

Council Meeting – 17 November 2010

Briefing Note for Motion 1 – Personnel Policies and Procedures – prepared by the Director of Human Resources

1. The motion accords with the current approach to personnel policies and procedures.
2. Proposals for change to the existing city council personnel procedures have been put forward to the trade unions for discussion. The new procedures are much shorter than the existing ones and set out key principles that are then supported by other documents that will give guidance and advice. The new procedures are designed to be less prescriptive than the existing ones, following the repeal of the statutory Dispute Regulations in April last year.
3. Repeal of the rigid approach to all disciplinary and grievance processes that was set out in the old statutory Regulations has allowed ACAS to bring forward a more flexible approach in their new Code governing these matters. The Code gives advice to employers and must be taken into account by the Employment Tribunal in considering claims.
4. The proposed new city council procedures take advantage of the increased flexibility in the Code and seek to allow managers to respond appropriately to different employment issues as they arise; for example, by using mediation instead of a formal hearing. The guidance and support is designed to help them to do this too.
5. We are currently seeking to encourage managers to see themselves first and foremost as people-managers, rather than as subject experts. Supporting managers with personnel procedures that are fitter for purpose and easier to follow is an important part of this move. Taking key employment decisions like final appeals out of the hands of management is at odds with this direction of travel. Following discussion with the cabinet Member for HR, the proposals align all rights of appeal for staff - other than chief officers and school-based staff - to senior officers rather than to Members.
6. The political position in respect of appeals will be clarified for everyone concerned if a majority of Members are in support of the proposed change. Member support for the changes will make clear that the re-alignment of appeal rights has the backing of the employer and will therefore help in the discussions with the trade unions.
7. The process will conform to statutory requirements.