

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 17 JUNE 2009

REPORT BY HEAD OF PEOPLE AND ORGANISATIONAL SERVICES

7(A) REVISED HUMAN RESOURCES POLICIES

WARD(S) AFFECTED: NONE

RECOMMENDATION – that the revised HR policies and new Appeals Policy are approved.

1.0 Purpose/Summary of Report

1.1 To approve the updated Absence Management, Managing Performance (Capability), Disciplinary and Grievance policies and the new Appeals Policy.

2.0 Contribution to the Council's Corporate Priorities/Objectives

2.1 **Fit for purpose, services fit for you**

Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.

3.0 Background

3.1 On 6 April 2009 the Employment Act 2008 replaced the statutory dismissal, discipline and grievance procedures (the Statutory Procedures) with a new ACAS Code of Practice on handling discipline and grievances (the Code).

3.2 The current policies are dated August 2006 and state that they will be reviewed every 2 years, or sooner if there are any changes in legislation requiring amendments to be made and so they are due for review.

4.0 Report

4.1 The Disciplinary (Appendix 'A', pages 7.04 - 7.36) and Grievance (Appendix 'B', pages 7.37 - 7.48) procedures have been updated to

reflect best practice and the new ACAS Code of Practice on handling discipline and grievances that was introduced on 6 April 2009.

- 4.2 The Absence Management (Appendix 'C', pages 7.49 - 7.74) and Managing Performance (Appendix 'D', pages 7.75 - 7.92) (previously called Capability) policies have been updated to reflect best practice and relevant employment legislation. The format of the policies has been altered so that the Absence Management Policy deals with absence issues right up to dismissal and the Managing Performance Policy only deals with performance issues. Previously the Absence Management Policy only dealt with absence issues up to a certain point, at which point it then referred to the Capability Policy (which also covered performance issues). This should improve the flow of both policies and make them easier to follow for managers.
- 4.3 A new Appeals Policy (Appendix 'E', pages 7.93 - 7.103) has been written to provide a standardised appeals procedure that applies to East Herts Council policies that include a right of appeal. This policy takes precedence over any appeals processes detailed in existing policies.
- 5.0 Consultation
- 5.1 Consultation has taken place with Unison and Heads of Service and has been approved by CMT. Once approved by the Local Joint Panel, the revised policies will then go to HR Committee for final approval.
- 6.0 Legal Implications
- 6.1 To comply with Employment Law.
- 7.0 Financial Implications
- 7.1 There will be some financial implications as training will be provided to support the implementation of the revised policies. This will be met by existing budgets.
- 8.0 Human Resource Implications
- 8.1 There will be training implications and support provided by Human Resources Officers.

9.0 Risk Management Implications

9.1 None.

Background Papers

Update on the new *ACAS Code of Practice 1: Disciplinary and Grievance Procedures* by Head of HR- Local Joint Panel, 18 March 2009.

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