



Organisational Development Committee

**Meeting: Monday, 22nd September 2014 at 6.00 pm
in Civic Suite, North Warehouse, Gloucester Docks**

Membership:	Cllrs. James (Chair), Dallimore (Vice-Chair), Haigh, Hilton and Norman
Contact:	Tanya Davies Democratic and Electoral Services Manager 01452 396125 tanya.davies@gloucester.gov.uk

AGENDA

1.	APOLOGIES To receive any apologies for absence.
2.	DECLARATIONS OF INTEREST To receive from Members, declarations of the existence of any disclosable pecuniary, or non-pecuniary, interests and the nature of those interests in relation to any agenda item. Please see Agenda Notes.
3.	MINUTES (Pages 7 - 16) To approve as a correct record the minutes of the following meetings: <ul style="list-style-type: none"> • Ordinary Meeting of 24 February 2014 • Special Meeting of 24 March 2014 • Special Meeting of 26 June 2014
4.	PUBLIC QUESTION TIME (15 MINUTES) To receive any questions from members of the public provided that a question does not relate to: <ul style="list-style-type: none"> • Matters which are the subject of current or pending legal proceedings, or • Matters relating to employees or former employees of the Council or comments in respect of individual Council Officers
5.	PETITIONS AND DEPUTATIONS (15 MINUTES) To receive any petitions and deputations provided that no such petition of deputation is in relation to: <ul style="list-style-type: none"> • Matters relating to individual Council Officers, or • Matters relating to current or pending legal proceedings

6.	<p>REALIGNMENT OF THE TOURIST INFORMATION CENTRE (Pages 17 - 32)</p> <p>To receive the report of the Corporate Director of Services and Neighbourhoods concerning the realignment of the Tourist Information Centre.</p>				
7.	<p>HEALTH AND SAFETY POLICY (Pages 33 - 48)</p> <p>To receive the report of the Head of Public Protection concerning the adoption of a revised Health and Safety Policy.</p>				
8.	<p>UPDATED EMPLOYMENT POLICIES AND PROCEDURES (Pages 49 - 72)</p> <p>To receive the report of the Head of Human Resources and Organisational Development concerning the adoption of updated HR policies and procedures.</p>				
9.	<p>REALIGNMENT OF THE BUSINESS IMPROVEMENT SERVICE</p> <p>To receive the report of the Corporate Director of Services and Neighbourhoods concerning the realignment of the Business Improvement Service.</p> <p>Please note that this report will be published as a separate supplement to the agenda when it is available.</p>				
10.	<p>EXCLUSION OF PRESS AND PUBLIC</p> <p>To consider the following Resolution:</p> <p>“That the press and public be excluded from the meeting during the following item of business on the grounds that it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public are present during consideration of these items there will be disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended”.</p> <table border="0" data-bbox="236 1301 1461 1503"> <thead> <tr> <th data-bbox="236 1301 491 1335">Agenda Item Nos.</th> <th data-bbox="619 1301 1102 1335">Description of Exempt Information</th> </tr> </thead> <tbody> <tr> <td data-bbox="236 1335 272 1368">10</td> <td data-bbox="619 1335 1461 1503">Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</td> </tr> </tbody> </table>	Agenda Item Nos.	Description of Exempt Information	10	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
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11.	<p>MINUTES (Pages 73 - 74)</p> <p>To approve as a correct record the exempt minutes of the meeting held on 24 March 2014.</p>				
12.	<p>DATE OF NEXT MEETING Monday 24 November 2014 at 6.00pm.</p>				

M. Shields

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Martin Shields
Corporate Director of Services and Neighbourhoods

Date of Publication: Friday, 12 September 2014

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area. For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and (b) either – i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with

whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

Access to Information

Agendas and reports can be viewed on the Gloucester City Council website: www.gloucester.gov.uk and are available to view five working days prior to the meeting date.

For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, tanya.davies@gloucester.gov.uk.

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, democratic.services@gloucester.gov.uk.

If you, or someone you know cannot understand English and need help with this information, or if you would like a large print, Braille, or audio version of this information please call 01452 396396.

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Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the Public and Press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
- Do not re-enter the building until told by a member of staff or the fire brigade that it is safe to do so.



ORGANISATIONAL DEVELOPMENT COMMITTEE

MEETING : Monday, 24th February 2014

PRESENT : Cllrs. James (Chair), Llewellyn, Hilton, Haigh and Wood

Others in Attendance

Sue Mullins, Head of Legal and Policy Development

Penny Williams, Interim Democratic and Electoral Services Manager

11. DECLARATIONS OF INTEREST

11.1 There were no declarations of interest.

12. MINUTES

12.1 The minutes of the meetings held on 9 December 2013 and 24 January 2014 were approved as correct records and signed by the Chair, subject to the minutes of 9 December recording that Councillor Wood Chaired the meeting.

13. PROPOSED NEW POST WITHIN LEGAL AND POLICY DEVELOPMENT TEAM

13.1 Members considered the report of the Head of Legal and Policy Development which sought approval for a new post of Corporate Policy and Projects Officer within the Legal and Policy Development Team to fulfill the Council's corporate Policy Development function.

13.2 The Head of Legal and Policy Development introduced the report, together with the background and rationale for its creation.

13.3 The Cabinet Member for Performance and Resources spoke in support of the post and explained that the Council needed the additional resilience and support for policy development.

13.4 A robust debate ensued and the Leader of the Labour Group expressed her concerns regarding both the creation of the role and the duties of the post holder. Moreover that that the post should have been identified earlier and included in the management restructure.

13.5 In response to the points raised the Director of Resources explained that it had always been the intention to create the role once the manager was in place and

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that the funding for the post would come from savings identified from within the Legal and Policy Development Service and elsewhere in the Council.

- 13.6 Members identified the need for the post to have clear outcomes, and for the policy responses to be coordinated.
- 13.7 Members discussed how the post would be advertised and if they could have sight of the person specification and job description. The debate concluded with Members agreeing that whilst the role should report to the Head of Legal and Policy Development there needed to be a clearer understanding of the function of the role and the outcomes that would be delivered.
- 13.8 **RESOLVED** - That the Corporate Policy and Project Officer post be approved, subject to the job description being approved by Members of the Organisational Development Committee.

14. ORGANISATIONAL DEVELOPMENT COMMITTEE - TERMS OF REFERENCE AND OFFICER STRUCTURES

- 14.1 Members considered the report of the Head of Legal and Policy Development which sought clarification of delegated functions within the Constitution relating to the approval of staffing structures.
- 14.2 Members debated the report at length and concluded that there were significant benefits to any changes to organisational structure being presented to them and it was for the Committee to decide if it was appropriate for them to make those decisions.
- 14.3 **RESOLVED** – That the Terms of Reference for the Organisational Development Committee remain unchanged.

15. DATE OF NEXT MEETING

Monday 7 July 2014 at 18.00 hours.

Time of commencement: 18:30 hours

Time of conclusion: 19:20 hours

Chair



ORGANISATIONAL DEVELOPMENT COMMITTEE

MEETING : Monday, 24th March 2014

PRESENT : Cllrs. James (Chair), Llewellyn, Hilton, Haigh and Wood

Others in Attendance

Peter Gillett, Corporate Director of Resources

Sue Mullins, Head of Legal and Policy Development

Tanya Davies, Democratic and Electoral Services Manager

16. DECLARATIONS OF INTEREST

16.1 There were no declarations of interest.

17. STATUTORY POST OF HEAD OF PAID SERVICE

17.1 The Committee considered a report of the Cabinet Member for Performance & Resources concerning a proposed change to the responsibility for the statutory post of Head of Paid Service.

17.2 Councillor Wood explained that, while the Council had a statutory duty to appoint a Head of Paid Service, it was not necessary to tie it to the role of 'Chief Executive'. In line with proposals for management savings identified in the Council's budget, the intention was to delete the post of 'Chief Executive' and share the responsibilities of Head of Paid Service between the Corporate Director of Resources and the Corporate Director of Services and Neighbourhoods for an initial period of six months. He advised that a number of options had been considered and that the arrangement proposed was operating successfully at a number of other local authorities. He also noted that a position with responsibility for policy development had recently been created and would also share some of responsibilities previously undertaken by the Chief Executive.

17.3 Councillor Haigh requested that the recommendations included an explicit commitment to reviewing the arrangements after six months to include consideration of all available options prior to a final decision being made. She also emphasised the importance of maintaining the Council's relationships with external organisations, particularly in relation to regeneration.

17.4 In response to a question from Councillor Hilton the Corporate Director of Resources advised that he anticipated that he and the Corporate Director of

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Services and Neighbourhoods be able to work collaboratively on all matters and would consult with the Leader of the Council as necessary.

17.5 The Chair explained that teams would be reallocated under one of the two directors and that managers would be empowered to take appropriate decisions without escalation.

17.6 **RESOLVED –**

- (1) That the statutory post of Head of Paid Service becomes the responsibility of both Corporate Directors (Peter Gillett, Corporate Director, Resources and Martin Shields, Corporate Director, Services & Neighbourhoods), on a shared basis, for an initial 6 month period and;
- (2) That the Monitoring Officer be instructed to make any consequential amendments to the constitution and;
- (3) That the arrangements come into effect from 1st April 2014; and
- (4) That the arrangements be reviewed at the end of the initial 6 month period, to include consideration of all available options.

18. APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER

18.1 The Committee considered an update from the Corporate Director of Resources concerning the appointment of an Electoral Registration Officer (ERO) and a Returning Officer (RO).

18.2 The Corporate Director of Resources advised that the recommendation to Council at the meeting on 27 March 2014 would ensure that sufficient experience and seniority were attached to the ERO/RO proposed. He confirmed that the appointment could be reviewed after a period of operation.

18.3 **RESOLVED –**

- (1) That the update be noted.

19. EXCLUSION OF PRESS AND PUBLIC

19.1 **RESOLVED –** that the press and public be excluded from the meeting during the following item of business on the grounds that it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public are present during consideration of these items there will be disclosure to them of exempt information as defined in paragraph 4 of Section 100I of the Local Government Act 1972 as amended.

Minute	Description of Exempt Information
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47) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any
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labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

20. SETTLEMENT AGREEMENT

20.1 The Committee considered a report of the Corporate Director of Resources concerning a settlement agreement.

20.2 **RESOLVED** – That the recommendations, as detailed in the exempt report, be approved.

Time of commencement: 18:00 hours

Time of conclusion: 18:35 hours

Chair

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ORGANISATIONAL DEVELOPMENT COMMITTEE (SPECIAL MEETING)

MEETING : Thursday, 26th June 2014

PRESENT : Cllrs. James (Chair), Dallimore (Vice-Chair), Haigh and Norman

Others in Attendance

Peter Gillett, Corporate Director of Resources

Sue Mullins, Head of Legal and Policy Development

Ruth Aldridge, Head of Human Resources and Organisational Development

Jon Topping, Head of Finance

Tanya Davies, Democratic and Electoral Services Manager

APOLOGIES : Cllr. Hilton

1. APPOINTMENT OF CHAIR AND VICE CHAIR

1.1 The Committee noted the following appointments made at the annual meeting of Council held on 9 June 2014:

Chair Councillor James
Vice Chair Councillor Dallimore

2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

3. REVIEW OF HUMAN RESOURCES & ORGANISATIONAL DEVELOPMENT - CONSULTATION RESPONSES AND FINAL PROPOSAL

3.1 The Committee considered a report of the Corporate Director of Resources concerning the responses received and considered during the period of consultation on the proposed changes to the Human Resources & Organisational Development service, and seeking approval for the proposed structure.

3.2 The Head of Human Resources and Organisational Development (HR & OD) explained that the proposed structure would add value and support the Council in achieving its organisational priorities by putting the appropriate posts in place to enable the service to focus on interventions and working proactively. She advised

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that administration of the apprenticeship scheme would be brought in-house and that further work on reviewing the operation of the scheme was planned. She noted that the proposal would bring the Council closer to the best practice ratio of 1 HR practitioner to every 75 members of staff, by moving from the current ratio of 1:150 to 1:104.

- 3.3 Councillor Norman welcomed proposals to bring the apprenticeship scheme in house and the plans to consider widening the range of apprenticeship opportunities available.
- 3.4 In response to a question from the Chair, the Corporate Director of Resources confirmed that approval of the proposals would not serve to prejudice consideration of alternative options for service provision in the future, including operating a shared service.
- 3.5 Councillor Haigh raised concerns about the ratio of HR practitioners to staff and effect of bringing the apprenticeship scheme in house on the workload of the remaining team.
- 3.6 The Head of HR & OD advised that the proposed structure would improve the ratio and that reviewing the apprenticeship scheme would not increase the workload for the in-house staff because the NVQ assessors carried out the majority of the administration associated with the scheme.
- 3.7 **RESOLVED** - that the proposed structure for the Human Resources & Organisational Development team, set out in Appendix 2 to the report, be agreed.

4. REVIEW OF CORPORATE SUPPORT - CONSULTATION RESPONSES AND FINAL PROPOSAL

- 4.1 The Committee considered a report of the Corporate Director of Resources concerning the responses received and considered during the period of consultation on the proposed changes to Corporate Support team, and seeking approval for the proposed structure.
- 4.2 The Corporate Director of Resources explained the Corporate Support was a small team and that the proposed changes to the structure reflected the reduction in posts within the Senior Management Team and the forthcoming transfer of events to Marketing Gloucester Limited (MGL).
- 4.3 Councillor Haigh noted that former civic leaders had not been consulted on the proposals and expressed concern that the proposed structure would result in reduced support for the civic function. She stated that there were concerns about the current level of support and that the proposals did not take into account the importance of the civic function and the level of support required. She noted that the Overview & Scrutiny Committee raised concerns about the transfer of events to MGL.
- 4.4 The Chair stated that the level of support for the aspects of the civic function remaining within the Corporate Support team would be unchanged and that a single

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point of contact would continue to be identified. He added that he was not aware of any problems with the support provided recent Mayors and Sheriffs.

- 4.5 The Democratic and Electoral Services Manager advised that she had not received any reports of problems or dissatisfaction with the support provided to the civic leaders. She explained that the team had initially expressed concern about capacity under the proposed structure if civic event organisation was to remain within the team, but that they felt confident that the new team would be able to manage their workloads effectively following the decision for MGL to take over responsibility for event organisation. She advised that she and the Corporate Team would be meeting with the new Mayor regularly throughout the year to discuss all aspects of the civic function.
- 4.6 **RESOLVED** - that the proposed structure for the Corporate Support team, set out in Appendix 2 to the report, be agreed.

5. SENIOR MANAGEMENT TEAM STAFFING STRUCTURE

- 5.1 The Committee considered a report of the Corporate Director of Resources concerning the proposed interim arrangements for the structure of the Senior Management Team following the departure of the Corporate Director of Resources on 30th June 2014 and seeking approval to recruit to the Director of Resources post.
- 5.2 In response to questions from Councillor Haigh, the Corporate Director of Resources undertook to circulate the job description and person specification to Group Leaders, with comments to be received by 30 June 2014. He advised that the Council was working closely with the Local Government Association (LGA) on all aspects of the recruitment process, including advertising the post, which would be extensive and would include a strong online presence and use of national media. The cost of the recruitment process could not be estimated at the present time, however, the Council was likely to benefit from reduced rates available to the LGA and the costs would be adequately covered by the savings accrued from the vacant post.
- 5.3 **RESOLVED** –
- (1) That the post of Corporate Director of Resources be advertised and recruited to.
 - (2) That the Head of Paid Service role be assigned solely to the Corporate Director of Services & Neighbourhoods from the 1st July 2014 following the departure of the Corporate Director of Resources.

6. FINANCIAL SERVICES STAFFING STRUCTURE

- 6.1 The Committee considered a report of the Head of Finance concerning minor changes proposed to the Financial Services staffing structure previously approved by the Committee.

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- 6.2 The Head of Finance summarised the proposed changes and advised that the new structure would deliver resilience and that the introduction of a trainee position would enable a degree of succession planning to be built into the service.
- 6.3 Councillor Haigh welcomed the inclusion of a trainee position and stated that it was important for the Council to provide opportunities for career progression.
- 6.4 The Corporate Director of Resources stated that the new structure would provide greater flexibility if the Council chose to consider alternative options for service delivery in the future.
- 6.5 **RESOLVED** - that the proposed minor restructure for the Financial Services team set out in Appendix 1 to the report be agreed.

Time of commencement: 17:00 hours

Time of conclusion: 17:30 hours

Chair



Meeting:	Organisational Development Committee	Date:	22 September 2014
Subject:	Review of the Tourist Information Centre – consultation responses and final proposal		
Report Of:	Corporate Director of Resources		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Lucy Wright, Tourist Information Centre Service Manager		
	Email: lucy.wright@gloucester.gov.uk	Tel:	396570
Appendices:	1. Review of Tourist Information Centre - Consultation Document 2. Consultation responses		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 This report sets out details of the responses received and considered during the period of consultation on the proposed changes to the Tourist Information Centre. The report seeks final approval for the proposed structure.

2.0 Recommendations

2.1 Organisational Development Committee is asked to **RESOLVE** that the proposed structure for the Tourist Information Centre service, set out in Appendix 1 to the report, be agreed.

3.0 Background and Key Issues

3.1 Proposals to review the Tourist Information Centre team were presented to staff on 7 July 2014. This was the start of a period of consultation with both staff and recognised Trade Unions, with the close of the consultation being on the 7 August 2014.

3.2 As a result of the consultation, 5 responses were received from staff. The proposals were also presented to the Trade Union Consultation Meeting on 9 September and Employee Forum on 11 September for comment.

3.3 Due to the positive comments fed back during the consultation period; there has been no change to the initial proposals.

3.4 It is acknowledged that change can be difficult and although the proposals are positive, all staff will be supported through the change.

3.5 It is proposed to carry out the assimilation and ring-fencing applications for the new and existing posts as soon as possible.

4.0 Alternative Options considered

4.1 The way in which the Tourist Information Centre is structured to deliver its services is a key factor in determining its operational success.

4.2 As such, no alternative proposals were considered to be viable.

5.0 Reason for Recommendations

5.1 The Tourist Information Centre's current structure has not been evaluated for approximately 10 years therefore being considerably out of date. All job descriptions and personal specifications need re-evaluating.

5.2 There has been a shift in expectations of all roles within the service due to the Commercial Services Manager not being replaced, resulting in greater reliance on the Tourist Information Centre Manager and, therefore, a shift in responsibility through the rest of the service.

5.3 Over the past 6 years, demand of the service has increased significantly, resulting in higher footfall and increased income, therefore leading to a reduction in cost to the City Council which is outlined in the proposals. A shift in responsibility and the need to empower staff will help develop the service moving forward.

6.0 Future Work and Conclusions

6.1 On approval of the proposed structure, the selection process will commence.

7.0 Financial Implications

7.1 This service review will result in an additional cost of £27,144 plus 30% in on costs (based on everyone being at the top of their pay scale). This additional cost is due to the creation of a new office role and through changes to existing roles.

7.2 Financial projections for the service indicate an increase in the profit from the trading account, as a result of the service improvements currently in progress. It is considered that this increase will be sufficient to meet the additional costs incurred by the restructure.

(Financial Services have been consulted in the preparation of this report)

8.0 Legal Implications

8.1 There are no legal implications from this proposal.

(Legal Services have been consulted in the preparation of this report)

9.0 Risk & Opportunity Management Implications

9.1 The proposed structure offers the appropriate level of resource to ensure an efficient and effective Tourist Information Centre team and as such, there are no risks associated with the proposals.

10. People Impact Assessment (PIA)

10.1 A PIA has been completed and a number of positive impacts have been identified. The remaining impacts are neutral.

11. Other Corporate Implications

Community Safety

11.1 Not Applicable

Sustainability

11.2 Not Applicable

Staffing and Trade Unions

11.3 All staff affected by these changes, together with the recognised Trade Unions, have been consulted throughout this process.

Background Documents: None

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	COMMENTS	MANAGEMENT RESPONSE
1	I have read the document given to me and have no issues with it whatsoever.	Noted
2	With regards to the Service Review to which we were made party this previous Monday, I am happy with the initial plans. I relish the opportunity for development and it seems as if this restructure will offer opportunities to do so.	Agreed
3	As for the restructure, I am happy with all the changes.	Noted
4	I am more than happy with the service review.	Noted
5	I am emailing to confirm that I understand and agree with the proposed restructure and have no further questions as yet. I only see this as a positive thing for the team and would like to take this opportunity to thank you for considering my position with more flexibility and variation. I am excited by the changes and the direction in which the TIC is moving and am thrilled to be a part of the team.	Noted and agreed

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**Tourist Information Centre
Service Review
June 2014**

**A Proposal Document for
Consultation**

1. A new structure for the Tourist Information Centre

Introduction

Following the recent Management Realignment each newly appointed manager has been asked to undertake a more detailed review of their service to identify potential savings, efficiencies & economies of scale, potential areas of growth and propose how their service needs to work moving forward. This review will consider the team structure and resources needed to deliver this new aligned service taking into consideration the need to improve the quality of services received by our residents and visitors.

Although the Tourist Information Centre has not been included in the senior management restructure, a service review is necessary to ensure that the service is sustainable and continues to provide a high-quality and efficient service within the city.

It is proposed that there is a net increase of one member of staff in the establishment of the Tourist Information Centre and for changes to be made to existing roles in line with the increasing and changing demands on the service. The Tourist Information Centre manager's position has been expanded to support city events and Blackfriars as well as the involvement in developing the tourism offer within the city. Due to these changes, consideration needs to be made to the current staffing of the service to enable it to continue to develop, with adequate resources.

Job descriptions and personal specifications will need to be reviewed as the changes to the service are not reflected in the current documents. Hay evaluation will be undertaken if there are significant changes to the roles affected.

It is important to highlight that Gloucester City Council needs to make £3.68 million of savings over the next two years. This document should be taken into careful consideration in this context and to understand the important role the Tourist Information Centre plays in Gloucester. This report will also detail what the service can potentially achieve in the future, given adequate resources.

Why is restructuring needed?

There are a number of reasons why restructuring is now necessary.

1- Increased footfall and income over the past 5 years.

The Tourist Information Centre has become a one-stop shop for both visitors and local residents due to the constant development of its services. Since 2005, the service has taken on a number of additional services including becoming an agent for National Express and Stagecoach, increased partnership working with event organisers, attractions, accommodation providers as well as other tourism bodies to include Marketing Gloucester, county Tourist Information Centres and GFirst. The TIC also assists in the delivery of a number of demanding projects, such as the Tall Ships Festival, Residents Weekend, Heritage Open Days, accommodation accreditation and Rugby World Cup 2015.

These changes are reflected in the performance data of the Tourist Information Centre. Since 2007 they show that there has been a significant increase in footfall of 95% and a corresponding increase in the profit of 673%. This has reduced the cost to the Council by 62% in the period.

Period	Footfall	Profit from Trading Acc	Cost to Council
2007-2008	65,458	£8,865	£342,702
2008-2009	78,517	£10,100	£291,928
2009-2010	103,483	£97,624	£198,871
2010-2011	118,472	£67,924	£239,758
2011-2012	119,131	£63,867	£208,697
2012-2013	121,588	£53,125	£278,844
2013-2014	127,665	£68,560	£129,435

Please note that the above figures include City Council internal recharges.

With the increase of events and the regeneration in Gloucester, the footfall numbers will continue to rise. Through continuous smarter working, the Tourist Information Centre will be able to continue to develop subject to the appropriate roles and resources being put in place for the service.

2- Changes in roles and responsibilities

The role of the Tourist Information Centre manager has changed from being a hands-on operational manager to a strategic manager, constantly reviewing the services on offer. The intention is for the TIC to both stimulate and meet the changing needs of visitors and residents.

The Tourist Information Centre manager role is becoming more involved in wider city development, with a stronger partnership with Marketing Gloucester, support for the delivery of the events programme and the lead officer for the implementation of the tourism strategy. With the city going through such an exciting change, this involvement will only increase.

Additional projects and tasks have been delegated to the Tourist Information Centre manager including involvement in the Rugby World Cup 2015, strategic delivery and development of Blackfriars, management of the Gloucester Coach Meet and Greet Scheme and responsibility of the city's Cultural Strategy.

The change in the role of the TIC manager will result in increased reliance on the Tourism Officer to fulfil additional duties in respect of the day-to-day management of the TIC. This role will therefore need to be reviewed to incorporate the additional responsibilities.

The role of the Tourism Assistant also needs to be reviewed to ensure that it is fit for purpose and meets the changing requirements on the service. This will include empowering postholders to take decisions and to undertake higher levels of responsibility.

3- Office support

A Business Support Officer has been employed on a temporary contract and is currently assisting with the development of the Gloucester Coach Meet and Greet Scheme and providing vital office administration.

Business Support based at Gloucester Guildhall complete banking reports and arrange for event payments to be made, however, they have no capacity to take on any further administration and the front-line staff cannot be spared from their duties to undertake the work.

The current postholder therefore fills a gap in the TIC establishment which means that these functions can be fulfilled. The post therefore needs to be established on a permanent basis. In addition, the postholder can provide support to the frontline services during periods of peak demand.

Proposals

All staff are aware of the need to make ongoing budget savings. The Council's money plan has identified areas of potential savings across a wide range of services. Members are very keen to retain front line service delivery and to minimise the impact on the services that deliver outcomes directly to residents.

Previous service reviews have focused on reducing duplication, eradicating waste and improving efficiencies in the way we deliver our services and this will need to be an ongoing focus for us for the future. The Tourist Information Centre team will therefore be restructured with the aim of becoming a more efficient service.

The service will be reshaped in line with the recent service changes and visitor demand and to provide a one-stop shop for visitors and local residents to the city. This will be enhanced by having the resource to spend adequate time in tailoring the service to their needs. In doing so, the TIC can increase the numbers of service users and therefore its income.

The expanded role of the TIC manager will also assist the on-going efforts to become a cost effective, efficient service with the ability for further cross-working. In addition, the manager will be able to develop partnerships across the city and also to be a partner of choice for the tourism industry.

Existing team changes:

- 1- The Tourist Information Centre Service Manager to be renamed Visitor Services Manager to incorporate the full visitor experience and to reflect the shift to a wider remit encompassing events and visitor attractions. The job description will be re-written and re-evaluated, as necessary.
- 2- The Tourism Officer role will be reviewed to take on a number of responsibilities currently held by the Tourist Information Centre manager. This will include building city links to ensure that the Tourist Information Centre is the preferred partner. The Tourism Officer will take on the operational element of the Gloucester Coach Meet and Greet Scheme and will take on various elements of staff development. The job description will be re-written and re-evaluated, as necessary.
- 3- To review the role and job title of the Tourism Assistant with a view to ensuring that it fully reflects the current duties and responsibilities.

These changes will also save a considerable amount of the Tourism Officer's time currently spent in dealing with day to day tasks, by empowering the staff and encouraging more self-management. The review of the Tourism Assistant role will also ensure that issues can be addressed at the point of contact and in real time, diffusing any negative situations and customer complaints.

To create a new Tourism Support Assistant post to offer support including social media, raising of orders, coach travel returns, coach bookings assistance, event administration, tourism data input as well as a number of other administration tasks and projects. This post will therefore free up time from the Tourism Officer who would otherwise be required to carry them out, to the detriment of their other current and proposed activities.

In addition, the new supporting role will be expected to cover on the shop floor when demand is high and when unforeseen absence occurs. This flexibility will save overtime payments during our busy season and will show consistency and quality in line with the TIC's local, regional and national awards.

The existing Saturday Assistants, TIC Cleaner and zero-hours staff are not directly affected by these proposals.

The proposed structure will involve an increase in staffing costs of £27,144 per annum, plus on-costs, assuming that all staff are at the top of the scale. However, the financial projections indicate an increase in the profit from the trading account, as a result of the service improvements currently in progress. It is considered that this increase will be sufficient to meet the additional costs incurred by the restructure.

The next steps

This new structure will see existing posts reviewed and new posts being proposed. We will look to recruit to these posts internally whenever possible. It should be emphasised that these proposals are for consultation, and as such final structures and roles may be revised as a result of consultation feedback.

The job evaluations

All of the roles discussed in this document will be evaluated by a Hay panel.

The Hay method of job evaluation continues to be the most widely accepted worldwide. The process of evaluating jobs enables many important applications, such as designing effective organisations; clarifying interdependencies and accountabilities; managing succession and talent; and setting competitive, value-based pay policies.

This rigorous job evaluation process has afforded the Council a common framework and language to more effectively design jobs within the structure that best supports the corporate strategy and plan.

The draft job descriptions have been written that avoid over lengthy descriptions and explanations and are not an exhaustive list of tasks that the jobholder will be expected to do.

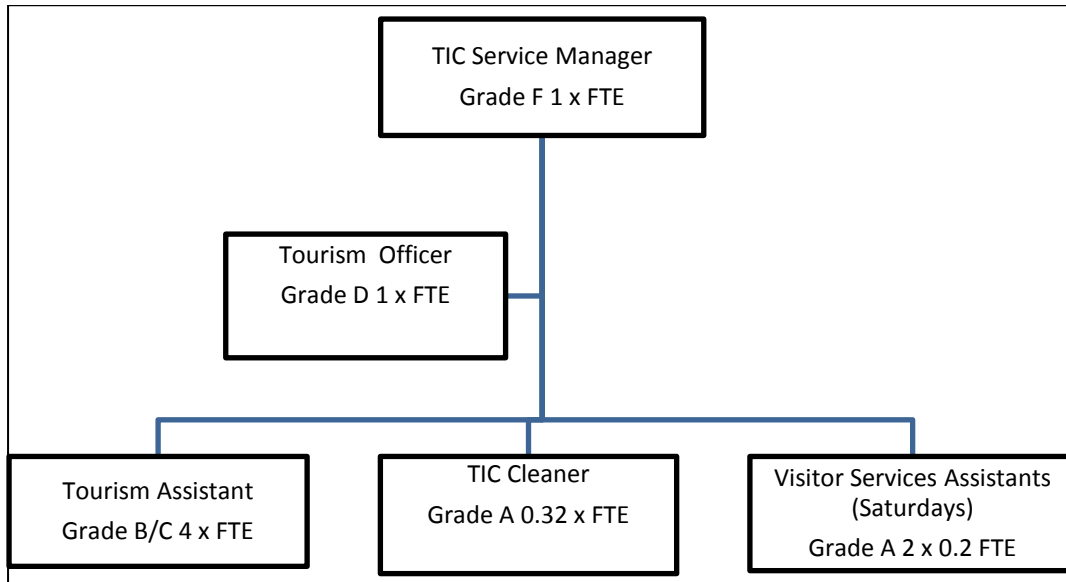
Existing & New Structure Chart

The following charts detail the existing structure and new proposal for the service.

Current Structure Chart

Current staff budget = £124,421

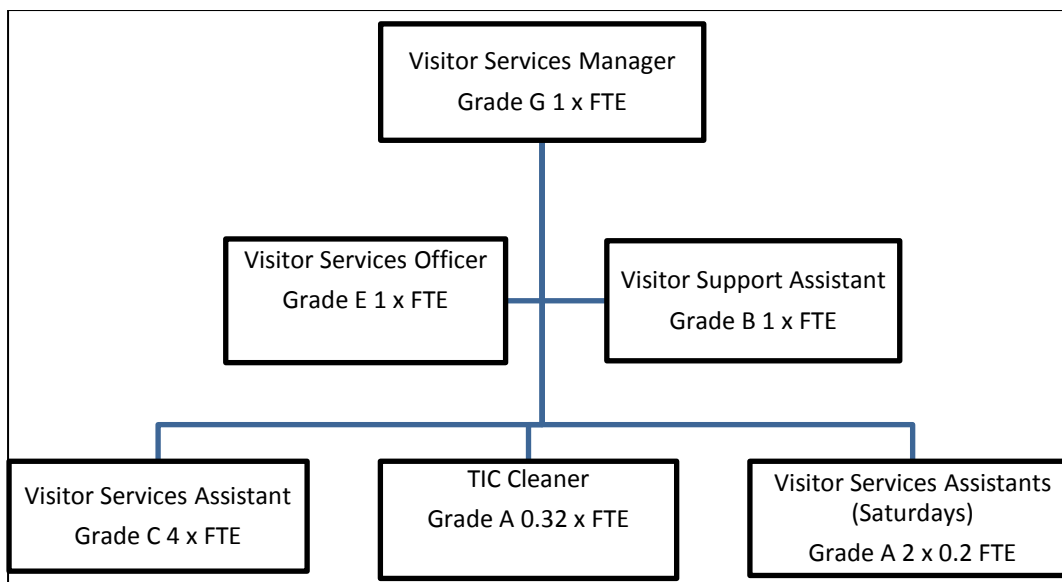
(assuming everyone is at the top of the pay scale, excluding on-costs)



New Proposed Structure Chart

Proposed staff budget = £151,565

(assuming everyone is at the top of the pay scale, excluding on-costs)



Where new roles have been created, the grades shown in this document are indicative and subject to confirmation following the job evaluation process.

How this structure will affect individual members of the team is detailed below:-

Current Job Title	Permanent Hours	Status
TIC Manager Grade F	37	Ring-fenced to Visitor Services Manager, Grade G
Tourism Officer Grade D	37	Ring fenced to Visitor Services Officer, Grade E
Tourism Assistant Grade B/C (C)	37	Assimilated to Visitor Services Assistant, Grade C
Tourism Assistant Grade B/C (B)	37	Assimilated to Visitor Services Assistant, Grade C
Tourism Assistant Grade B/C (B)	37	Assimilated to Visitor Services Assistant, Grade C
Tourism Assistant Grade B/C (B)	37	Assimilated to Visitor Services Assistant, Grade C
Tourism Assistant (Saturdays) Grade A	7.24	No change
Tourism Assistant (Saturdays), Grade A	7.24	No change
TIC Cleaner Grade A	12	No change
Business Support Officer (Temporary), Grade B	37	Assimilated to Visitor Support Assistant, Grade B

Overview of the Process

General support

Any reorganisation can be distressing for those involved and for their colleagues so it is recognised that it will be a difficult time for staff.

HR support throughout the process will be provided by Ruth Aldridge and team. Support of a more general nature will also be provided by the Senior Management Team – Martin Shields (Corporate Director of Services and Neighbourhoods) and Peter Gillett (Corporate Director of Resources).

Our aim at all times will be to provide clear and timely information for everyone involved and to maintain a close and open dialogue with the Trade Unions throughout.

Assimilation

In line with the Council's Organisational Change policy, where all of the following conditions apply, current post holders will be directly assimilated to the equivalent position in the new structure:

- the job is essentially the same (at least a 60% match), and
- the grade is the same, and
- the numbers of posts available is the same or greater than the number of current post holders.

Ring-fence competition

In line with the Council's Organisational Change policy, employees who do not secure a position in the new structure via direct assimilation will be included in a ring-fence if:

- their posts are deleted, and
- an alternative position or positions are introduced, and
- the employee's grade is the same (or one above / below) as the grade of the new post(s) or the employee is at the management tier appropriate to the new post(s).

Redeployment

Any employee who does not secure a post in the new structure or an ongoing position through transfer, change of working arrangements etc will be given notice of redundancy and simultaneously placed on the redeployment register for the period of their notice.

Selection process

There will be a consistent, robust recruitment and selection process for the new posts and current vacancies.

Appeals

Guidance on how to appeal against any stage of this process can be found in the Council's Organisational Change Document that is available from HR.

Implications for those affected

We fully appreciate the potentially challenging nature of realignments, the anxiety and the uncertainty that may be felt by staff. It is important that we provide help and support throughout this period of change, particularly to those who are directly affected.

If any staff would like to be considered for voluntary redundancy or early retirement they should contact Ruth Aldridge for an informal discussion.

The Council's free, confidential and external counselling service can be contacted on 01452 750586.

Timetable

Consultation with Staff	7 th July 2014
Consultation with the Union	7 th July 2014
Close of Consultation	1 st August 2014
Reviewing Feedback	w/c 4 th August 2014
Employee Forum / Organisational Development Committee	TBC
Formation of new team structure	TBC

4. How to respond

Please send your comments or questions to:

Lucy Wright
TIC Manager
Gloucester Tourist Information Centre
Tel: 01452 396570
Email: lucy.wright@gloucester.gov.uk

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Meeting:	Trade Union Consultation	Date:	9 September 2014
	Employee Forum		11 September 2014
	Organisational Development Committee		22 September 2014
Subject:	Health and Safety Policy		
Report Of:	Head of Public Protection		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Ed Pomfret, Health, Partnerships and Engagement Manager		
	Email: edward.pomfret@gloucester.gov.uk	Tel:	396069
Appendices:	1. Proposed revised Health and Safety Policy 2. List of health and safety procedures and guidance		

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To update Gloucester City Council's health and safety policy and associated documents.

2.0 Recommendations

2.1 Organisational Development Committee is asked to **RESOLVE** to:

- (1) Agree and adopt the revised Health and Safety Policy, as contained in Appendix 1.
- (2) Ensure that the revised policy is signed by the Corporate Director of Services and Neighbourhoods.

3.0 Background and Key Issues

3.1 The Health and Safety at Work etc. Act 1974 requires that all employers with five or more employees have a written health and safety policy and for this policy to be reviewed on a regular basis. The policy and any revision to it must be brought to the notice of all employees.

3.2 The purpose of a health and safety policy is to define key responsibilities and arrangements and to demonstrate the organisation's commitment to the health, safety and well-being of its staff, partners and all others affected by its activities.

- 3.3 The existing policy was approved in March 2012 and changes to the council's structure and the introduction of a new system for policies and procedures (Net Consent) makes it appropriate for the policy to be reviewed.
- 3.4 The proposed revised health and safety policy is attached at appendix 1.
- 3.5 Health and safety procedures and guidance for managers and staff have been revised and updated. A list of these is attached at appendix 2. It is proposed that these are held on Net Consent as associated documents of the health and safety policy. These will be added to, and revised, as necessary e.g. when there are changes to working practices, changes to legislation etc.

4.0 Alternative Options Considered

- 4.1 The health and safety policy could stay in its current form. This would not be acceptable as the council's structure has changed so the policy would not be effective as the organisational arrangements are no longer correct. Legally, the policy must be revised as often as may be appropriate.

5.0 Reasons for Recommendations

- 5.1 Adoption of the revised health and safety policy will reflect the current organisational structure, help ensure that Gloucester City Council is a safe and healthy place to work and ensure compliance with the Health and Safety at Work etc. Act 1974 and associated regulations.

6.0 Future Work and Conclusions

- 6.1 There will be ongoing reviews of arrangements and guidelines. These will reflect changes in structure, equipment and legislation.

7.0 Financial Implications

- 7.1 Adoption and delivery of the policy will be met through the existing health and safety budget.

(Financial Services have been consulted in the preparation this report.)

8.0 Legal Implications

- 8.1 These are dealt with within the main body of the report.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

- 9.1 Positive outcomes will be achieved by reducing working days lost through ill health and accidents and mitigation of any insurance claims or costs. Roles and responsibilities clearly defined in the policy.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 None.

Sustainability

11.2 None.

Staffing & Trade Union

11.3 None.

Background Documents: None

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Health and safety

Applicable To	All staff
Effective Date	XX 2014
Current Policy Date	XX 2014
Next Review Date	2016
Review Cycle	2 years
Policy Owner Who is responsible? Name & Role	Ed Pomfret, Health, Partnerships and Engagement Manager
Accountable Person Who is accountable? Name & Role	Martin Shields, Corporate Director of Services and Neighbourhoods

Foreword

Health and safety at work is everybody's business and we each have a role to play in securing compliance with our standards and minimising the risks to ourselves, our colleagues, visitors and customers. This document outlines your role and what you can expect from managers within this organisation.

Gloucester City Council is striving for top performing services. Health and safety and successful organisation performance are complementary and we are committed to managing health and safety at work as an integral part of our business. We will foster and promote a positive and caring attitude to health and safety in the work place.

We will achieve this by looking after our organisation, looking after our people and looking after our reputation.

We will communicate our commitment to our staff, visitors, customers and partners and encourage their participation to ensure we provide a safe working environment.

We will seek opportunities to continuously improve our health and safety at work.

'Good health and safety is good business'.

Martin Shields
Corporate Director of Services and
Neighbourhoods

David Norman
Cabinet Member for Performance and
Resources

1.0 STATEMENT OF INTENT

- 1.1 Gloucester City Council (the council) is fully committed to achieving high standards of health and safety to protect the well being of employees, residents and anyone else who may be affected by the council's activities.
- 1.2 The council recognises and fully accepts its responsibility as an employer to ensure that all its activities are conducted without risks to the health and safety of employees, customers and others.
- 1.3 The council will endeavour to identify hazards and control risks to health and safety by risk assessment and implementing suitable risk control procedures. It will provide suitable equipment and materials, health and safety training, instruction, information and supervision.
- 1.4 The council will ensure that health and safety is given the same prominence as the council's other functions. This includes the provision of adequate resources including staffing levels, time and finance to maintain the health and safety of Gloucester City Council employees.
- 1.5 All Gloucester City Council employees have an important role to play in ensuring high standards in health and safety performance. They are encouraged to identify hazards, raise concerns about health and safety issues, give their opinions on suitable solutions to health and safety problems, participate in training and contribute to risk assessment and risk control procedures.
- 1.6 Health and safety is a standing item at trade union and employee forum meetings to enable regular safety updates and provide a forum for consultation, joint working and employee engagement.
- 1.7 All Gloucester City Council employees, trainees, contract workers and voluntary workers are required to read and follow this health and safety policy.
- 1.8 The health and safety policy will be reviewed at intervals of no more than two years.

SIGNED

Martin Shields, Corporate Director of Services and Neighbourhoods
for GLOUCESTER CITY COUNCIL

XXXX 2014

2.0 ORGANISATION

2.1 Overall and final responsibility for health and safety rests with the Corporate Directors. The day to day responsibility for ensuring this policy is put into practice rests with senior management. Specific tasks are allocated to individuals by service area. All employees have to co-operate with supervisors and managers on health and safety matters.

2.2 Specific roles and responsibilities are outlined below:

2.2.1 **Corporate Directors** – ultimately responsible for health, safety and welfare within Gloucester City Council. Specific responsibilities include:

- (i) Publishing Gloucester City Council's health and safety policy and ensuring it is reviewed regularly
- (ii) The effective evaluation of health and safety within the council by a programme of audits of the council's health and safety management system
- (iii) Ensuring that systems are in place to identify and control workplace hazards by the implementation of a thorough risk assessment regime
- (iv) Providing adequate resources in time, finance and facilities to ensure, so far as reasonably practicable, the health, safety and welfare of the council's employees and others who may be affected by its activities
- (v) Providing suitable information, instruction, training and supervision to employees to ensure, so far as reasonably practicable, their health, safety and wellbeing
- (vi) To appoint the Head of Public Protection to have managerial responsibility for health and safety matters
- (vii) To always set a good example

2.2.2 **Senior management** – responsible to the Corporate Directors for ensuring that appropriate arrangements are in place for the health, safety and welfare of employees within their service areas and others who may be affected by their work activities. Specific responsibilities include:

- (i) Ensuring that all managers have implemented the health and safety policy within their operational area
- (ii) Ensuring that the council's health and safety policy is read by all employees within their directorate, including specific sections relevant to particular areas of work
- (iii) Addressing health and safety implications of senior management
- (iv) Ensuring each service within their directorate carries out an annual review of health and safety and produce an annual plan to continue to improve health, safety and welfare standards
- (v) To always set a good example

2.2.3 **Head of Public Protection** Specific responsibilities, in addition to those outlined above, include:

- (i) Reviewing the council's health and safety performance by annual audit
- (ii) Providing advice and assistance to the Corporate Directors and senior management, in conjunction with specialist health and safety adviser/s

- (iii) Informing the Corporate Directors and senior management of any significant health and safety failures and of the outcomes into the investigations into their causes
- (iv) Ensuring that health and safety risk management systems are in place and remain effective

2.2.4 Health, Partnerships and Engagement Manager – specific responsibilities to the Head of Public Protection. These will be carried out with the assistance of the Health and Safety Adviser:

- (i) Advise the Head of Public Protection on all aspects of health and safety
- (ii) Ensure the Head of Public Protection is kept informed of any significant health and safety failures and the outcomes of the investigations into their causes
- (iii) Advise the Head of Public Protection on the possible health and safety implications of management team decisions
- (iv) Advise on the content of the health and safety policy
- (v) Produce and review corporate policy regarding specific health and safety issues with council wide implications
- (vi) Produce an annual health and safety management statement which sets out the council's priorities for the year ahead
- (vii) Develop effective health and safety management systems including policies, procedures and guidance notes
- (viii) Confirm that health and safety risk management systems are in place and effective, evidenced by annual audits
- (ix) Hold quarterly health and safety progress meetings with the Head of Public Protection and Health and Safety Adviser
- (x) Act as a focal point for the council's dealings with the Health and Safety Executive (HSE)
- (xi) Ensure that meaningful consultation on strategic health and safety issues takes place with trade union and employee health and safety representatives
- (xii) To always set a good example

2.2.5 Managers – All managers and those in supervisory roles are responsible to the Corporate Directors, where appropriate through their respective senior manager, for the health and safety of council employees and others who may be affected by service activities. Particular emphasis should be placed on supervision where out of hours activities take place e.g. events, concerts, lone working and site visits. Specific responsibilities include:

- (i) Ensuring the health and safety policy is implemented within their service
- (ii) Ensuring that a copy of the corporate health and safety policy is provided to employees and other workers acting on behalf of their service
- (iii) Ensuring that risk assessments are carried out, the significant findings recorded and the identified controls put in place. Risk assessments must be reviewed at least annually and/or if the nature of the work changes
- (iv) Addressing the health and safety implications of management team decisions
- (v) Making health and safety a permanent item at team time and other service meetings
- (vi) Ensuring meaningful consultation on health and safety issues takes place with union and safety representatives
- (vii) To always set a good example

2.2.6 Gloucester City Council employees – employees, including zero hours employees, of all levels to make themselves aware of the contents of the health and safety policy. Specific responsibilities include:

- (i) To observe health and safety rules and/or instructions at all times
- (ii) Not to endanger themselves or others by their own acts or omissions
- (iii) Refrain from intentionally or recklessly interfering with or misusing anything provided in the interests of health and safety
- (iv) Wear and use appropriate personal protective equipment (PPE) in the approved manner, where required or instructed to do so
- (v) Report all accidents, incidents, dangerous occurrences and near misses to their manager or supervisor without delay
- (vi) Report all potential hazards, unsafe or potentially unsafe practices, damaged equipment or facilities and health and safety concerns to their manager or supervisor without delay
- (vii) To actively support and co-operate with their employer in managing health and safety
- (viii) To always set a good example

2.2.7 Members of the cabinet and other elected members – responsibilities include:

- (i) To observe health and safety rules and/or instructions at all times
- (ii) Ensure that members' recommendations and decision making takes into account health and safety risks
- (iii) Report all accidents, incidents, dangerous occurrences and near misses without delay
- (iv) Report all potential hazards, unsafe or potentially unsafe practices, damaged equipment or facilities and health and safety concerns without delay
- (v) To always set a good example

In addition, elected members must be provided with suitable and sufficient information to enable them to give due regard to health and safety matters when making decisions.

3.0 ARRANGEMENTS

3.1 This section refers to council wide health and safety arrangements. It does not contain detailed information on specific arrangements for each service area which are held by the relevant managers.

3.2 Health and safety training

3.2.1 Good quality training will be delivered to managers to ensure that employees are able to stay safe and free from work related illness and injury whilst at work.

3.2.2 Managers and supervisors must identify health and safety training needs of employees to enable them to carry out their work in a safe manner. Information from risk assessment, health and safety audit and health and safety guidance are all useful in enabling managers to identify training that is suitable and sufficient for the particular workplace and service.

3.2.3 Training should be delivered at induction and on the introduction of new legislation, systems, equipment, substances or methods of work.

3.2.4 Training must be delivered by people who are competent in the relevant discipline and in a way that is understandable to those receiving the training.

3.2.5 Managers must keep accurate records of employee training and ensure that refresher sessions are provided in a timely manner.

3.3 **Monitoring and audit**

3.3.1 Directorates and services should monitor their health and safety performance on all that they do to ensure that health and safety management systems are working effectively.

3.3.2 To assist with monitoring, managers should use appropriate systems that include:

- (i) Health and safety inspections – to be carried out as appropriate
- (ii) Health and safety audits – to be carried out annually by the health and safety adviser
- (iii) Monitoring of accidents and incidents – to identify trends and corrective action needed. These should be carried out by managers in each service area and the health and safety adviser will carry out the council wide overview

3.4 **Accident reporting and investigation**

3.4.1 All accidents, violent incidents, dangerous occurrences and near miss incidents involved the council's employees, premises or other people affected by the council's operations, are to be reported without delay. Managers should complete the council's accident/incident report form and submit to the health and safety adviser. The service must also retain their own record of the incident/accident.

3.4.2 The health and safety adviser will make an assessment and investigate, where necessary. Where an accident or incident is reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), the health and safety adviser will make the report to the HSE and co-operate with any investigation they deem necessary.

3.4.3 Regardless of whether the accident/incident/near miss is reportable under RIDDOR, managers are to investigate the circumstances surrounding it. Where appropriate, the health and safety adviser may undertake an investigation. In any case, the manager can rely on assistance from the health and safety adviser, who will lead on the investigation where appropriate. Where possible, the cause should be determined and recommendations made and implemented on how to prevent a recurrence.

3.4.4 Accident/incident/near miss reports and supporting information (e.g. witness statements, sketches, photographs) should be kept for at least three years or, if the injured person is less than 18 years of age, until they reach 21 years, whichever is the longer.

3.5 Fire and emergency procedures

- 3.5.1 All council workplaces will have written risk assessments and procedures to deal with accidents, fire, bomb threats and other emergencies. All employees are to be made aware of these procedures and their role in carrying them out.
- 3.5.2 There must be adequate arrangements in place to ensure the effective operation of emergency evacuation procedures. This includes the identification and training of sufficient fire wardens and maintenance of personal evacuation plans for employees who have difficulty in evacuating the building.
- 3.5.3 All employees to be aware of the fire and evacuation procedures for their workplace and are to take part in at least one fire evacuation drill per year.
- 3.5.4 A fire precautions log book will be maintained at each workplace building. It will contain records of inspections, tests, results of fire drills and remedial action.
- 3.5.5 The use of any fire extinguisher is to be reported to the relevant manager or supervisor without delay. It must be recharged or replaced as quickly as possible.
- 3.5.6 Detailed fire and emergency arrangements will be displayed at each workplace.

3.6 Buildings and security

- 3.6.1 All council workplaces have written risk assessments, management plans and procedures to deal with the hazards of asbestos, *legionella* and fire safety. These are co-ordinated by the assets and property service. All employees must be aware of these procedures and their role in carrying them out.
- 3.6.2 Building managers have overall responsibility for premises security however in the event of out of hours activity responsibility will fall to the operations manager or similar person in charge to secure the premises at the end of an event.
- 3.6.3 Where building works are to be carried out, the responsibility for contractor safety and behaviour will lie with the manager of the procuring service, building manager or the manager of assets and property, dependant on who procures the works.

3.7 Communication and consultation with employees and trade union/employee health and safety representatives

- 3.7.1 Effective communication and consultation between management and staff is a key factor in ensuring the health, safety and welfare of all employees.
- 3.7.2 To ensure that meaningful consultation on health and safety issues takes place, health and safety must be a standing item at Trade Union consultation and Employee Forum meetings. These are attended by representatives from a recognised trade union/s, the council's health and safety adviser and a Corporate Director.

Revision History		
Version	Made By	Effective Date
1.0	Ed Pomfret	XX 2014
1.1		
1.2		

HEALTH AND SAFETY – PROCEDURES AND GUIDANCE

RISK ASSESSMENT

Managers guide to health and safety risk assessment
Risk assessment form
Index of risk assessments form
Example stress risk assessment

ACCIDENTS AND INCIDENTS

Incident and accident investigation and reporting
Incident investigation checklist
Incidents reportable to HSE
Incident report form

MANUAL HANDLING

Manual handling health and safety guidelines
Manual handling risk assessment table
Safe lifting techniques

HEALTH AND WELL-BEING

Managing stress at work policy
Managing stress at work health and safety guidelines
Example stress risk assessment

FIRST AID AT WORK

First aid at work

FIRE AND BOMB

Bomb alert procedure
Mail handling
Suspect package
Fire safety procedures
Local fire procedures
Role of fire wardens
Duties of the Chief Fire Marshal
Fire inspection checklist
Fire drill record sheet

VIOLENCE AND AGGRESSION

Violence and aggression policy
Report of a verbal or physical assault

INFECTIOUS DISEASES

Infection guidelines

ALCOHOL AND SUBSTANCE MISUSE

Alcohol and substance misuse

CHEMICAL SAFETY

Managers guidelines on COSHH

ERGONOMICS

Managers guidelines on display screen equipment

PERSONAL HEALTH AND SAFETY

Lone working

Guidance for home working

WORKPLACE TRANSPORT

Safe driving guidelines

MACHINERY AND EQUIPMENT

ASBESTOS

Management of asbestos containing materials

Asbestos – general guidance

WORK AT HEIGHT

Working at height guidelines

Safe use of ladders and stepladders

MANAGING CONTRACTORS

General guidance for the use of contractors

EMPLOYEE INVOLVEMENT

Consulting employees on health and safety – guidance for managers

NEW AND EXPECTANT MOTHERS AT WORK

New and expectant mothers at work

YOUNG WORKERS

Employment of young persons

LEGIONELLA

Control of legionella bacteria

NOISE

Noise at work

FREQUENTLY ASKED QUESTIONS

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Gloucester City Council

Meeting:	Organisational Development Committee	Date:	22 September 2014	
Subject:	Updated Employment Policies and Procedures			
Report Of:	Head of Human Resources & Organisational Development			
Wards Affected:	All			
Key Decision:	No	Budget/Policy Framework:	No	
Contact Officer:	Ruth Aldridge			
	Email:	ruth.aldridge@gloucester.gov.uk	Tel:	396917
Appendices:	1. Absence Management Policy 2. Bullying & Harassment Policy			

FOR GENERAL RELEASE

1.0 Purpose of Report

1.1 To seek members approval to the adoption of updated HR policies and procedures.

2.0 Recommendations

2.1 Organisational Development Committee is asked to **RESOLVE** that the updated policies and procedures, as set out in Appendices 1 & 2, be adopted.

3.0 Background and Key Issues

3.1 In accordance with best practice and to enable the council to demonstrate ongoing compliance with relevant employment legislation, the council is currently reviewing and updating its various HR related policies and procedures.

3.2 The policies included in this report cover the council's approach to Absence Management and Bullying & Harassment.

3.2 A comprehensive consultation has been carried out in the development of these policies. A cross-section of council employees, including managers and staff, were involved in reviewing/developing the draft documentation with Human Resources. This was followed by a formal consultation with the Trade Unions, who have agreed and endorsed the policies.

4.0 Alternative Options Considered

4.1 Not applicable

5.0 Reasons for Recommendations

5.1 It is essential that the council maintains up to date, best practice policies and procedures in relation to the employment of its workforce. These updated policies and procedures will ensure that the council complies with all relevant legislation and the relevant ACAS codes of practice.

5.1 These updated policies and procedures will ensure that the council complies with all relevant legislation and the relevant ACAS codes of practice.

6.0 Future Work and Conclusions

6.1 Subject to approval by Organisational Development Committee, these policies and procedures will now be communicated to staff and managers. Further reviews of other HR policies are currently underway, and a similar approach to engagement and consultation with staff and Trade Unions will be adopted before being presented to both Employee Forum and Organisational Development Committee meetings.

7.0 Financial Implications

7.1 There are no financial implications arising from this report.

8.0 Legal Implications

8.1 Compliance with relevant employment legislation and best practice ACAS codes are essential to ensure the council acts lawfully in all employment matters.

9.0 Risk & Opportunity Management Implications

9.1 Without the ability to update its policies, the council could risk operating outside of current employment legislation. These updated documents will provide the appropriate framework for managers and staff to operate within.

10.0 People Impact Assessment (PIA):

10.1 These policies enable the council to ensure that managers, staff and Trade Unions are clear on the processes to be adopted in relation to disciplinary, grievance, recruitment and selection matters.

10.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 None

Sustainability

11.2 None

Staffing & Trade Union

11.3 Comprehensive involvement by staff and managers has been a key part of the development of these updated policies and procedures. Formal consultation has been carried out with Trade Unions, who have agreed the documents.

Background Documents: None

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Absence Management Policy

Effective Date	September 2014
Applicable To	All employees
Review Date	September 2016
Policy Owner	Ruth Aldridge, Head of HR & OD

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1.0 Introduction

- 1.1 The Council aims to encourage all employees to maximise their attendance at work while recognising that a certain level of sickness absence may be inevitable. It is the Council's policy to support its employees who are genuinely sick and unable to come to work.

2.0 Sickness Scheme

- 2.1 The sickness scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit so as to maintain normal pay for employees during defined periods of absence on account of sickness, disease, accident or assault.
- 2.2 Absence due to routine sickness is different from and treated entirely separately from absence through industrial disease, accident or assault arising out of or in the course of employment with the Council. Periods of absence in respect of one are not set off against the other for the purpose of calculating entitlements under the scheme.
- 2.3 Employees are entitled to receive sick pay for the following periods:

During first year of service	1 month's full pay and (after completing four months service) 2 month's half pay
During second year of service	2 month's full pay and 2 month's half pay
During third year of service	4 month's full pay and 4 month's half pay
During fourth and fifth year of service	5 month's full pay and 5 month's half pay
After five years service	6 month's full pay and 6 month's half pay

- 2.4 The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.
- 2.5 In the case of full pay periods identified above, sick pay will be an amount which, when added to Statutory Sick Pay and Incapacity Benefit receivable by the employee will secure the equivalent of an employee's normal pay.
- 2.6 In the case of the half pay periods identified above, sick pay will be an amount equal to half an employee's normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity benefit receivable, so long as the total sum does not exceed normal pay.
- 2.7 'Normal pay' includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

- 2.8 The social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis that the employee has satisfied so far as is possible:
- 2.8.1 the conditions for the reporting of sickness as required by the Council;
 - 2.8.2 the claiming of benefits;
 - 2.8.3 the obligation to declare any entitlements to benefits and any subsequent changes in circumstances affecting such entitlement.
- 2.9 An employee who is prevented from attending work because of contact with infectious disease in the course of their normal duties shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.
- 2.10 If an employee abuses the sickness scheme, or is absent on account of sickness due to, or attributable to any of the following reasons, sick pay may be suspended:
- 2.10.1 conduct prejudicial to their recovery;
 - 2.10.2 the employee's own alleged misconduct or neglect;
 - 2.10.3 active participation in sport or other activities which are deemed to be incompatible with enabling sustained attendance at work. Suspension of sick pay will not normally be enforced without prior warning of the consequences of such participation, following the first activity-related absence;
 - 2.10.4 injury while working in the employee's own time on their own account for private gain or for another employer.
- 2.11 The organisation shall advise the employee of the grounds for suspension of sick pay and the employee shall have the right of appeal to a Head of Service or Corporate Director.
- 2.12 If the Council decides that the grounds were justified then the employee shall forfeit the right to any further payment in respect of that period of absence.
- 2.13 Repeated abuse of the sickness scheme by an employee will be dealt with under the Council's Disciplinary Procedure.
- 2.14 Payment of sick pay is conditional upon an employee complying with the Council's procedure for notifying Absence Line of their absence, attending an interview with their manager on request to discuss the absence, and agreeing to an Occupational Health referral, where it is deemed necessary and appropriate by Human Resources.

3.0 Extending sick pay

- 3.1 Heads of Service are responsible for making a decision to extend any period of sick pay. This will be at half-pay rather than full-pay.
- 3.2 No extension of sick pay should be approved unless there are overwhelming reasons for doing so, and the employee is likely to return to work.
- 3.3 All proposed extensions of sick pay must be discussed with Human Resources before being approved. An extension can only be granted if appropriate budget has been identified. If the service has insufficient budget to pay the extended period of sick pay, a suitable budget needs to be identified by the Service Manager, in consultation with Financial Services and approved by a Corporate Director.
- 3.4 It should be stated that the Council's conditions of service relating to sick pay are already relatively generous and, therefore, extensions to periods of sick pay will be the exception rather than the norm.

4.0 Short term absence – Guidance for Managers

- 4.1 This section relates to short-term sickness absence from work, which is defined as those absences lasting for up to four working weeks.
- 4.2 While the Council understands that there will inevitably be some short-term sickness absence among employees, it must also pay due regard to its business needs. If an employee is frequently and persistently absent from work, this can damage the Council's efficiency and productivity, and place an additional burden of work on the employee's colleagues.
- 4.3 By implementing this policy, the Council aims to strike a reasonable balance between the pursuit of its business needs and the genuine needs of employees to be absent from work for short periods of time.
- 4.4 Managers responsible for staff are expected to manage and control their employees' attendance and absence. They should, as a matter of routine, take the following actions each time an employee has been absent from work for a short period (i.e. a period of up to one working week):
 - 4.4.1 Conduct routine "return-to-work interviews". Each time an employee returns to work following a short-term absence, their manager should speak to the employee about the absence and the reason for it in a fair and factual way. This approach will alert the employee to the fact that the situation is being monitored and will potentially deter casual absences. The manager should be supportive towards the employee and, where appropriate seek to identify ways in which to assist the employee to improve their attendance in the future.
 - 4.4.2 Return-to-work interviews should take place within 3 working days of the employee's return date, unless there are over-riding reasons for a delay. Employees will not normally be accompanied at these meetings,

unless consideration is being given to issuing a letter of concern or other formal action.

- 4.4.3 Be alert to patterns (for example the persistent Monday or Friday absentee). If a pattern is identified, the manager should put their observations to the employee directly so that the employee has the opportunity to provide an explanation. The manager should, however, remain open minded and not jump to any hasty conclusions about the employee's absences.
- 4.4.4 Try to establish, through investigation and discussion with the employee, the underlying reasons for frequent absences. Until the underlying cause is identified, an appropriate and effective remedy will be impossible to identify.
- 4.4.5 Check whether or not absences are, in part, because of personal or family problems. If this is the case, a reasonable degree of tolerance and sympathy should be shown towards the employee, as the problems may be unavoidable. The manager should be supportive, while at the same time explaining clearly to the employee that continuing frequent absences from work are unacceptable.
- 4.4.6 Check whether the employee's absences are in any way work related. If the problem is work related, the manager should take prompt steps, where appropriate, to remove or reduce the factor that is causing the employee's problem.
- 4.4.7 Contact Human Resources in order to seek medical advice, if appropriate, to determine whether there is any underlying medical cause for the employee's frequent absences.
- 4.4.8 Contact Human Resources for advice on reasonable targets and time-limits for improvement in attendance and steps to ensure that the employee is committed to achieving them.
- 4.4.9 Warn the employee of the consequences of continuing unsatisfactory attendance (i.e. that they may eventually be dismissed).
- 4.4.10 Send all confidential records of all absences, discussions and medical certificates to Human Resources, making sure that the records clearly identify the reasons for an employee's various absences.
- 4.4.11 Schedule a follow-up meeting at an agreed time to monitor the ongoing situation.

4.5 Before taking any formal action in respect of an employee who has had frequent absences from work, the manager should take the following action:

- 4.5.1 Contact Human Resources to check the employee's absence record.

- 4.5.2 Gain an accurate assessment of the number of days absence that the employee has had, the number of separate occasions that they have been absent and whether or not their record is worse than that of other employees in the organisation.
 - 4.5.3 Seek advice from the Human Resources service, on the appropriate action to take in line with the Council's procedures.
- 4.6 Absences from work will be regarded as frequent if, during any period of 12 consecutive months, an employee is absent from work for 6 or more working days, or on 3 separate occasions.

5.0 Short term absence – Guidance for Employees

- 5.1 An employee who needs to be absent from work due to sickness must comply with the following rules:
- 5.1.1 Notify Absence Line on the first day of absence, by telephone (01452396800), if they are unwell. Notification should be as early as possible, after 0800 and before 1000. The employee should be prepared to state who their line manager is, the reason why they cannot attend work, and how they think the absence will last.
 - 5.1.2 Keep Absence Line updated, if the period originally stated needs to be extended / shortened.
 - 5.1.3 Notify Absence Line of their return to work.
 - 5.1.4 Attend an interview with their line manager on their return to work to discuss the sickness absence and the reason for it. One of the purposes of this interview will be to establish whether or not the line manager can provide any support to the employee that could facilitate their attendance at work in the future (for example, if the employee's absence was in any way work related).
 - 5.1.5 Provide a doctor's certificate or "fit note" for a period of sickness absence not exceeding seven days if the Council specifically requests it. In these circumstances, the Council will reimburse the employee for the cost of obtaining a certificate, if it has to be obtained privately.
 - 5.1.6 Agree to be interviewed on request and / or examined by an occupational health doctor nominated by the Council and to authorise the release of any medical report from the doctor to the Council. The Council will meet all costs associated with any such examination and / or medical report.
 - 5.1.7 Cooperate with the Council with regard to the possible implementation of any adjustments to job duties, hours or working conditions, resulting from recommendations made by the employee's doctor, notwithstanding the fact that the advice on a "fit note" or from an occupational health doctor is not binding on the Council.

6.0 Long term absence – Guidance for Managers

- 6.1 Long term absence is defined as exceeding a period of four weeks.
- 6.2 As part of this policy, employees will continue to be paid full or part salary for defined periods of time while absent, provided that they comply with the Council's rules on notification and the provision of ongoing medical evidence.
- 6.3 The Council retains the services of an occupational health provider. Employees may be requested by their manager to consent to be examined by the occupational health provider (at the Council's expense) and to agree to allow the provision of a medical report to the Council. All employees must give such consent when reasonably asked to do so by the Council.
- 6.4 The Council will not consider terminating the employment of an employee who is absent from work due to genuine sickness or injury during the first two months of absence (in any twelve month period).
- 6.5 Thereafter, the position will be reviewed periodically and ultimately it may become necessary from a business perspective to consider termination of an employee's employment with the Council. In these circumstances, the Council will:
 - 6.5.1 review the employee's sickness absence record to assess whether or not it is sufficient to justify dismissal;
 - 6.5.2 consult the employee;
 - 6.5.3 obtain up-to-date medical advice;
 - 6.5.4 advise the employee in writing as soon as it is established that termination of employment has become a possibility;
 - 6.5.5 meet with the employee to discuss the options and consider the employee's views on continuing employment;
 - 6.5.6 review if there are any other jobs that the employee could do prior to taking any decision on whether or not to dismiss;
 - 6.5.7 allow a right of appeal against any decision to dismiss the employee on grounds of long-term ill health; and
 - 6.5.8 arrange a further meeting with the employee to determine any appeal;
 - 6.5.9 following this meeting, inform the employee of its final decision; and
 - 6.5.10 act reasonably towards the employee at all times.

7.0 Long term absence – Guidance for Employees

- 7.1 An employee who needs to be absent from work due to sickness must comply with the following rules:
- 7.1.1 Notify Absence Line on the first day of absence, by telephone (01452396800), if they are unwell. Notification should be as early as possible, after 0800 and before 1000. The employee should be prepared to state who their line manager is, the reason why they cannot attend work, and how long they think the absence will last.
 - 7.1.2 Keep Absence Line updated on their absence, if the period originally stated needs to be extended / shortened.
 - 7.1.3 Notify Absence Line of their return to work.
 - 7.1.4 Attend an interview with their line manager on return to work to discuss the absence and the reason for it. One of the purposes of this interview will be to establish whether or not the line manager can provide any support to the employee that could facilitate attendance at work in the future (for example, if the employee's absence was in any way work related).
 - 7.1.5 Provide a doctor's certificate or "fit note" for a period of sickness absence not exceeding seven days if the Council specifically requests it. In these circumstances, the Council will reimburse the employee for the cost of obtaining a certificate if it has to be obtained privately.
 - 7.1.6 Agree to be interviewed on request and / or examined by an occupational health doctor nominated by the Council and to authorise the release of any medical report from the doctor to the Council. The Council will meet all costs associated with any such examination and / or medical report.
 - 7.1.7 Cooperate with the Council with regard to arrangements to maintain contact including telephone calls, letters or home visits, by their line manager and / or Human Resources. Also, the possible implementation of any adjustments to job duties, hours or working conditions, resulting from recommendations made by his / her doctor, notwithstanding the fact that the advice on a "fit note" or from an occupational health doctor is not binding on the employer.

8.0 Holiday entitlement on long term sickness absence

- 8.1 An employee who is absent on sick leave will continue to accrue their full statutory holiday entitlement.
- 8.2 If the employment is terminated before an employee returns from sick leave, they will receive a payment in lieu of any accrued but untaken statutory holiday entitlement.

9.0 Employees falling sick on holiday

- 9.1 Where an employee falls sick or is injured while on annual leave, the Council will allow the employee to transfer the reason for their absence to a sickness absence and take replacement annual leave at a later time. This policy is subject to the following strict conditions:
- 9.1.1 The total period of incapacity must be fully certificated by a qualified medical practitioner.
 - 9.1.2 The employee must contact Absence Line by telephone as soon as they know that there will be a period of incapacity during a planned and authorised annual leave.
 - 9.1.3 The employee must submit a written request no later than 5 days after returning to work setting out how much of the annual leave period was affected by sickness and the amount of annual leave that the employee wishes to take at another time.
- 9.2 Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of either a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location.
- 9.3 Where the employee fulfils all of the above conditions, the Council will grant the employee the same number of days' replacement holiday leave as the number of holidays lost due to sickness or injury.
- 9.4 An employee must request to take any replacement annual leave in accordance with the Council's normal annual leave policy, and should endeavour to take the replacement annual leave in the same annual leave year in which it was accrued. However, where an employee has good reason for not being able to do so, the Council will allow the employee to carry that leave forward into the next annual leave year. The Council may require an employee to take all or part of their replacement holiday on particular days and it is not required to provide the employee with any minimum period of notice to do this, although it will aim to provide reasonable notice.

10.0 Obtaining a medical report

- 10.1 There may be occasions when the Council considers it necessary to request details from a medical practitioner on the health of an employee. Where medical reports from an employee's medical practitioner are necessary, the employee will be fully informed of their rights under the Access to Medical Reports Act 1988 and / or Data Protection Act 1998 and their permission will be sought for the report to be obtained.
- 10.2 The circumstances in which the Council may seek a medical report on an employee include:

- 10.2.1 frequent short-term absences, where an employee is absent for 6 or more working days or on 3 separate occasions in any period of 12 months;
- 10.2.2 long-term absence, where an employee has been absent for a period of 1 month or is likely to be absent for a period of 1 month or more.
- 10.3 The Council will ask the employee's permission to contact a medical practitioner on the relevant form, available from Human Resources.
- 10.4 Employees have the right to access to any such medical report before the Council's Human Resources service sees it. If the employee wishes to see the report, they should inform the Council of this wish, so that it can inform the medical practitioner. The employee will then have 21 days to contact the medical practitioner to arrange to see the report. If the employee does not contact the medical practitioner within this period, the medical practitioner can pass the report on to the Council.
- 10.5 Where the employee has any queries on their rights under the Access to Medical Reports Act 1988 and / or Data Protection Act 1998 or the procedure to be followed, they should contact Human Resources.
- 10.6 Where the employee refuses permission for the Council to contact their medical practitioner, the employer will explain to the employee the reasons behind the request. Where permission continues to be refused, the employee will be informed that a decision relating to their employment may be made without the benefit of access to medical records. The same procedure will be followed where an employee delays in giving their consent.
- 10.7 Where an employee feels that a medical report is misleading or incorrect, they may ask the medical practitioner to amend it. If the medical practitioner does not agree with the employee and does not alter the report, the employee may attach a statement to the report to reflect their views. Alternatively, having seen the report, an employee may request that the report is withheld from the Council. The employee will be informed that a decision relating to employment may be made without the benefit of access to medical records.
- 10.8 If the Council wishes to take action following receipt of the medical report, this will be taken only after consultation with the employee and full and careful consideration of all the facts provided. The Council will request a meeting with the employee to discuss the report and identify what action is to be taken.

11.0 Unauthorised absence

- 11.1 If an employee fails to comply with the Council's sickness absence reporting procedure (or fails to provide the required evidence within the required time period), fails to attend work, fails to return from annual leave or is absent from work for any other reason without permission, it will be considered an unauthorised absence.

- 11.2 If an employee is absent from work without good cause and / or fails properly and effectively to notify the Council of their absence, this may be treated as a serious disciplinary offence, potentially constituting gross misconduct.
- 11.3 On the first day of the employee's absence, their line manager will attempt to contact them, keeping a record of the time.
- 11.4 If the employee does not answer the telephone, the manager will attempt to leave a voicemail message asking them to return the call.
- 11.5 If the manager is unable to contact the employee, they may attempt to contact the employee's next of kin or listed emergency contact.
- 11.6 On the second day of the employee's absence, if nothing has been heard from the employee and the manager has again been unable to contact the employee and has not received a satisfactory explanation from the employee's next of kin or emergency contact, the manager will write to the employee detailing their absence and the attempts to make contact.
- 11.7 The letter will say that no satisfactory explanation for the absence has been received and require that the employee make contact with the manager as soon as possible, but no later than three days after the date of the letter.
- 11.8 The letter will warn the employee that, if they fail to make contact by the deadline, the Council may take serious disciplinary action.
- 11.9 If, following the deadline, the employee has still not contacted the manager, the manager will send the employee a letter inviting them to attend a disciplinary hearing to explain their absence.
- 11.10 The letter should warn the employee that the lack of an adequate explanation could result in the employee's summary dismissal for gross misconduct.
- 11.11 If the manager makes contact with the employee and / or the employee returns to work, the manager should conduct an immediate informal investigation into the reasons for their absence and their lack of contact with the Council.
- 11.12 If the employee can give adequate explanations for their absence and lack of contact, the manager can conduct a return-to-work interview.
- 11.13 If the employee is unable to provide an adequate explanation for their absence and lack of contact, the Council may treat the absence and the failure of the employee to follow the absence reporting procedure as a potential disciplinary matter.
- 11.14 If the employee claims to have been sick (to the extent that this also precluded contacting the Council), the manager can ask for reasonable evidence of this. If the employee is unable to provide sufficient evidence, the Council may consider whether or not the claimed sickness absence was genuine.

- 11.15 If the manager considers the employee’s failure to attend work to be potential gross misconduct, the manager should contact Human Resources for an Investigating Officer to be appointed.
- 11.16 The Council will conduct any disciplinary hearing in accordance with its disciplinary procedure.
- 11.17 If an employee has been refused a request for annual leave, but declares that they intend to take the time off anyway, the employee’s manager should write to the employee instructing them to attend work. The letter should confirm that:
- 11.17.1 the leave request (for the specific dates) was legitimately declined;
 - 11.17.2 they are expected to attend work as usual; and
 - 11.17.3 failure to do so will be unauthorised absence, be unpaid and may result in disciplinary action, which could result in summary dismissal for gross misconduct.
- 11.18 The letter should invite the employee to reconsider their expressed intention to be absent.
- 11.19 If, having sent this letter, the employee fails to attend work, the manager should treat the absence as unauthorised.
- 11.20 If an employee has been refused a request for annual leave, but fails to attend work (either saying that they are sick or by making no contact), the Council will investigate this as a potential unauthorised absence in accordance with its disciplinary procedure.

Revision History			
Version	Made By	Effective Date	Amendment
1.0			
1.1			
1.2			

Bullying & Harassment Policy

Effective Date	September 2014
Applicable To	All employees / elected Members
Review Date	September 2016
Policy Owner	Ruth Aldridge, Head of HR & OD

- 1.0 Introduction**
- 2.0 The scope of this policy**
- 3.0 What is bullying & harassment?**
- 4.0 Examples of bullying and harassment**
- 5.0 What is victimisation?**
- 6.0 Right to report bullying or harassment**
- 7.0 How to make a complaint**
- 8.0 Responsibility of line managers to deal with complaints**
- 9.0 How can I help to prevent bullying and harassment?**
- 10.0 What happens if I am accused of bullying or harassment?**

1.0 Introduction

- 1.1 The Council is committed to ensuring equal opportunities and fair treatment in the workplace for all employees. One of the key aims of this policy is to enable the Council to provide a working environment in which all staff feel comfortable and in which everyone is treated with respect and dignity, regardless of sex, gender reassignment, race, disability, sexual orientation, religion or belief and age.
- 1.2 The Council will not tolerate bullying or harassment of any kind. All allegations of bullying and harassment will be thoroughly investigated in line with the Council's Grievance Procedure and, if appropriate, the Disciplinary Procedure will be invoked.
- 1.3 Employees found guilty of harassment or bullying may face disciplinary penalties, up to and including summary dismissal and could be personally liable to pay compensation in legal claims. Serious harassment may also be a criminal offence.
- 1.4 The organisation will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.
- 1.5 Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

2.0 The scope of this policy

- 2.1 This policy covers bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. work-related social events.
- 2.2 This policy covers bullying and harassment of and by managers, employees, contractors, agency staff, and anyone else engaged to work at the Council, whether by direct contract with the organisation or otherwise.
- 2.3 If the complainant or alleged harasser is not employed by the organisation, (e.g. if the worker's contract is with an agency) this policy will apply with any necessary modifications (e.g. that the Council could not dismiss the worker but would instead require the agency to remove the worker, if appropriate, after their own in-house investigation and disciplinary proceedings). Gloucester City Council will co-operate fully with such an investigation. This will include ensuring that they appointed Investigating Officer has access to all evidence, the complainant and any witnesses, as appropriate.
- 2.4 If an elected Member believes they are being harassed or bullied by an employee of the Council, they can complain as if they were a member of the public.
- 2.5 Where Officers believe they are being harassed or bullied by elected Members, this may amount to a breach of the Protocol on Member – Officer Relations and a breach of the Member Code of Conduct. Both of these documents are set out in the Council's Constitution, which can be found on the Council's website.

3.0 What is bullying & harassment?

- 3.1 Bullying is offensive, intimidating, malicious or insulting behaviour, and / or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.
- 3.2 Harassment is unwanted conduct related to relevant protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:
- 3.2.1 has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person;
or
- 3.2.2 is reasonably considered by that person to have the effect of violating his / her dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for him / her, even if this effect was not intended by the person responsible for the conduct.
- 3.3 Conduct may be harassment whether or not the person behaving in that way intends to offend. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
- 3.4 Behaviour which any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them.
- 3.5 It may not be so clear in advance that some other forms of behaviour would not be welcome by, or could offend, a particular person, e.g. certain "banter". In these cases, first-time conduct which unintentionally causes offence will not be harassment but it could become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to him / her.
- 3.6 Harassment may also occur where a person engages in unwanted conduct towards another because he / she perceives that the recipient has a protected characteristic when the recipient does not, in fact, have that protected characteristic. Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated (for example if their child is disabled, wife is pregnant or friend is devoutly Christian).
- 3.7 A single incident can be harassment if it is sufficiently serious.
- 3.8 All bullying and harassment is misconduct and is a disciplinary offence which will be dealt with under the Council's disciplinary policy. Bullying or harassment will often be gross misconduct which can result in summary dismissal.

- 3.9 Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age.
- 3.10 Serious bullying or harassment may amount to other civil or criminal offences (e.g. a civil offence under the Protection from Harassment Act 1997 and a criminal offence of assault).

4.0 Examples of bullying or harassment

- 4.1 Bullying and harassment may be conduct that is physical, verbal or non-verbal, e.g. by letter or email.
- 4.2 Examples of unacceptable behaviour that are covered by this policy include (but are not limited to):
- 4.2.1 physical conduct, ranging from unwelcome touching to serious assault;
 - 4.2.2 unwelcome sexual advances;
 - 4.2.3 demeaning comments about a person's appearance;
 - 4.2.4 unwelcome jokes or comments of a sexual or racial nature or about an individual's age, disability, sexual orientation or religion;
 - 4.2.5 questions or comments about a person's sex life;
 - 4.2.6 unwanted nicknames related to a person's age, race or disability;
 - 4.2.7 the use of obscene gestures;
 - 4.2.8 excluding an individual because they are associated or connected someone with a protected characteristic (e.g. their child is gay, spouse is black or parent is disabled);
 - 4.2.9 ignoring an individual because they are perceived to have a protected characteristic when they do not, in fact, have the protected characteristic (e.g. an employee is thought to be Jewish, or is perceived to be a transsexual);
 - 4.2.10 the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person (e.g. magazines, calendars or pin-ups);
 - 4.2.11 spreading malicious rumours or insulting someone;
 - 4.2.12 picking on someone or setting them up to fail;
 - 4.2.13 making threats or comments about someone's job security without good reason;

- 4.2.14 ridiculing someone;
- 4.2.15 isolation or non-cooperation at work;
- 4.2.16 excluding someone from social activities.

5.0 What is victimisation?

- 5.1 Victimisation is subjecting a person to a detriment because they have, in good faith, complained (whether formally or otherwise) that someone has been bullying or harassing them or someone else, or they have supported someone to make a complaint or given evidence in relation to a complaint.
- 5.2 This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.
- 5.3 Provided that you act in good faith (i.e. you genuinely believe that what you are saying is true), you have a right not to be victimised for making a complaint or doing anything in relation to a complaint of bullying or harassment and the Council will take appropriate action to deal with any alleged victimisation, which may include taking disciplinary action against anyone found to have victimised you.

6.0 Right to report harassment & bullying

- 6.1 Employees have an absolute right to complain if they are treated in a manner that they believe constitutes harassment or bullying. This will include behaviour that has caused offence, humiliation, embarrassment or distress.
- 6.2 Apart from complaints about the behaviour of colleagues, employees have the right to complain if they believe that they have been bullied or harassed by a third party (for example, a customer, client, elected Member or supplier).
- 6.3 Employees who raise a genuine complaint under this policy will, under no circumstances, be subjected to any unfavourable treatment or victimisation as a result of making a complaint.
- 6.4 However, if it is established that an employee has made a deliberately false or malicious complaint against another person about harassment or bullying, disciplinary action will be taken against that employee.
- 6.5 Any employee who witnesses an incident that they believe to be the harassment or bullying of another member of staff should report the incident in confidence either to their line manager or to Human Resources. The Council will take all such reports seriously and will treat the information in strict confidence, as far as it is possible to do so.

7.0 How to make a complaint

- 7.1 Before raising a formal complaint, the employee is encouraged in the first instance to talk directly and informally to the person whom they believe is harassing them to

explain clearly what aspect of the person's behaviour is unacceptable, or is causing offence, and request that it stop.

- 7.2 It may be that the person whose conduct is causing offence is genuinely unaware that their behaviour is unwelcome or objectionable and that a direct approach can resolve the matter without the need for formal action.
- 7.3 Where an employee would like support to make such an approach, they should contact Human Resources.
- 7.4 If, however, the employee feels unable to take this course of action, or if they have already approached the person to no avail, or if the harassment is of a very serious nature, the employee may elect to raise a formal complaint.
- 7.5 Formal complaints may be raised with either the employee's line manager, or, if preferred, with Human Resources. If the complaint is about an elected Member, it needs to be raised with the Council's Monitoring Officer.
- 7.6 In bringing a complaint of harassment / bullying, the employee should be prepared to state:
 - 7.6.1 the name of the person whose behaviour they believe amounts to harassment or bullying;
 - 7.6.2 the type of behaviour that is causing offence, together with specific examples if possible;
 - 7.6.3 dates and times when incidents of harassment or bullying occurred, and where they occurred;
 - 7.6.4 the names of any employees who witnessed any incidents, or who themselves may have been the victims of harassment or bullying by the same person; and
 - 7.6.5 any action that the employee has already taken to try to deal with the harassment.

8.0 Responsibility of line managers to deal with complaints

- 8.1 Managers who receive a complaint of harassment or bullying have a duty to investigate the matter, in line with the Council's Grievance Procedure, thoroughly and objectively and to take corrective action. If the complaint is about a clear and serious breach of the Council's policies then the matter will be dealt with under the Council's Disciplinary Procedure.
- 8.2 Line managers should be responsive and supportive towards any worker who raises a genuine complaint of harassment or bullying. Human Resources will assist any line manager in dealing with complaints of harassment or bullying.
- 8.3 The Council reserves the right, at its discretion, to suspend any employee who is under investigation for harassment or bullying for a temporary period whilst

investigations are being carried out. Such suspension will be for as short a time as possible and will be on full pay.

- 8.4 Any employee accused of harassment or bullying will be informed of the exact nature of the complaint against them and afforded a full opportunity to challenge the allegations and put forward an explanation for their behaviour in a confidential interview, with a companion / recognised trade union representative present if they wish. No employee will be presumed to be guilty following an allegation of harassment or bullying made against them.
- 8.5 The Council regards all forms of harassment and bullying as serious misconduct, and any employee who is found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.
- 8.6 The Council will maintain records of investigations into alleged incidents of harassment or bullying, the outcome of the investigations and any corrective or disciplinary action taken. These records will be maintained in confidence and in line with the provisions of the Data Protection Act 1998.

9.0 How can I help prevent bullying and harassment?

- 9.1 We all have a responsibility to help create and maintain a work environment free of bullying and harassment. You can help to do this by:
 - 9.1.1 being aware of how your own behaviour may affect others and changing it, if necessary – you can still cause offence even if you are “only joking”;
 - 9.1.2 treating your colleagues with dignity and respect;
 - 9.1.3 taking a stand if you think inappropriate jokes or comments are being made;
 - 9.1.4 making it clear to others when you find their behaviour unacceptable, unless it should be obvious in advance that this would be the case;
 - 9.1.5 intervening, if possible, to stop harassment or bullying and giving support to recipients;
 - 9.1.6 making it clear that you find harassment and bullying unacceptable;
 - 9.1.7 reporting harassment or bullying to your manager or Human Resources and supporting the organisation in the investigation of complaints; and
 - 9.1.8 if a complaint of harassment or bullying is made, not prejudging or victimising the complainant or alleged harasser.
- 9.2 Managers have a particular responsibility to:
 - 9.2.1 set a good example by their own behaviour;
 - 9.2.2 ensure that there is a supportive working environment;

- 9.2.3 make sure that staff know what standards of behaviour are expected of them;
- 9.2.4 intervene to stop bullying or harassment; and
- 9.2.5 report promptly to Human Resources any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.

10.0 What happens if I am accused of bullying or harassment?

- 10.1 If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.
- 10.2 You may have offended someone without intending to. If that is the case, the person concerned may be content with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence. Provided that you do not repeat the behaviour that has caused offence, this may well be the end of the matter.
- 10.3 If a formal complaint is made about your behaviour, it will be fully investigated in line with the Council’s Grievance Procedure, and may result in the Disciplinary Procedure being invoked. Where the matter is sufficiently serious or clear-cut then the Council’s Disciplinary Procedure may be invoked from the start.
- 10.4 In the case of complaints about elected Members, these will be investigated in line with the Council’s standards arrangements.

Revision History			
Version	Made By	Effective Date	Amendment
1.0			
1.1			
1.2			

Agenda Item 11

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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