

Summary Table for HR Committee February 2023

Key: **Yellow** means we have flagged for information / awareness as there is a change to one or more of the District Councils

Blue means a change to the existing previously agreed SCC policy requiring approval by HR Committee

| Policy | Points to Note | Suggested Approval Route |
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| Disciplinary | <p>We have:</p> <ul style="list-style-type: none"> • Removed 'Verbal / Oral Warnings' in line with updated Acas guidelines (only SCC had verbal/oral warnings). • Tightened up the wording on suspension in line with new Acas guidance (the emphasis being on suspension as a last resort, where all other options have been considered and ruled out). • Amended the 5-day rule for a postponed hearing – so the requirement is to now arrange a new date within 5 working days, rather than the hearing having to take place within 5 days of the originally proposed date. In practice this is incredibly difficult to comply with. • We have removed the need for investigation training (a requirement of some of the Districts). • We have removed the mention of unpaid suspension from examples of Action Short of Dismissal (Action Short of Dismissal is not included in SDC or SWT policy currently). • Added / reiterated the option of an informal level outcome following a formal hearing- via a Letter of Expectation. • Added in a section covering under 18-year-olds and hearing representation. • Added a section on recording of meetings to allow option of voice recording if | <p>Requires Committee approval due to changes to SCC’s existing policy.</p> <p>Also changes to one or more District Councils to note for information</p> |

Appendix 1

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| | agreed by all parties. | |
| Grievance | <ul style="list-style-type: none"> We have emphasised the importance of trying to resolve a grievance informally wherever possible, as we know that this often leads to a better outcome for all involved. As with disciplinary above, we have amended the 5-day rule for a postponed hearing so that it should be rearranged, rather than taking place within that timeframe. We have added in a short section on collective grievances, following feedback from operational HR advisors. 3 of the District currently have a separate bullying and harassment policy, so it is a change in some respects for them, as we have maintained SCC and 1 District's approach of incorporating bullying and harassment concerns into the grievance policy. That said, the process for resolving any employee concern would follow the same key principles and be seeking the same outcome, and therefore the grievance process is deemed suitable for continuing to manage concerns relating to bullying and harassment in Somerset Council. The policy also provides a direct link to our Dignity at Work Code of Practice which provides very detailed information, including definitions and our rights and responsibilities on this subject. | <p>Requires Committee approval due to some changes to SCC's existing policy.</p> <p>Also changes to one or more District Councils to note for information.</p> |
| Appeals | <ul style="list-style-type: none"> Some DCs do not currently have a separate appeal policy setting out process but our view was that it was helpful to have the process set out in one document. SSDC currently have no compulsory Member appeals, whereas all other partners do, and we have gone with the majority on this, maintaining Member appeals for dismissals linked to disciplinary, capability and sickness absence. SW&T have a Member appeal for grievances, but we have followed the majority approach again, listing this as a standard appeal in the new policy. Appeals against Action Short of Dismissal (which is currently only listed in the SCC policy), have been moved from a Member appeal to a standard appeal, as this 'fits' | <p>Requires Committee approval due to some changes to SCC's existing policy.</p> <p>Also changes to one or more District Councils to note for information.</p> |

Appendix 1

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| | <p>better.</p> <ul style="list-style-type: none">• We have added in the same statement about the option to record hearings, subject to agreement of all parties in advance, in line with the disciplinary policy.• We have maintained SCC's separate process for hearing redundancy appeals (as set out within the policy). It is felt that there is justification for treating these slightly differently again, given the potential sensitivities and outcomes from a redundancy appeal (unlike disciplinary appeals, a redundancy appeal panel cannot overturn and reinstate a redundancy dismissal, but they can deem the selection for redundancy unfair, in which case it is referred back to the employing service area to reconsider). | |
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