean material.</p> <p>Update: CMT have given approval for this to be addressed.</p> <p><u>Current position:</u> Various attempts to provide an interim solution to the torn carpet have been made with limited success. Carpet replacement is the only long term solution, which means this issue will now be addressed in item 6 below</p> |

| | | | |
|----|---|---|---|
| 6. | <p>Uneven flooring – Administration office, area inspection room, first floor, old building.</p> | <p>Non compliance with <i>the Workplace (Health, Safety and Welfare) Regulations 1992 – Part 12 ‘Conditions of floors and traffic routes’</i></p> | <p>A previous problem on this level was overcome by placing a false floor across the existing floor boards to create an even level.</p> <p>Update: CMT have given approval for this to be addressed.</p> <p><u>Current position:</u> Meeting with client has taken place to discuss logistics of moving staff out to allow this work to take place and tentative programme agreed. It was also agreed that whilst room is empty it would also be appropriate to refurbish this office.</p> <p>Various changes to the furniture layouts were also discussed with client in order to improve physical circulation and to address display screen problems.</p> <p>Currently, awaiting response and decision from client.</p> |
| 7. | <p>Shared vehicular / pedestrian access route to Wallfields staff entrance / exit and car park along the length</p> | <p>Non compliance with <i>the Workplace (Health, Safety and Welfare) Regulations 1992 – Part 12 para 2 (d) Organisation etc. of traffic</i></p> | <p><u>Current position:</u> Facilities Team Leader has sourced costs for getting line demarcating carried out, and arrangements for this work are being now being made.</p> |

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| | | <i>routes''</i> | |
| 8. | <p>Accumulations of rubbish in main staff entrance.</p> <p>Position of old vending machine in this location.</p> | <p>Non compliance with <i>the Workplace (Health, Safety and Welfare) Regulations 1992 – Part 2 Reg 14 (1) 'Emergency Routes and Exits'</i></p> | <p>Consider decommissioning old vending unit and replacing it with a smaller model and relocating it to the ground floor staff room.</p> <p><u>Current position:</u> Rubbish has been removed, and any reoccurrence of this problem will be dealt with quickly.</p> <p>Replacement and relocation of vending machine currently under consideration. As Building Control's Fire Officer only sees this as a low risk; we are treating this matter as a low priority.</p> |
| 9. | <p>The windows in the call centre, old building are broken, the sash cords have been painted over and one window does not remain open unless an object is put underneath to prevent it from slamming shut</p> | <p>Non compliance with <i>the Workplace (Health, Safety and Welfare) Regulations 1992- Part 14 and 15.</i></p> | <p><u>Current position:</u> Decision deferred in 2012 on the proposed refurbishment of old building.</p> <p>This is now being progressed.</p> |
| 10. | <p>The lighting in the old building is old and delivers a poor quality and uneven spread of light.</p> <p>The lighting levels are uneven and illumination varies. The call centre still has two up lights but these are now redundant and were removed as part of the C3W programme, when the bulbs reach their life expectancy replacements cannot be obtained. It is my opinion that existing lighting falls short of being suitable and sufficient.</p> | <p>Non compliance with <i>the Workplace (Health, Safety and Welfare) Regulations 1992- Part 14 and 15: Cleanliness and waste materials 9.—(1) Every workplace and</i></p> | <p><u>Current position:</u> Decision deferred in 2012 on the proposed refurbishment of old building.</p> |

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| | <p>The building interior is shabby and scruffy and in a poor state of decorative care.</p> | <p><i>the furniture, furnishings and fittings therein shall be kept sufficiently clean.</i></p> <p><i>(2) The surfaces of the floors, walls and ceilings of all workplaces inside buildings shall be capable of being kept sufficiently clean.</i></p> | |
| 11. | <p>Customer Service Desk, Reception Wallfields. Exposure to unpleasant drafts and extremes of hot and cold.</p> <p>During the recent cold spell the team were subjected to unacceptable levels of extreme cold, it is not possible due to building control and fire safety regulations to close the inner door. Staff resorted to wearing outdoor clothing and complained of feeling unwell due to the cold.</p> | <p><i>The Workplace (Health Safety and Welfare) Regulations Ventilation and Temperature in indoor workplaces.</i></p> | <p><u>Current position:</u> Efforts to reduce impact of cold draughts were made immediately, including reactivation of decommissioned air curtain. Changes to automatic door controls were also made to minimise the frequency of cold draughts.</p> <p>Currently considering changes to entrance doors design to minimise impact of draughts; and aim to make these improvements before winter sets in.</p> |
| 12. | <p>Interview Room 4 – Charringtons House</p> <p>This is being occupied by the Fraud Investigation Team (Benefit and Revenues) service due to a lack of desks. The room has a standard built in counter and chairs but also houses two tall cabinets</p> | <p>Non compliance with the following Regulation:</p> <p><i>The Workplace (Health Safety and Welfare)</i></p> | <p><u>Current position:</u> Interim solutions were introduced but because of the building's design this had very limited affect.</p> <p>As the ventilation system is the Landlord's responsibilities their FM</p> |

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| <p>and other furniture items housing the team's secure documents.</p> <p>This room is also used for the purposes of conducting interviews under caution, during which there can be up to 6 people present.</p> <p>There has been a long term and ongoing issue with the environmental conditions. There is no natural ventilation or air conditioning which has meant that the indoor temperature has reached temperatures in excess of 90°. A free standing, water filled condenser air cooling unit has been supplied but after a time a layer of moisture begins to cover the surfaces. It is not possible to use a unit with hose as there is no means to open a window.</p> <p>As this room is used by the team to conduct interviews, some under caution, they are mindful of the conditions in which they carry out interviews; however, it is not always possible to schedule interviews in the morning during the cooler periods.</p> <p>It should be noted that none of the interview rooms in the area occupied by East Herts have any form of ventilation.</p> | <p><i>Regulations Ventilation and Temperature in indoor workplaces.</i></p> <p>These conditions also compromise the requirements of</p> <p><i>The Police and Criminal Evidence Act 1984 Code Of Practice (COP) C 12.4.</i></p> | <p>team have been asked to upgrade the ventilation in Interview room 4.</p> |
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2.4 Additional concerns were also raised at Safety Committee about staff safety in interview rooms. The Director of Neighbourhood Services agreed to take this matter forward and confirmed that CMT supported moving forward issues detailed above.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within Essential Reference paper 'A'.

Background Papers

Minutes of Safety Committee 20 December 2012.

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

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| Contribution to the Council's Corporate Priorities/ Objectives | People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable. |
| Consultation: | This report has already been considered by the Safety Committee on 23 May 2013. |
| Legal: | There are no additional legal implications to those already contained in this report. |
| Financial: | There are no additional financial implications to those already contained in this report. |
| Human Resource: | There are no additional human resource implications to those already contained in this report. |
| Risk Management: | There are no additional risk management implications to those already contained in this report. |

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