

Constitution Update - HR Management Rules

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1. Purpose

This report recommends to Council updates to the HR Management Rules that are included in the SSDC Constitution. The changes relate to legislative and guidance changes, recommended minor changes to the Disciplinary Policy and some practical changes to authorisation levels.

2. Recommendation

Council is asked to consider and approve the attached revisions to the HR Management Rules and Disciplinary Policy.

3. Background

Since the HR Management rules were last updated there have been changes to legislation, guidance and practice in a number of areas. The recommended changes to the rules are highlighted in the attached policy in Appendix A.

Management Board and District Executive have considered and supported the proposed changes and the revised Disciplinary Policy was circulated to the recognised unions for comment.

4. Key changes to the HR Management Rules

Appendix A attached highlights the changes proposed to the HR Management Rules section of the Constitution and Disciplinary Policy. With Appendix B proposed version without track changes and with the Disciplinary Policy moved to an appendix to simplify the process of making any future amendment to the Disciplinary Policy alone more practical.

Example changes include:

- Removal of the reference to require permission to work on over age 65 (resulting from the removal of the National Retirement Age).
- Removal of reference to lease cars (these are no longer available).
- Reference made to the allocation of car allowances in line with the Local Agreement has been added.
- Some practical changes on authorisation levels have been proposed to allow Service Managers to authorise up to 12 days unpaid leave and subsistence claims in line with policy.
- References to Police and Crime Commissioner Elections and National Referenda, 'leaving in the efficiency of service' and the Reservist policy have been added.

Additionally the Disciplinary Policy is included in the constitution and the following relatively minor changes are proposed and have been advised to the unions:

- To disallow an increase in sanction on appeal in-line with ACAS guidelines.

- To provide for an ‘independent person’ rather than just an ‘independent manager’ to carry out an investigation. This is to allow in exceptional circumstances an independent person to be requested to carry out an investigation so that impartiality can be seen by all parties.
- Re-ordering of the policy Appeals section to improve flow.
- It is recommended that the Disciplinary Policy is moved from the main body of the Constitution to an appendix to facilitate updating.
- Similarly it is also requested that the authorisation of minor updates to the Disciplinary Policy is delegated to the HR Manager in consultation with the Portfolio Holder for HR.

5. Financial Implications

There are no financial implications unless an additional decision is taken by Council to support the payment of strain charges in a voluntary retirement situation.

6. Appendices

Appendix A – HR Management Rules and Disciplinary Policy highlighting proposed amendments.

Appendix B – HR Management Rules showing final proposed version with Disciplinary Policy as an appendix.

7. Corporate Priority Implications

The recommendation will have no impact on corporate priorities.

8. Carbon Emissions and Climate Change Implications

There is no impact resulting from the recommendations of this report.

9. Equality and Diversity Implications

No equality and diversity implications have been identified.

10. Background Papers

SSDC Constitution Part 4 – Rules of Procedure (Standing Orders)