

To: Council

Date: 13 April 2015

Report of: Head of Human Resources and Facilities

Title of Report: Employment Policies

Summary and Recommendations

Purpose of report: To present for approval one new and two revised employment policies

Policy Framework: Corporate Plan Priority: 'Effective and Efficient Council'

Recommendations: That Council

1) Approve the following policies with immediate effect:

*Policy and Procedure for Managing Allegations against Employees and Volunteers Working with Children and Vulnerable Adults

*Family Leave Policy and Procedure

2) Authorise the Head of Human Resources to amend the policies and procedures from time to time in order to correct any factual or legal errors.

3) Approve the updated annual Pay Policy Statement for publication

Appendices

Appendix 1 - Policy and Procedure for Managing Allegations against Employees and Volunteers Working with Children and Vulnerable Adults

Appendix 2 - Family Leave Policy and Procedure

Appendix 3 – Annual Pay Policy Statement

Appendix 4 - Risk Register

Appendix 5 - Equalities Impact Assessment

Background

- 1. Policy and Procedure for Managing Allegations against Employees and Volunteers Working with Children and Vulnerable Adults:** This is a new Policy and Procedure which has been developed as a result of the Safeguarding Audit which identified the need to ensure staff and volunteers are aware that they have a duty to raise matters of concern and that those who have an allegation raised against them know how it will be managed. The policy is intended to recognise that such allegations need to be dealt with sensitively and that external investigations may be necessary and will usually precede any internal investigation. Employees who are subject to such allegations, which could be made for a number of reasons, are likely to find the situation stressful and upsetting. Where appropriate the Council will endeavour to offer support for employees during the process. However, substantiated allegations will be dealt with as a disciplinary offence.
- 2. Family Leave Policy and Procedure:** This is a revision of existing policies and procedures to reflect the changes introduced by the Children and Families Act 2014. The current Maternity, Adoption and Paternity Policies and Procedures have all been combined into this one document. The new Shared Parental Leave provisions are also included. The changes are summarised below:

Maternity	No changes to Statutory or Nationally Agreed Schemes
Adoption	<ul style="list-style-type: none"> Extended to cover 'Foster to Adopt' and surrogacy arrangements Statutory leave and pay entitlements aligned with Maternity Leave Proposal to extend Nationally Agreed Provision for Maternity Pay to Adoption as a local provision
Paternity	<ul style="list-style-type: none"> No changes to Statutory scheme for ordinary paternity leave and pay Proposal to amend local provision to remove a day's leave for the day of the birth (if a working day) No change to local provision for 3 weeks paid leave Statutory scheme for Additional Paternity Leave abolished and replaced by Shared Parental Leave
Shared Parental Leave	<ul style="list-style-type: none"> This is a new statutory provision which has been incorporated into the Policy and Procedure. It allows both carers to convert remaining Maternity or Adoption leave to Shared Parental Leave so they can share it between them, subject to them both meeting eligibility criteria. It provides flexibility in how the leave can be taken e.g. both carers can take the leave at the same time or they can request discontinuous blocks of leave.

- 3. Annual Pay Policy Statement:** As reported each year, the Council is required under the Localism Act 2011 to prepare, approve and publish a pay policy statement. For the first time this year it includes a calculation for the gender pay gap.

Consultation with Trade Unions

4. All of the policies have been through consultation and negotiation with both trade unions and are agreed subject to ratification by their respective branch committees.

Legal Issues

5. Employment policies form part of the Council's terms and conditions of employment for all employees, requiring employees to adhere to their contents. Managers are required to ensure consistent, fair and equitable application of these policies to meet employment law requirements and good practice.

Financial Issues

6. By having clear and legally compliant policies the risk of any financial compensation is minimised.
7. The Family Leave Policy includes the addition of a locally agreed pay scheme equivalent to the Nationally Agreed Maternity provision. The number of adoption cases is very small so the additional cost is insignificant particularly when compared with the risk of not aligning payments.

Environmental Impact

8. There are no environmental impacts.

Level of Risk

9. These policies will ensure that the Council complies with its legal requirements and the clear guidance to managers and employees will ensure consistency. The absence of the policies would increase the risk of legal action against the Council with associated financial and employee relations implications. A risk register is attached at Appendix 4.

Equalities Impact

10. An initial Equalities Impact Assessment is attached at Appendix 5 indicating there are no adverse impacts

Name and contact details of author:-

Name Simon Howick
Job title Head of Human Resources & Facilities
Service Area / Department Human Resources
Tel: 01865 252547 e-mail: showick@oxford.gov.uk

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