

EMPLOYMENT COMMITTEE	AGENDA ITEM No. 4
24 JANUARY 2013	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital	
	Cllr Walsh Cabinet Member for Community Cohesion and Safety	
Contact Officer(s):	Lyn Neely - Acting Head of Human Resources	Tel. (01733) 384500

CHANGES TO EMPLOYEE POLICIES AND PROCEDURES

RECOMMENDATIONS	
FROM : Trade Union Representatives	Deadline date : N.A.
<p>It is recommended that Employment Committee agrees to implement the following employment policies and procedures:</p> <ul style="list-style-type: none"> i) Revision to the Criminal Records Bureau Policy (Appendix 1); ii) Revision to the Access to HR files Policy (Appendix 2); iii) Change to notice period for qualified social workers in Children's Services 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Employment Committee following a referral from the Joint Consultative Forum held on 10 January 2013.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to ensure that the Council maintains up to date and legal employment policies.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.3.1.2 to determine employee procedures, including dismissal procedures' and 2.3.1.4 'to determine local terms and conditions of employment for employees'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. BACKGROUND

4.1 Criminal Records Bureau Policy

4.2 The previous Criminal Records Bureau (CRB) Policy has been amended to take account of the amalgamation of the CRB and the Independent Safeguarding Authority (ISA) to become the Disclosure and Barring Service (DBS). The resulting DBS policy (attached at

Appendix 1) takes account of the statutory changes in place as a result of the development of the Freedoms Act 2012.

4.3 In addition the Council has further improved its processes regarding the risk assessment of results received following a DBS check; this includes requesting the consent of employees to retain the risk assessment confidentially on their HR (Human Resources) file. Further changes will be applied to the policy as the government introduces changes over the next few months.

4.4 Access to HR Files Policy

4.5 The previous policy has been amended to remove the opportunity for employees to visit the HR office to view their HR file. This is because all files are now held electronically rather than in paper format. The policy confirms that employees will be able to access their full HR record via a 'subject access request' under the data protection legislation.

4.6 The draft Access to HR Files Policy is attached at **Appendix 2**.

4.7 Change to notice period for qualified Social Workers

4.8 To improve recruitment and retention in Children's Social Care and aid workforce stability, the management team are considering introducing a standard notice period of 3 months for qualified social workers. The contractual notice for current employees up to grade 11 is one month. At grade 12 this rises to three months.

4.9 Children's Services are concerned that in the event of a resignation, a replacement cannot be hired within the one month notice period and in addition, this does not allow time for a handover of case load to the new appointee. This creates a potential risk in terms of delivery and could destabilise the department if work load has to be temporarily redistributed whilst recruitment is undertaken.

4.10 If Members of Employment Committee agree to change the notice period then it would be applied in the following way:

4.10.1. All new Social Workers in Children's Services would be appointed on a three month notice basis.

4.10.2 Existing Social Workers in Children's Services would be offered the opportunity of moving to a three month contract if they chose to and agreed to.

5. CONSULTATION

5.1 The joint trade unions were consulted on the DBS Policy, the Access to HR Files Policy and the change to notice periods on 10 January 2013.

6. ANTICIPATED OUTCOMES

6.1 The proposed changes to the DBS policy will ensure that the Council is operating safer recruitment processes that are in line with best practice and legislation.

6.2 The access to HR files policy will ensure that staff are informed regarding the process to follow if they decide to review the documentation held about them by their employer.

6.3 To improve continuity of service delivery and reduce risk Children's Services management team believe that an increased notice period for qualified social workers would be a sensible way forward.

7. REASONS FOR RECOMMENDATIONS

7.1 These proposed changes are to ensure the Council operates within frameworks that are lawful, best practice, transparent and consistent.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 The policies were considered against:
(a) those published by some other local government employers; and
(b) existing policies, to ensure a sensible, fair approach which took account of current legislation.

9. BACKGROUND DOCUMENTS

9.1 None

10. APPENDICES

- Appendix 1 – Disclosure & Barring Policy; and
- Appendix 2 – Access to HR files Policy

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