



**Forest of Dean**  
— DISTRICT COUNCIL —

Name and date of Committee	<b>FULL COUNCIL – 18<sup>th</sup> April 2024</b>
Report number	<b>LD.731</b>
Subject	<b>Human Resources (Employment) Policies</b>
Wards affected	None
Accountable member	Leader of the Council, Councillor Mark Topping Email: <a href="mailto:mark.topping@fdean.gov.uk">mark.topping@fdean.gov.uk</a>
Accountable officer	Nigel Brinn, Chief Executive Email: <a href="mailto:democratic.services@fdean.gov.uk">democratic.services@fdean.gov.uk</a>
Report author	Kathryn Dowell, HR Business Partner Email: <a href="mailto:democratic.services@fdean.gov.uk">democratic.services@fdean.gov.uk</a>
Summary/Purpose	To update the Council relating to the refresh (phase 2) of the employment policies for Forest of Dean District Council. No changes have been made to the employee terms and conditions, only to clarify and enable policies to be used concurrently with employee relations matters, giving clarity and usability to both employees and managers alike.
Annexes	Annex A – Updated Employment Policies
Recommendation(s)	That Full Council are recommended to: <ol style="list-style-type: none"><li>1. approve the three Employment policies included in annex A namely the: Recruitment Policy and Procedure Retirement Policy and Procedure Time Off Guidance</li><li>2. delegate authority to make reasonable amendments to the said policies to the Chief Executive of Forest of Dean District Council in consultation with the Assistant Director, Organisational Effectiveness and Head of Legal Services that may be necessary in line with legal changes, best practice and minor administrative changes such as change in job titles, to ensure the Council's policies remain compliant. Such</li></ol>

	administrative changes could also deal with changes in organisational structure.
Corporate priorities	All the employment policies within the Forest of Dean support the core council values of Engagement, Inclusion and Kindness. The well-being of council staff being a key priority
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Publica worked with XpertHR and the Trade Unions and in accordance with current employment law and in line with the Advisory, Conciliation and Arbitration Code (ACAS) in order to update the policies. This approach ensured that all the policies could be used simultaneously and there was cohesions to mitigate future risk.

## **1. EXECUTIVE SUMMARY**

- 1.1 Following a review of policies, it was recommended that there should a refresh, and updating of the key employment policies on behalf of the Council to clarify and enable policies to be used concurrently with employee relations matters.
- 1.2 No changes have been made to Council employee Terms and Conditions.

## **2. BACKGROUND**

- 2.1 These are the policies which apply to those employees directly employed by Forest of Dean District Council including the statutory officers. These policies do not apply to Publica employees for which a separate suite of policies exist and have been created to ensure consistency in approach.
- 2.2 Publica HR team to ensure ACAS compliant, up to date, clear policies are developed which will ensure transparency and consistency.
- 2.3 This review builds on the previous review of policies undertake in 2023 ensuring no employment terms and conditions were altered which conflicted with the Councils existing terms.

## **3. MAIN POINTS**

- 3.1 The review of the Human Resources (HR) Policies was to ensure that the Council's policies reflected and complied with existing / new regulation and case law, reflected best practice and importantly were clear and concise to allow managers to implement them as and where necessary. Updating all policies together, ensures flow and for policies to be used in conjunction when complex cases arise, ensuring matters are dealt with in a timely fashion and thereby mitigating risk for the Council.
- 3.2 HR Policies provide legal protection for the Council. HR policies and procedures give guidance on a range of employment issues and are written guidance on how a wide range of issues should be handled.
- 3.3 HR Policies provide clear guidance that reflects employment law and regulations and can help avoid involvement from employment tribunal claims.
- 3.4 Even when a policy or procedure is not specifically required by law, employers often find it helpful to have a policy in place to provide clear guidance that reflects the legal framework for handling the issue in question and it also helps employees be clear about the Council's stance on a particular subject, setting clear expectations.
- 3.5 HR Policies play a key role in supporting fairness and consistency across the Council, as well as potentially helping to protect the Council against legal claims and costly exit payments.
- 3.6 HR Policies provide general and practical advice and guidance for managers and staff on a range of employment issues and the procedures give a step-by-step account of specific arrangements that apply in particular circumstances.

## **4. DELEGATED AUTHORITY**

- 4.1 Employment legislation and case law can change on a yearly or bi-annual basis. Therefore, in order to maintain a current, up to date, and working set of HR policies, expediting changes to the suite of policies is key to ensure the Council is within the legal framework.

- 4.2 Regular policy review and revision is an important part of procedure management which needs to be carried out on a regular basis and in line with employment law updates in April and October. The HR team now has Employment Legislation update training on this basis to ensure policies can be amended accordingly.
- 4.3 To ensure expedience, it was previously proposed that delegated authority to make reasonable amendments be given to the Chief Executive of Forest of Dean District Council in consultation with the Assistant Director, Organisational Effectiveness and Head of Legal Services that may be necessary in line with legal changes, best practice, and minor administrative changes such as change in job titles to ensure the Councils policies remain compliant. Such administrative changes could deal with changes in organisational structure.
- 4.4 It is noted that not all the terminology used in the policies is directly applicable at present but as the insourcing of staff progresses this will then become the case and the policies will be adapted accordingly

## **5. ALTERNATIVE OPTIONS**

- 5.1 Retaining existing, outdated policies places the Council at risk of challenge.

## **6. CONCLUSIONS**

- 6.1 Publica's HR team was supported by XpertHR and ACAS to develop a clean and clear set of policies that mitigate risk for the Council. This suite of policies are up to date and legally compliant.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 Whilst there are no financial implications arising directly from this report, it is important that the Council's HR policies are reviewed regularly to ensure they comply with relevant legislation and best practice guidance.

## **8. LEGAL IMPLICATIONS**

- 8.1 Adopting up to date policies will help the Council manage employees more effectively. In addition, if subject to any legal action, will help to demonstrate that the Council has complied with the law.

## **9. RISK ASSESSMENT**

- 9.1 By not updating and implementing the new suite of policies, the Council may fail to comply with new laws and regulations and leave itself exposed to costly employment law cases.

## **10. EQUALITIES IMPACT**

- 10.1 Each policy has been considered to ensure compliance with the Equality Act 2010 and the Public Sector Equality Duty. These policies apply equally across the Forest of Dean District Council workforce.

## **11. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 11.1 There are none arising.

## **12. BACKGROUND PAPERS**

Annex A