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| PART A: | MATTERS DEALT WITH UNDER DELEGATED POWERS |
| REPORT TO: | POLICY AND RESOURCES |
| DATE: | 24 SEPTEMBER 2020 |
| REPORT OF THE: | HEAD OF HUMAN RESOURCES ANDREW ELLIS |
| TITLE OF REPORT: | HR POLICY REVISION |
| WARDS AFFECTED: | ALL |

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To approve revised human resources policies

2.0 RECOMMENDATION

2.1 It is recommended that

(a) The revised policies are agreed for implementation.

3.0 REASON FOR RECOMMENDATION

3.1 Many of the current HR policies are outdated and not fit for purpose. The revision of these policies link into the aims and objectives of the People and Culture Plan.

3.2 Policies and procedures are living documents that should grow and adapt with an organisation. Policy review and revision is a crucial part of an effective policy and procedure management plan.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks identified with the revised policies. Outdated policies however, can leave an organisation at risk. Old policies may fail to comply with new laws and regulations and may not address new systems or technology, which can result in inconsistent practices.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 Full trade union consultation has taken place and the revised policies have been approved by Strategic Management Board. Final ratification by Elected Members will complete the consultation process prior to implementation.

REPORT

6.0 REPORT DETAILS

6.1 HR policies are a written description of rights and responsibilities of employers and employees. If a policy is well developed and clearly written, it helps communication with employees, clarifies expectations and makes sure that everyone is treated in a consistent and fair way. These are all important factors for creating a desirable culture for the organisation, and they minimise exposure to legal risk.

6.2 The following policies have been revised in line with up to date legislation and recommended best practice and are attached in full to this report as appendices:

(a) **Capability Policy: Purpose and Scope**

This policy has been put in place to encourage all employees to achieve and maintain the required standard of performance and to ensure consistent and fair treatment for all.

This policy applies to all employees of Ryedale District Council. Any employee on Chief Officer Terms and Conditions will fall within the guidelines of the Joint Negotiation Committee and therefore this policy will not apply. The policy does not apply to any employees in the following circumstances:

- Employees within their probationary period. Please refer to the probationary policy.
- For dealing with issues of misconduct, attendance or grievance, for which separate policies apply and there may be occasions where employees are subject to more than one process at a time.

(b) **Disciplinary Policy: Purpose and Scope**

This policy has been put in place to encourage all employees to achieve and maintain the required standard of conduct and to ensure consistent and fair treatment for all.

This policy applies to all employees of Ryedale District Council, other than those on Chief Officer Terms and Conditions.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- (a) **Financial**
There are no additional financial implications on the Council from the policy revision.
- (b) **Legal**
Under the repeal of the statutory procedures in April 2009 and the introduction of a recommended code of practice from ACAS (April, 2009) in managing disciplinary matters, which have a direct link to other policies, employment tribunals will expect that we have dealt with matters fairly, openly and consistently. Also, that employees are clear through the procedures, of the potential action they shall face if found in breach of any singular or group of

policies. Failure to follow due process and procedure, may result in Ryedale District Council incurring additional costs above the statutory awards where the Council has been found to not have carried out its full procedures which are deemed fair and consistent for all employees of the Council.

- (c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
None, other than as stated above

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Background Papers:
Appendix A – Capability Policy
Appendix B – Disciplinary Policy