

## NOTICE OF MEETING

# GENERAL PURPOSES COMMITTEE

\*Please note that there will be a training session for Members of the Committee from 7.00-7.30pm

**Thursday, 6th July, 2023, 7.30 pm - George Meehan House, 294 High Road, N22 8JZ (watch the live meeting [here](#), watch the recording [here](#))**

**Members:** Councillors Reg Rice (Chair), Cressida Johnson (Vice-Chair), Charles Adje, Dawn Barnes and Erdal Dogan

**Quorum:** 3

### 1. FILMING AT MEETINGS

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

### 2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (IF ANY)

To receive any apologies for absence.

### 3. URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under agenda item 9 below. New items of exempt Urgent Business will be dealt with at agenda item 12 below).

#### **4. DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

#### **5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

#### **6. HR POLICIES - NEW AND REVISED POLICIES (PAGES 1 - 36)**

The report outlines the content of three HR policies:

- The Relocation Policy is new and is being introduced for the first time.
- The Capability Policy policy is a revision of existing Guidelines.
- There is an addition to the Annual Leave and Time Off Policy to make provision for Carers Leave.

#### **7. PEOPLE REPORT - JUNE 2023 (PAGES 37 - 44)**

The People Report is designed to give officers and members relevant workforce data in an easy to understand format in order to support informed strategic decision making.

#### **8. HR POLICY REVIEW - FORWARD PLAN FOR 2023/24 (PAGES 45 - 48)**

To provide the General Purposes Committee with a forward plan outlining the HR policies to be brought to Committee in the 2023 /24 municipal year

#### **9. NEW ITEMS OF URGENT BUSINESS**

**10. DATES OF FUTURE MEETINGS**

3 October 2023  
8 January 2024  
8 February 2024

**11. EXCLUSION OF THE PRESS AND PUBLIC**

Item 12 is likely to be subject to a motion to exclude the press and public from the meeting as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paragraph 1-7

**12. ITEMS OF EXEMPT URGENT BUSINESS**

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Wednesday, 28 June 2023

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**Report for:** General Purposes Committee, 6 July 2023

**Item number:**

**Title:** HR Policies – New and Revised policies

**Report authorised by:** Dan Paul, Chief People Officer

**Lead Officer:** Tanya Patchett, Head of Employee Relations, Business Partnering and Reward

**Ward(s) affected:** None

**Report for Key/ Non-Key Decision:** Non-key

**1 Describe the issue under consideration**

The report outlines the content of three HR policies:

- The Relocation Policy is new and is being introduced for the first time.
- The Capability Policy policy is a revision of existing Guidelines.
- There is an addition to the Annual Leave and Time Off Policy to make provision for Carers Leave.

**2 Cabinet Member Introduction**

Not applicable.

**3 Recommendations**

That Committee consider and approve each of the attached policies, and delegates authority to the Chief People Officer to make such amendments as considered minor.

**4 Reason for decision**

The policies are brought to committee in line with the HR policy review schedule previously agreed with members. They have undergone extensive consultation with the trades unions and with managers internally. The final versions attached at Appendices 1 – 3 include changes as a result of the consultations.

**5 Alternative Options Considered**

Not applicable.

**6 Background information**

- 6.1 The new **Relocation Policy** is being introduced to support permanent recruitment to hard to recruit posts. It is not an automatic entitlement, and managers will consider whether the post should be advertised with relocation assistance available on a case by case basis, with advice from the Recruitment team in Human Resources. Most organisations have a policy on relocation assistance and it is important that the entitlements and limits are clear and consistent, as well as in line with HMRC rules. The introduction of this policy supports best practice. A copy of the policy is attached at Appendix A.
- 6.2 The revised **Capability Policy** has been redrafted to ensure the process is well understood and is clear. The organisation has a focus on performance management and a clear capability process is important to ensure that performance is well managed and that the council is operating efficiently and effectively. . A copy of the policy is attached at Appendix B.
- 6.4 The **Annual Leave and Time Off Policy** has been added to as follows:

#### **Carers Leave**

All employees with caring responsibilities can take up to 5 paid days of carers leave on a rolling 12-month period and this leave can be taken in full days or in hours (part days). This will apply to all employees from the first day of employment. Employees are required to have an informal discussion with their line manager before taking the leave.

This addition is best practice and supports our employees who have caring responsibilities. It is in line with our corporate values and ensures that employees have an appropriate work/life balance and are supported. A copy of the policy is attached at Appendix C.

## **7 Statutory Officers' comments (Chief Finance Officer (including procurement), Legal and Governance.**

### **7.1 Finance**

Whilst the carer's leave introduces an additional type of paid leave, there are no budgetary implications and any increase in absence will be managed from existing resources. Any costs arising from the relocation policy will be met by services from existing budgets.

### **7.2 Head of Legal and Governance ( Monitoring Officer)**

The terms of the General Purposes Committee includes the approval of all HR policies. This report proposing a new HR policy and two revised policies falls within the remit of the Committee.

The Head of Legal and Governance was consulted and provided comments on the policies that are appended to the report.

**8 Use of Appendices**

Appendix A – Relocation Policy

Appendix B – Capability Policy

Appendix C – Annual Leave and Time Off Policy

**9 Local Government (Access to Information) Act 1985**

Not applicable.

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# Relocation Policy v0.1

June 2023

## Table of Contents

<b>1</b>	<b>Purpose</b>
<b>2</b>	<b>Scope</b>
<b>3</b>	<b>General Principles</b>
<b>4</b>	<b>Available fund and taxation</b>
<b>5</b>	<b>Eligibility for Relocation (UK and Overseas)</b>
<b>6</b>	<b>Claiming expenses</b>
<b>7</b>	<b>Repayment Conditions</b>
7.1	Recovery of Relocation Assistance
<b>8</b>	<b>Further Support</b>
<b>9</b>	<b>Links to other policies</b>

### 1. PURPOSE

The relocation assistance is a benefit to support new employees who are successful during the recruitment process for 'hard to recruit' role and require assistance to move closer to the

new workplace. This policy sets out relocation assistance support for new employees who are eligible to claim back the costs that occurred because of the move related to taking up employment at the Council. Not all posts will be eligible for relocation, it will be made clear on the advert if relocation assistance is a consideration for the post.

All claims for relocation assistance must be submitted within 12 months of the first date of employment. The Assistant Director will review, confirm, and sign off the relocation assistance claim before the employee is paid.

The relocation policy and procedure does not form part of the Council's contractual terms and conditions of employment. As such, the Council reserves the right to amend or discontinue this policy and procedure at its discretion. In such circumstances, the Council will provide notice of the amendment/discontinuance to staff and trade union, where appropriate.

## **2. SCOPE**

The policy applies to all new Council employees, applying for eligible posts. It does not apply to posts under the local management of schools.

## **3. GENERAL PRINCIPLES**

The general principles for this policy are as follows:

- The role must be an agreed as a 'hard to recruit' role and must have included in the advert that relocation assistance will be subject to approval.
- For those vacancies that are part of the international recruitment scheme, the advert must include relocation assistance information and it must qualify for the criteria set by the UK Visa and Immigration for work visa application.
- International applicants must be successful at the recruitment stage and already have been given a work visa to start employment.
- The new employee must, at the time of applying for a role with the Council, live 75 miles or more from the new workplace address and move within 20 miles of that address. This will be measured using the [AA route planner](#) from the main workplace address.
- The applicant is responsible for all arrangements in respect of moving and travel.
- Managers are required to notify the Assistant Director of all relocation assistance requests from applicants.
- The Assistant Directors are responsible for reviewing and making the final decision on the relocation assistance requests.
- Relocation assistance will be paid directly from the service budget as there is no central budget to cover this cost.

#### **4. AVAILABLE FUND AND TAXATION**

The standard relocation assistance support that a new employee can claim is maximum £8,000 and it is not a lump sum payment. The costs must be claimed by the deadline provided by HRMC, which is the end of the financial year following the year the employee starts working. For example, if the employee starts their employment on the 31<sup>st</sup> March 2023, the claim must be accepted and paid by the 5<sup>th</sup> April 2024. The employee will be able to claim on the eligible expenses stated in the practice notes and not all items can be claimed together. Further guidance on claiming eligible expenses will be in the practice notes.

#### **5. ELIGIBILITY FOR RELOCATION (UK AND OVERSEAS)**

For both UK and international applicants, eligibility for relocation assistance support will be similar. The job must be confirmed as a 'hard to recruit' role or a part of an international recruitment scheme. Posts will be assessed on a needs basis to see if they are difficult to fill.

During the recruitment process, the applicant must notify the hiring manager that they will require relocation assistance. The manager must inform the Assistant Director of all applicants who require relocation assistance as the support funds will come directly from the service budget. The Assistant Director is responsible for approving the relocation assistance for the role before it is advertised and for accepting all eligible claims before it is reimbursed to the employee.

#### **6. CLAIMING EXPENSES**

The employee will be able to claim expenses related to the relocation from their first day of employment. This includes any costs incurred before starting their employment with the Council, but it must be directly relevant to the job such as visiting the new area whilst working their notice period.

Employees must fill in the relocation assistance form with all the costs they wish to claim under the relocation policy. The form must have all original relevant documents to support the claim such as rental agreement, receipts of purchases, flight tickets or any other documentation. There are no restrictions on the companies the employee may use for the move. However, there is a cap on how much the employee can claim towards each item when claiming for relocation assistance. The relocation assistance payment will be paid on the same day as the salary is paid according to the employee's contract. The Council reserves the right to either not accept the claim in full or only agree to partially pay the claim if there is a lack of documentation or justification. Further information on the eligible expenses is in the practice notes.

#### **7. REPAYMENT CONDITIONS**

Append agreement to be signed by eligible employee to repay the relocation support back to the Council if:

- The employment is terminated by either party within two years from the first day of employment.
- The employee moves out of the residential area/miles agreed within two years whilst still employed by the Council.

### 7.1 Recovery of Relocation Assistance

The repayable amount would be reduced by 1/24<sup>th</sup> for every completed month up to two years from the start of their employment. For example, if the employee claims £1,500, the amount will be reduced by £62.50 per complete month until the 24<sup>th</sup> month of employment. However, if the employee leaves before 24 months, any outstanding payment left on the relocation assistance will be recovered from their final salary.

## 8. FURTHER SUPPORT

Employees will have the option to access any additional benefits provided on the staff intranet.

## 9. LINKS TO OTHER POLICIES

Recruitment Policy

## Document Control

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Key Information	
Title	Relocation Policy v0.1

<b>Document Type</b>	Policy
<b>Document Status</b>	<i>Draft</i>
<b>Author</b>	HR Specialist (Policy and Project)
<b>Owner</b>	
<b>Contact</b>	
<b>Approving body</b>	<i>Normally S&amp;R committee, give date of committee when it was approved</i>
<b>Date of Publication</b>	<i>Provisionally June 2023</i>
<b>Date of Review</b>	<i>June 2025</i>

<b>Revision History</b>			
<b>Version</b>	<b>Date</b>	<b>Summary of Changes</b>	<b>Name</b>
<i>0.1</i>	<i>June 2023</i>	<i>Updated the process of the relocation support and designed the policy</i>	<i>AL</i>



# Capability in the Workplace Policy v0.2

October 2012 revised June 2023

## Table of Content

<b>1</b>	<b>Purpose</b>
<b>2</b>	<b>Scope</b>
<b>3</b>	<b>General Principles</b>
<b>4</b>	<b>Negligence and Capability</b>
<b>5</b>	<b>Definition of capability and reasonable measures</b>
5.1	Protected Characteristics
5.2	Reasonable Adjustments
5.3	Occupational Health Referral
<b>6</b>	<b>Standard Setting</b>
6.1	Outcome of the standard-setting meeting
6.2	Regular meetings
6.3	Underperformance due to misconduct
<b>7</b>	<b>Right to be Accompanied</b>
<b>8</b>	<b>Formal Capability Process</b>
8.1	First Formal Meeting
8.2	Outcome of First Formal Meeting
8.3	Second Formal Meeting
8.4	Outcome of First Formal Meeting
<b>9</b>	<b>Capability Hearing</b>
9.1	Invitation to Hearing
9.2	Purpose of Hearing
9.3	Rearranging Hearings
9.4	Capability Hearing Outcomes
9.5	Dismissal Hearing for Chief or Deputy Chief Officer
<b>10</b>	<b>Appeal Process</b>
10.1	Appeal Hearing for Officers
10.2	Grounds of Appeal
10.3	Appeal Hearing for a Chief or Deputy Chief Officer
<b>11</b>	<b>Grievance during Capability</b>
<b>12</b>	<b>Other Considerations</b>
<b>13</b>	<b>Further Reference</b>



## 1. PURPOSE

This policy is to be used when the performance of an employee has been identified as falling below the acceptable standard. The capability policy aims to enable managers to address capability concerns with employees by stating clear standards and providing an improvement plan, so performance can be improved. The policy will provide a framework to support the employee to resolve performance concerns in a fair and supportive way. In circumstances where performance does not improve even with reasonable measures and support from managers, this policy alongside the practice notes will provide guidance on how to progress with the formal stage of the capability process including the hearing stage and any potential outcomes that may be considered at a capability hearing.

## 2. SCOPE

This policy applies to all council employees except for teachers and staff working in schools who have their own local management and policies. Capability concerns for agency workers should be addressed through Matrix, the Council's temporary staffing system to inform the locums agency or directly to an alternative agency provider. Managers should use the [probation policy](#) for employees who are currently on probation and have capability concerns. For employees who are currently on long-term sickness and are unable to return to their normal duties, the manager should refer to the [sickness policy](#) and [practice notes](#) when managing capability during sickness.

## 3. GENERAL PRINCIPLES

This policy sets out the general principles that should be followed when dealing with capability concerns.

- Managers are responsible for setting standards and monitoring the progression of performance improvement as soon as performance concerns become apparent. This will include scheduling a meeting with the employee to address the concerns and provide a plan to support the employee. Where an employee has long-term condition or disability, the support plan should include any reasonable adjustments such as alterations to the workstation and if applicable, using occupational health and/or access to work to offer a guidance for adjustments within the workplace.
- Managers are responsible for ensuring that all employees being managed under the capability policy are informed in writing of the concerns and given the improvement plan with agreed reasonable timeframes for improvement.
- Managers are expected to monitor and review performance regularly and where necessary, progress to a formal procedure if performance improvement has not been made.
- Employees are required to fully engage and work with their manager during the capability process. Refusal to do so, could be considered a conduct issue and be managed through the disciplinary procedure.
- Employees should ensure they understand what is expected of them related to the performance improvement and seek clarification where required.

- The Council will make every effort to deal with capability concerns as quickly as possible and at the appropriate management level.
- Any grievances raised during Capability procedures will be managed in line with the Grievance Policy (**see section 10 of this policy**).
- All employees who are the subject of this procedure have the right to be accompanied at formal meetings (**see section 7 of this policy**) by a recognised trade union representative or work colleague. It is the employee's responsibility to make these arrangements.
- All parties involved in this procedure must ensure that they maintain the confidentiality of the process within and outside the Council.
- All capability records will be treated as confidential and will be kept in line with the data protection guidelines.
- If at any stage within this procedure, it becomes clear that the performance concern relates to misconduct, the matter will be addressed in line with the [Disciplinary Policy](#) and the capability process will cease.
- Implementation of any stage of the formal capability procedure will be discussed first between the line manager and the HR Employee Relations Team.
- A member of the HR Employee Relations team will be consulted and provide advice on formal procedures.
- An employee will have the right to appeal against an outcome imposed under the formal capability procedure. Warnings issued will remain in place pending the outcome of any appeal and to be kept for a reasonable period in line with the GDPR.
- The Council will provide coaching and support to all Head of Services, Managers and Supervisors related to this policy and periodically offer training through formal learning and development training events.

#### **4. NEGLIGENCE AND CAPABILITY**

Negligence can be an action undertaken by an employee, which results in harm or injury, this may be due to inadequate training, mistakes, or deliberate action of refusing to follow instructions. It is important to identify if the negligence was linked to capability (unable to do something) or misconduct (unwilling to do something). All negligence actions that are related to misconduct must be referred to the [Disciplinary Policy](#).

#### **5. DEFINITION OF CAPABILITY AND REASONABLE MEASURES**

Capability management is the process of managing performance when the employee is unable to perform at the standard required for the role. Managers should have an informal discussion with the employee when underperformance is identified. It is important to differentiate between misconduct and underperformance to make an informed decision on how to manage the case. Underperformance related to misconduct is linked to behaviour or attitude from the employee towards the duties at work, for example not following instructions or refusing to complete tasks, when asked. Whereas capability is related to the employee not being able to complete a task because of lack of ability, health or external factors that would have a negative impact on how the employee performs at work. When it has been identified as underperformance due to

capability, the manager and the employee should put a plan in place to resolve the underperformance as such offering necessary training, flexible working adjustments, refer the employee to occupational health and/or request for the employee to self-refer to access to work for further advice and guidance.

### **5.1 Protected Characteristics**

It is important for all council officers to be aware of the protected characteristics and to be able to identify the differences of colleagues at work in line with the legislation. The Equality Act 2010 provides a framework to protect individuals from unfair and discriminatory treatment in and out of the workplace. Being aware of the protected characteristics can help managers in identifying potential barriers at work and provide reasonable adjustments for employees.

The protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

### **5.2 Reasonable Adjustments**

Reasonable adjustments are changes or adaptations which help to remove or reduce disadvantages for an employee with a known disability or long-term health condition. It is important to identify what would be a reasonable adjustment for the employee and establish the feasibility of such changes within the workplace. The manager is required to communicate with the employee, discuss with medical professionals such as the occupational health team and where necessary, request the employee to apply for a workplace assessment report from access to work to ensure that, where possible, reasonable adjustments are made in the workplace to enable the employee to do their role up to an accepted standard. Further guidance on how to manage reasonable adjustments is provided in the [Reasonable Adjustment and Access to Work Guidance](#).

### **5.3 Occupational Health Referral**

The Occupational Health provider used by the Council is PHC Healthcare Ltd, and if a manager wants to refer an employee to Occupational health, the manager must discuss this first with the employee and fill in an OH management referral form. The manager will email the form to the provider.

Employees who have been referred to OH, has the responsibility to attend the appointment or reschedule the appointment at least 48 hours before the scheduled appointment. The employee needs to prioritise the OH appointment and ensure they give sufficient time to travel to the appointment. A charge of £195 will be made for each missed occupational health appointment. Further information on [Occupational Health referrals](#) can be found on the intranet.

## 6. STANDARD-SETTING

Capability concerns may be resolved through day-to-day management interventions. The line manager should take every opportunity to promptly raise concerns informally by discussing with the employee to establish the reasons of underperformance. It is important for managers to keep a note of meetings where such discussions have taken place. By providing examples of where performance has been unsatisfactory, clarify the standard required for performance and manage any challenges that the employee may be facing at work (standard-setting meeting). If it is identified the performance concern is related to the employee's personal life, the manager should encourage the employee to contact Employee Assistance Programme and agree on a timescale with the employee in which expected performance will be restored and provide reasonable adjustments such as flexible working, where appropriate.

### 6.1 Outcome of the standard-setting meeting

The employee should be given sufficient time to demonstrate performance improvement. The manager should confirm the agreed outcomes of any discussions in writing to the employee; a form is attached on the practice notes. The Improvement Plan should include measurable objectives, expectations, and timescales for review. The timescale for the standard setting is a minimum of 1 month and a maximum of 3 months before proceeding with the formal capability process.

### 6.2 Regular meetings

Managers are required to have regular supervision meetings with the employee during the standard setting stage and formal stages of the capability process. The recommendation is weekly supervision meetings within the 1 to 3 months' timeframe depending on the nature of the work and the requirements. At the end of the standard setting, managers must schedule a meeting to discuss the progress and next steps. The manager may progress to the formal stage earlier than expected if the employee has not achieved their performance requirement during the review period or does not maintain their performance within 12 months after the capability case has been closed. The manager should keep all the written notes and documentation of all the meetings they have with the employee and provide copies to the employee of what has been agreed. If the employee's performance has improved to the standard required, then the capability case will close. Should the employees' performance fail to improve after reasonable support and adjustments (if needed) are made, the manager will notify the employee during supervision meeting that the capability process will move to the formal stage and invite the employee for a first formal capability meeting with a minimum of 5 working days.

### 6.3 Underperformance due to misconduct

If it becomes apparent that the performance concern is conduct-related issue rather than capability, the manager should refer to the [Disciplinary Policy](#) and start the preliminary investigation before proceeding with the formal disciplinary process. Managers are recommended to check the [code of conduct](#) for behaviours and actions that would be managed under the Disciplinary Policy instead of Capability.

## **7. RIGHT TO BE ACCOMPANIED**

The employee has the statutory right to be accompanied at any formal stage of a capability process, they may be accompanied by a work colleague, a trade union representative, or an official employed by a trade union.

For the informal capability processes, the employee does not have the right to accompanied but may be accompanied by a work colleague for support. Legal representation is not appropriate or allowed for the capability process.

## **8. FORMAL CAPABILITY PROCESS**

### **8.1 First Formal Meeting**

If the employee has not improved their performance after the standard-setting meeting, the next step would be to invite the employee to a first formal meeting. During this meeting, the manager will outline the areas of concern/underperformance, the improvement plan and any support and reasonable adjustments provided in the standard setting stage. The manager will inform the employee why they do not feel performance has reached an acceptable standard. The employee and their representative will have the opportunity to respond and outline any contributing reasons.

During this meeting, the manager should discuss the following:

- Notes from the standard-setting meeting and what was not achieved
- Identify the causes of continuing poor performance and if any further support can be provided
- Targets and what needs to be achieved or improved
- If there is any, the impact the underperformance has on the service and other colleagues
- Reasonable adjustments
- Setting review periods for the employee to reach the required standard
- Considering redeployment for employees with permanent medical conditions, in consultation with Occupational Health
- The employee should be made aware of possible outcomes if they fail to achieve and maintain the required standards.

### **8.2 Outcome of First Formal Meeting**

Following the first formal capability meeting, the manager should implement an improvement plan with reasonable timescales. The outcome of the meeting may be:

- No formal action (continue to manage informally and regular review the improvement plan)
- Issue a first formal warning with monitoring period of 6 to 12 months with a review period of 1 to 3 months.
- Agree on a performance improvement plan with timescale and regular reviews.

In the outcome letter for the first formal meeting should include what was discussed, the improvement plan, review period, next steps in the process and if applicable, the first formal warning and how long it will be in place for. The manager should deliver the outcome in writing within 5 working days.

During the review period, the manager is required to have regular meetings with the employee to review performance and provide regular feedback, this should be completed weekly. At the end of the review period, the manager must review performance and decide if they will proceed with the second formal meeting or conclude the capability process, depending on whether performance has reached the required standard. However, If the employee continues to underperform during the review period, the manager, in consultation with the HR Employee relations team, can invite the employee for a second formal meeting before the end of the review period. If the case closes after the review period due to the employee improving their performance, they will be monitored for 12 months and if their performance falls below the standard required, they will be invited to a second formal meeting.

### **8.3 Second Formal Meeting**

If the manager decides to proceed with the second formal meeting, they will inform the employee during the supervision meeting and send out the invite for the meeting. During second formal meeting, the manager will provide feedback on what was agreed in the first formal stage and why the employee has been invited to a second formal meeting. The employee and their representative will have the opportunity to comment on any feedback given by the manager and discuss any challenges, support and training needed to support the employee's performance improvement.

During the second formal meeting, the manager will discuss the following:

- The previous plan and targets
- What was not achieved
- Setting review periods for the employee to reach the required standard
- What if any, impact the underperformance has on the service and other colleagues
- Considering redeployment for employees with permanent medical conditions, in consultation with Occupational Health.
- Further reasonable adjustments, if needed
- The employee should be made aware of possible outcomes if they fail to achieve and maintain the required standards.

### **8.4 Outcome of the Second Formal Meeting**

Following the second formal capability meeting, the manager should revise the improvement plan with new reasonable timescales. The outcome of the meeting may be:

- No formal action (continue to manage informally and regular review the improvement plan)
- Issue a second formal warning with monitoring period of 6 - 12 months with review period of 1 to 3 months.
- Agree on an extension of the performance improvement plan

The outcome letter for the second formal meeting should include what was discussed, the improvement plan, review period and if applicable, a second formal warning and how long the warning will be in place. The manager should deliver the outcome in writing within 5 working days.

During the review period, the manager is required to have regular meetings with the employee to review performance and provide regular feedback, this should be completed weekly. At the end of the review period, the manager must review performance and decide if they will proceed with the capability hearing or conclude the capability process, depending on whether performance has reached the required standard. However, if the employee continues to underperform during the second review period, the manager, in consultation with the HR Employee relations team, can invite the employee for a capability hearing before the end of the review period. If the case closes after the review period due to the employee improving their performance, they will be monitored for 12 months and if their performance falls below the standard required during that period, they will be invited to a capability hearing.

## **9. CAPABILITY HEARING**

### **9.1 Invitation to Hearing**

The employee will be informed verbally during the supervision meeting and notified in writing of the date of the Capability Hearing. The invitation will be sent at least 5 working days before the hearing date. The invite will include the name of the manager chairing the hearing, the capability concerns and enclose all relevant documents including outcome letters from the previous meetings. A member of the HR Employee Relations team will be present at the hearing. The manager chairing the formal capability hearing must be senior to the manager who carried out the first and second formal meeting. The capability hearing must be chaired by an Assistant Director if one of the potential outcomes of the hearing is dismissal. The employee will be invited to submit evidence and/or written statements to the HR Employee Relations Team at least 2 working days before the Capability hearing.

### **9.2 Purpose of Hearing**

The purpose of the hearing will be to:

- Review the case and history of the capability process

- Invite the employee to make comments about the underperformance
- Take notes of the employee's and the manager's comments.
- Explore other factors before deciding on the outcome.
- Issue an outcome which may be a warning for first formal capability hearing, redeployment, or dismissal in the event of second formal capability hearing.

The Chair should keep notes of the hearing and provide an outcome letter to the employee within 5 working days. The hearing will be recorded unless the employee gives a minimum of 2 days' notice that they do not wish it to be recorded. It is the responsibility of the Chair to provide a suitable notetaker for the hearing if the employee refuses for the meeting to be recorded. For information about the capability hearing process please see the practice notes.

### 9.3 Rearranging Hearings

If the employee or their representative cannot attend at the hearing scheduled date, the employee must inform their line manager and/or the HR Employee Relations team immediately and an alternative time may be arranged. The employee must make every effort to attend a hearing. If the employee fails to attend without giving a good reason or is unable to attend the re-arranged hearing, the hearing may be heard in their absence on the available evidence. The chair of the hearing may decide on the request of the trade union representative to represent the employee in the capability hearing if the employee is unable to attend.

### 9.4 Capability Hearing Outcomes

The Chair will consider all the information given by the manager such as the improvement plan, support, training, and any reasonable adjustments for the employee were adequate. Also, the Chair will consider any mitigating factors to support the employee's evidence. After reviewing all the evidence, the Chair will decide on the capability case outcome, the outcome may include:

- A decision to take no further action
- Issue a capability warning active for six to twelve months
- Permanent redeployment to a suitable role if the employee has a disability or long-term condition, for this outcome the chair should review the organisational change policy for redeployment process.
- Extension of an improvement plan for maximum of 6 weeks
- Termination of Employment on the grounds of capability (In the event this is a second capability hearing and considering the previous sanction)

The chair should consider all alternative outcomes to dismissal including redeployment. When considering redeployment, the chair must consider the ability of the employee to be able to perform in the alternative role, pay protection if the role is less senior to the current role and any potential impact on the employee's contract of employment, following the **Organisational Change Policy Section 8 Redeployment Process**.



The employee can refuse to be redeployed, however, the only alternative available is usually dismissal. Any dismissals will be with full notice in line with the employee's contract and payment will be made in lieu of notice. In cases where an employee has had a previous hearing and breached the outcome such as a warning, a second formal capability hearing can be scheduled. The steps in **section 8.1** should be followed and assistant director should chair the hearing as the outcome could be dismissal.

The outcome of the capability hearing will be communicated to the employee in writing within 5 working days of the decision. The outcome letter will set out what was discussed, the reason for the decision, why other options were not appropriate including any mitigation and the outcome of the hearing. It will also give information on how the employee can appeal the decision. Enclosed with the outcome letter will be a transcript of the hearing recording or a copy of the meeting notes.

### **9.5 Dismissal Hearing for Chief or Deputy Chief Officer**

A Chief Officer (defined as a postholder who reports directly to the Head of Paid Service, i.e., a Director) or a Deputy Chief Officer (defined as a postholder who reports direct to a Chief Officer, i.e. an Assistant Director or any other post that reports to a Chief Officer) may only be dismissed by a panel of Members.

When a hearing is due to take place where the realistic outcome may be dismissal, the case must be heard by a Member panel and not by an Officer panel.

The HR Employee Relations Team will liaise with the Committee Services team to arrange the date, time and venue for the hearing and will confirm the names of the Members who will form the panel.

The process and timescales for Member hearings will normally be the same as for Officer panel hearings but will be subject to the diary commitments of Members.

The hearing will be recorded, and a transcript provided to the employee. The relevant Cabinet member may be invited to attend the hearing, but they may vote only as a substitute member for one of the substantive members of their Group on the Panel (not in addition).

To be quorate, there must be at least 3 members in attendance.

## **10. APPEAL PROCESS**

### **10.1 Appeal Hearing for Officers**

The employee may appeal the outcome of the capability hearing. Appeals lodged against an outcome less than dismissal will be reviewed by an officer of more senior level than the officer who chaired the Capability hearing. Appeals against Dismissal will be heard by a panel of members.

## 10.2 Grounds of Appeal

- The process is unfair.
- Any part or the overall process of the formal capability was unreasonable.
- The evidence presented in the hearing is not substantiated.
- The employee believes the decision at the capability hearing is unduly harsh.
- New evidence to be presented by the employee.
- Failure to implement reasonable adjustments.

Appeals must be submitted no later than **10 working days** after the date of the final decision/dismissal letter and appeals are to be held normally **no later than 20 days upon receipt of the appeal**. Details on how to appeal will be provided in the outcome letter. The decision of the appeal panel is final. A member of the HR Employee Relations team will provide HR advice to the panel. The employee is entitled to be represented at the appeal hearing by a workplace colleague or Trade Union Representative.

## 10.3 Appeal Hearing for a Chief or Deputy Chief Officer

As with other employees, an appeal lodged against the decision to dismiss must be heard by a Member panel. The dismissal appeal panel for Chief and Deputy Chief Officer hearings must be a different panel to the one involved in the original dismissal decision. As with all other hearings, the Member appeal panel hearing will be recorded, and a transcript provided to the appellant in line with the policy.

Details on how to appeal will be outlined in the outcome letter, an appeal must be received by the HR Employee Relations team no later than **10 working days** after the letter confirming the outcome of the hearing has been received.

## 11. GRIEVANCE DURING CAPABILITY

There is no legal requirement that a capability process should be postponed whilst responding to a grievance raised by the employee. The process to respond to a grievance should be followed as detailed in the [Grievance Policy](#).

The manager has three options that they can follow to ensure that the grievance is responded to:

- Dealing with the grievance separately from the capability process
- Temporarily placing the capability process on hold whilst responding to the grievance
- Managing both the Grievance and Capability together

Managers should consider that temporarily placing the capability process on hold can give them enough time to properly investigate and consider the grievance. However, underperformance is likely to persist while the grievance is investigated. Depending on the nature of the grievance and its relationship to the capability process, it may be appropriate to handle both at the same time. It is important to ensure that both processes are managed properly, and that the manager keeps a written record of all processes followed.

## 12. OTHER CONSIDERATIONS

Any attempts to hinder the capability process will be considered a conduct issue and dealt with appropriately under the [disciplinary procedure](#). Should an employee choose to resign to circumvent the capability process, they may be required to serve a notice period. In this case, all efforts should be made to conduct and conclude the capability process before the end of their notice period. In the event the process is not concluded, it may be taken into account in the event the colleague applies to re-join Haringey Council as an employee within 12 months.

Where it is not possible to hold a face-to-face meeting under this procedure, the Council will conduct the process remotely. The employee and their representative will have to access [MS Team guidance](#) on the intranet to be able to access the meeting and hearing remotely. Their rights will not be affected, and the Council will ensure that the procedure remains fair and reasonable.

If the employee has a disability that may have an impact on their ability to participate fully in this process, they should inform the Employee Relations team who will consider appropriate reasonable adjustments.

Capability concerns will be dealt with sensitively and with due respect for the employee involved. Any information communicated during the capability policy must be treated as confidential.

## 13. FURTHER REFERENCES

Capability Policy Practice Notes

Reasonable Adjustments and Access to Work

Flexible working policy

Sickness Absence Policy

### Document Control

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<b>Key Information</b>
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<b>Title</b>	Capability at Work Policy		
<b>Document Type</b>	Draft		
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<b>Author</b>	HR Policy and Project Specialist		
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<b>Contact</b>			
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<b>Version</b>	<b>Date</b>	<b>Summary of Changes</b>	<b>Name</b>
0.1	October 2012		
0.2	June 2023	Change of structure of the policy layout to be the same as Disciplinary and Grievance	AL



# Annual Leave and Time Off Policy v0.4

April 2016 revised June 2023

<b>1</b>	<b>Purpose</b>
<b>2</b>	<b>Scope</b>
<b>3</b>	<b>General Principles</b>
3.1	Employee on sickness leave
3.2	Employee on Parental Leave
3.3	Employees going through menopause
3.4	Employees wishing to volunteer
3.5	Employees on Secondment
<b>4</b>	<b>Annual Leave entitlement</b>
4.1	New starters
4.2	Leavers
4.3	Part time, Job Shares and Compressed hours employees
4.4	Casual Workers, Sabbatical and Term-time contracts
4.5	Booking Annual Leave
4.6	Carry-Over Leave
4.7	Borrowing Annual Leave
4.8	Purchasing Annual Leave
4.9	Working on public holidays
<b>5</b>	<b>Special leave</b>
5.1	Compassionate Leave
5.2	Sick Dependents Leave
5.3	Carers Leave
5.4	Disability Leave
5.5	Study Leave
5.6	Witness for court appearances
5.7	Unpaid special leave
<b>6</b>	<b>Time Off for Medical Appointment and screenings</b>
6.1	Medical Appointments (Disability, long-term conditions, and medical screening)
6.2	Medical Appointments (Antenatal and IVF)
<b>7</b>	<b>Managing Attendance in Exceptional Circumstances</b>
7.1	External disruptions (Include Adverse weather, transport strikes and others)
7.2	Industrial Action
<b>8</b>	<b>Attendance during Public Duties</b>
8.1	Jury Service
8.2	Reservists Duties
8.3	Other Public Duties
<b>9</b>	<b>Unauthorised Absence</b>
<b>10</b>	<b>Further References</b>

## 1. PURPOSE

This policy is to inform all employees of their allocated annual leave and options for time off if an emergency arises that may require the employee to take time off work. All employees

must take regular breaks from their employment as part of wellbeing and to prevent the building up of excessive leave at the end of the annual leave year.

The annual leave year runs from 1st April to 31st March each year and the annual leave entitlement is on a rolling 12-month period. Details of all other types of leave are included in this policy. Read this policy alongside the annual leave and time off practice notes for further guidance.

## **2. SCOPE**

The policy applies to all Council employees, except teachers and staff appointed by schools operating under their own local management and policies.

## **3. GENERAL PRINCIPLES**

Annual leave entitlement is based on the leave year from 1<sup>st</sup> April to 31<sup>st</sup> March and it is allocated according to grade and length of service. Managers have the responsibility to manage leave requests and monitor employees' leave to ensure that adequate leave is taken throughout the year.

### **3.1 Employees on Sickness Leave**

Employees who are currently on long-term sick leave have the opportunity to take their annual leave during sickness. Further information is in the [Sickness Absence Policy Practice notes](#).

### **3.2 Employees on Parental Leave**

Annual Leave will continue to accrue at the normal rate during any period of parental leave. All employees must ensure to use up all their accrued leave at the same contractual hours during parental leave before commencing any flexible working pattern such as reducing working hours after returning from parental leave. The management of annual leave accrued during Parental leave is detailed within [Parental Leave Policy](#).

### **3.3 Employees going through menopause**

Employees who are currently going through menopause should refer to the [menopause in the workplace policy](#).

### **3.4 Employees wishing to volunteer**

Employees who wish to take time off for volunteering can do so by requesting through their line manager. Further information is in the [Employer Supported Volunteering Policy](#).

### **3.5 Employees on Secondment**

Employees on Secondment will have their annual leave during the secondment managed by the host employer in line with the terms of Haringey Council and the secondment

agreement. Further information can be found in [Honorarium, acting up and secondment policy](#).

## **4. ANNUAL LEAVE ENTITLEMENT**

### **4.1 New starters**

New starters that have previously worked in local government or an associated employer will be able to count this service towards their annual leave entitlement, except in cases where there has been more than a 1-week break covering two consecutive Sundays. New employees who complete their qualifying years of service will only be entitled to the increased annual leave entitlement the following leave year. For example, if an employee qualifies for 5 years entitlement in July, the entitlement will be added from April the following leave year.

If an employee starts their employment in the Council partway through the leave year, their annual leave allocation will be apportioned according to the months and weeks up to the last day of the leave year. The extra statutory and privilege days will also be apportioned.

### **4.2 Leavers**

Employees leaving the Council will be entitled to proportionate (pro-rata) annual leave based on their complete service during the annual leave year including part months. The annual leave calculator will provide the total annual leave entitlement for employees who are leaving.

Employees who have exceeded their pro-rata entitlement in the annual leave year will have the excess leave in hours deducted as pay from their final salary payment. Employees are advised to use all their leave before their last day of employment, however there are exceptional circumstances such as service needs that the employee will not be able to take their leave. In these circumstances, annual leave may be paid in lieu.

### **4.3 Part-time, Job shares and Compressed hours employees**

For part-time employees and employees who job share, their annual leave entitlement including the public holidays will be pro-rata from the full-time equivalent (FTE). Employees working part-time and job shares will not be paid for public holidays if it falls on their non-working day. Where an employee works part-time, they will be credited with a portion of each public holiday based on their FTE, these hours are included in their annual leave entitlement. If the employee working day falls on public holiday, the hours will be deducted from their annual leave entitlement.

Employees on compressed hours contracts, their entitlement including any public holidays will be calculated in hours. Public holidays entitlement for compressed hours employees will be deducted only when a public holiday falls on their working day. The total hours deducted will be the same hours worked on the day. For example, if an employee normally works 8 hours on a Monday and the public holiday falls on a Monday then 8 hours will be deducted



from the annual leave entitlement. If an employee on compressed hours requests for special leave, this will be calculated in hours as per the annual leave entitlement allocation.

#### **4.4 Casual Workers, Sabbatical and Term-time Contracts**

Employees with a casual workers contract, their annual leave is calculated every 3 months using the hours that they have worked in the council per week during the 3 months. Then the annual leave is paid to the employee through their normal payday. Employees on term-time only contracts, their annual leave is incorporated into their monthly pay. Annual leave does not accrue during sabbatical leave.

#### **4.5 Booking Annual Leave**

Employees must request their annual leave through their line manager and ensure it is confirmed before going on leave. Failure to do so may result in disciplinary action as it would be considered an unauthorised absence. Employees should request annual leave at least twice as far in advance as the amount of time they want to take off. For example, if the request is 5 days, then the notice should be at least 10 working days. Managers are advised to respond to annual leave requests within 5 working days from the request date. The manager should inform the employee of any potential delays and when they can expect to get a response. For emergency annual leave requests or annual leave for less than 5 days, the employee must request through their line manager and inform of any urgency related to the annual leave. The manager has the discretion to accept the leave request. Managers can approve up to 3 weeks of annual leave. However, if the employee requires more than 3 weeks of leave, then this request will need to be approved by the Assistant Director.

#### **4.6 Carry-Over Leave**

Managers and employees should ensure that all annual leave is taken within the leave year as payments will not be made in lieu of leave. However, if an employee is unable to take time off due to service needs, sickness, or any other reason, then there is an option to transfer up to 5 days of annual leave to the following annual leave year. In exceptional circumstances and with mutual agreement, the Assistant Director may approve more than 5 days to be carried over, this will be assessed on a case-by-case basis depending on circumstances and service needs.

#### **4.7 Borrowing Annual Leave**

Employees who are unable to purchase annual leave due to cost or any other reasons may borrow leave from the following annual leave year entitlement. They may borrow up to 5 days of leave from the following leave year. This is limited to two consecutive years, after which the employee will be unable to borrow any leave for a period of two years. This request is subject to Assistant Director approval.

#### **4.8 Purchasing Annual Leave**

Employees have the option to purchase up to 10 days of additional annual leave and the payments will be deducted in instalments through payroll. Further information can be found in the [Purchasing Additional Annual Leave Policy](#).

#### **4.9 Working on public holidays**

Employees who are scheduled to work on a public holiday, will have the opportunity to take their public holiday on an alternative day.

### **5. SPECIAL LEAVE**

This section details the Council's policy on Special Leave. Special leave is approved leave given in specific circumstances where an employee needs to take time off work for an emergency or other life events. Employees are required to inform their line manager of any emergency and life events for which they require to take time off work. Special leave of any type is given on a rolling 12-month period. It should be emphasised that there is no automatic entitlement to special leave except for sick dependant leave for employees employed before 1<sup>st</sup> April 1993. Special leave can be paid or unpaid at the discretion of the Assistant Director. The maximum of special leave per 12 months is 5 days of paid leave excluding sick dependents leave which is 10 days. However, for compassionate leave, employees can request for an extension which it will be assessed on a case-by-case basis.

#### **5.1 Compassionate Leave**

Employees are eligible to take up to 5 paid days of emergency leave related to serious illness or death of a spouse, parents, children, close family member or a person the employee shares a home with. If an employee requires an extension of the compassionate leave, this will be at the discretion of the Head of Service/Assistant Director. This leave can be taken in days or in hours. This extension may be paid or unpaid depending on the circumstances and it will be assessed on a case-by-case basis. For example, the employee has lost a very close relative or partner and is heavily involved in funeral arrangements.

The employee should discuss with their line manager if they need to take time off during working hours to visit family members who are hospitalised. In these circumstances, the flexitime policy may apply and managers should refer to the [Flexible Working Policy Practice Notes](#).

#### **5.2 Sick Dependents Leave**

Employees who commenced their employment before 1st April 1993 are entitled to up to 10 days of sick dependants leave in a rolling 12-month period. A statement from the employee confirming the sickness of the dependent will be required to justify the request for the leave

and it will cover from the first day of absence. Further guidance on how to apply for this leave is covered in the practice notes.

### **5.3 Carers Leave**

All employees with caring responsibilities can take up to 5 paid days of carers leave on a rolling 12-month period and this leave can be taken in full days or in hours (part days). This will apply to all employees from the first day of employment. Employees are required to have an informal discussion with their line manager before taking the leave.

### **5.4 Disability Leave**

Employees with a disability or long-term conditions can take up to 5 days of leave if needed, to help manage their condition. This can be applied when the employee is fit to work but may require additional leave for treatment and/or assessment. The employee has the option to take this leave in full days or in hours and they must inform their line manager in advance before going on leave. However, there are exceptional circumstances where leave may be approved retrospectively. Further guidance on disability leave can be found on annual leave and time off practice notes.

### **5.5 Study Leave**

Employees can request study leave through their line managers to take time off for courses related to the role or career development. Managers should contact the HR Learning and Development team through HALO for further advice on managing study leave.

### **5.6 Witness for court appearances**

Employees who are called as ordinary witnesses in court or before a tribunal may be allowed special paid leave at the discretion of the Head of Service/Assistant Director. Employees who are required to attend court as a witness as part of their special constable position must use their 15 days public duties leave, or unpaid leave. For further information on special constable leave, **see section 8.3**. Employees required to attend court as a witness for the authority are not required to use any form of leave to attend the hearing.

### **5.7 Unpaid Special Leave**

Employees are eligible to request unpaid special leave in exceptional circumstances where annual leave would not be suitable to use. The unpaid special leave can be taken in days or in hours. The request for unpaid special leave is at the discretion of the Head of Service/Assistant Director. An example of a situation that would qualify for unpaid special leave would be an emergency such as a fire or flood incident at home.

## **6. TIME OFF FOR MEDICAL APPOINTMENTS AND SCREENINGS**

Employees with planned appointments that are not for any long-term conditions or disability are encouraged to arrange the appointments outside working hours, wherever possible. However, if this is not possible, the employee may request to take annual leave or discuss flexitime such as TOIL (time off in lieu) arrangement with their line manager.

### **6.1 Medical Appointments (Disability, Long-Term Conditions, and Medical Screening)**

Employees with a disability, or long-term conditions or are having cancer screening are entitled to paid time off to attend regular planned appointments and screenings. Under the Equality Act 2010, paid medical appointments and screening are considered a reasonable adjustment. For cancer screening, all employees will be given necessary paid time off, this includes employees who do not have long-term conditions or disabilities. Employees are required to give a redacted copy of the appointment letter to their line manager, and this should be saved locally.

### **6.2 Medical Appointments (Antenatal and IVF)**

Employees who need to take time off for antenatal and IVF appointments should refer to the [parental leave policy](#) for further information.

## **7. MANAGING ATTENDANCE IN EXCEPTIONAL CIRCUMSTANCES**

### **7.1 External disruptions (Including Adverse weather, transport strikes and others)**

In the event there is adverse weather, transport strikes or any other exceptional circumstances that would have an impact on the employee's travel to work, it is the employee's responsibility to make a judgement if they should travel. The Council works on a hybrid working approach but understands this does not apply to all roles. If the employee can work from home, then it is advisable to do so. However, if the employee is required to be onsite, but their working hours are unavoidably disrupted (arriving late/leaving early due to train strikes for example) this will be treated as working a full day.

### **7.2 Industrial Action**

Employees who are participating in industrial action (strike), are unable to take leave for this, and this will be recorded as unpaid absence. If an employee not participating in an industrial action wishes to request annual leave, any requests during this period are subject to the usual notification of leave. Managers should consider the operational requirements of the service when making decisions on annual leave requests.

Managers must keep a record of all employees who attended work, especially if they are working from home or working in an alternative location due to the strike. Managers need to inform their employees of any adjustments on the day of strike, for example if the location of work has changed or if there is an alternative entrance to the building onsite.

## **8. ATTENDANCE DURING PUBLIC DUTIES**

### **8.1 Jury Service**

An employee who receives a summon to serve on a jury must inform and give the letter to their line manager so this leave can be recorded on SAP as a special leave. The employee will be required to claim for their jury service daily allowance and then provide a certificate of loss of earnings to their line manager so they can receive the rest of their salary as a top up of the jury service allowance. The manager is required to keep a copy of the letter and certificate locally.

### **8.2 Reservists Duties**

Employees who are registered reservists (which includes volunteering and part-time reservists) are offered 5 days of paid leave on a rolling 12-month period for public duties to cover the yearly required training. Employees are required to inform their line manager of their reservists' duties and provide information to the commanding officer of their employment at the Council. If the employee is called up for duty, they must notify their manager as soon as possible. Managers are responsible to keep a copy of the MOD (Ministry of Defence) letter locally in the employee file.

### **8.3 Other Public Duties**

Employees who undertake other public duties are offered additional paid time off to conduct these public duties. The paid leave is subject to the deduction of any payments received from the relevant authority in respect of the duties performed or earnings received. All earnings received must be declared at the end of the public duty to the Council. The paid leave can be claimed as a full day, or in hours (as half days). If the duties qualify as volunteering, the employee will be able to claim through the [employer supported volunteering policy](#). Any additional public duties leave will be unpaid.

Employees with public duties such as being a member of a local authority, a member of a health authority, a magistrate/justice of the peace, or a special constable are offered up to 15 days per year for their public duties. Employees with public duties as school governors are offered up to 5 days per year.

Employees who wish to take time off for public duties must discuss this with their line manager. Employees must advise their manager of the estimated time off required for public

duties per year and provide evidence such as a letter confirming the public duty role and the requirements. Whilst the Council will endeavour to agree to public duties leave, it may be refused. Further guidance will be provided in the practice notes.

## 9. UNAUTHORISED ABSENCE

Unauthorised absence is when an employee is absent from work without a reasonable explanation or prior permission, pay may be deducted and action taken under the Disciplinary Policy. Managers should refer to the [section 5.2 Unauthorised Absence](#) in the Disciplinary Policy Practice Notes when managing unauthorised absences.

## 10. FURTHER REFERENCES

Sickness Absence Policy  
 Parental Leave Policy  
 Purchasing additional leave policy  
 Employer Supported Volunteering Policy  
 Disciplinary Policy  
 Menopause in the workplace policy.

## Document Control

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Key Information	
<b>Title</b>	Annual Leave and Time off Policy v0.4
<b>Document Type</b>	Draft

<b>Document Status</b>	Approved: (enter date of committee) version 0.4		
<b>Approving body</b>	Staffing and Remuneration Committee approved		
<b>Author</b>	HR Specialist (Policy and Projects)		
<b>Owner</b>	Head of Employee Relations, Business Partners & Reward		
<b>Contact</b>			
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<b>Revision History</b>			
<b>Version</b>	<b>Date</b>	<b>Summary of Changes</b>	<b>Name</b>
0.1	April 2016	Updated to insert at section 8.5 the entitlement to purchase additional annual leave. This entitlement replaces the Other Special Leave entitlement detailed in the previous policy approved by General Purposes Committee in April 1998 and updated in September 2012. This policy replaces all previous versions.	
0.2	2 <sup>nd</sup> April 2017	Section 7 updated relating to leave given for Volunteering and Public Duties	
0.3	14 <sup>th</sup> September 2022	Updated section 7.6 to include details of how much leave employees can have for public duty roles. This policy replaces all previous versions.	
0.4	July 2023	Revised the annual leave and time off policy	AL

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**Report for:** Staffing & Remuneration Committee

**Item number:**

**Title:** People Report - June 2023

**Report authorised by:** Dan Paul, Chief People Officer

**Lead Officer:** Tanya Patchett, Head of Employee Relations, Business Partners and Reward

**Ward(s) affected:** N/A

**Report for Key/  
Non Key Decision:** N/A

**1. Describe the issue under consideration**

The People Report is designed to give officers and members relevant workforce data in an easy to understand format in order to support informed strategic decision making.

**2. Cabinet Member Introduction**

Not applicable.

**3. Recommendations**

The Report is for information and for the Committee to note.

**4. Reason for Decision**

Not applicable.

**5. Alternative Options Considered**

Not applicable.

**6. Background information**

The People Report combines key workforce data and analysis including headcount, the cost of both the permanent workforce and off payroll arrangements, starters/leavers, sickness absence and Apprentices as shown in Appendix A.

## 6.1. People Report Headlines

- 6.1.1 The council's established workforce has slightly increased by 1.4% going from 3281 in December to 3327 in March which is an increase of 46 headcount. The FTE has also proportionately increased by 1.5% (3009.4 to 3054.9).
- 6.1.2 The total percentage of agency workers as a portion of the total workforce has very slightly increased to 16.9% (previously 16.1%) The Council aims to reduce the level of agency workers but there will also be a requirement to use this type of workforce to help fill short term or stop gap situations where the Council needs to address an imbalance in the workforce, workload or whilst permanent recruitment is undertaken, in order to continue delivering key services to our residents. The Council will continue to monitor this. Agency headcount has decreased by 1.9% (13 workers) but FTE and cost have both increased. The increase in cost is 19.4% is partially caused by an increase in higher cost agency workers (78 Headcount, 64.1FTE, increased from 54 headcount, 38.5FTE in December 2022), and partly due to a backdated pay award being processed in the period. It should be noted that as the backdated pay award was processed in March 2023, the annualised cost and percentage increase will be overstated in this month as it includes the backdating, which will not reoccur in subsequent months. It should also be noted that the December figure for higher cost agency workers would be expected to be low, as agency workers are normally required to take two weeks off work in the December/January period.
- 6.1.3 During the last rolling year period of 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, 49% of new starters were under 40 years old, whereas 43% of leavers were under 40.
- 6.1.4 All sickness rates have increased during this reporting period when compared to March 2023. The number of average sickness days has increased to 11.6, this is 1.2 higher than December 2022 and there has been an increase over the past 12 months (June 2022 was 8.7). As discussed at previous meetings, it was expected for a certain increase in sickness absence with the insourcing of HfH and this effect will stabilise 12 months after the transfer, which will be in June 2023. Long term sickness (20+ days) cases have also increased to 8.2.
- 6.1.5 The number of apprentices continues to increase which is reflective of the organisational commitment to increase the apprenticeship opportunities. It should be noted that this figures includes both new employees taken on as apprentices, and existing employees who are undertaking apprenticeship qualifications funded by the apprentice levy.

## 7. Contribution to strategic outcomes

In order to streamline the production of timely workforce data the People Report will act as a single source of people data for the use of both officers and members.

The production of this report will complement the reports produced by Finance to give officers and members a set of management controls that will help track the reduction in the workforce, both on and off payroll; and the associated spend across the Council.

It will enable officers and members to track the progress of HR related initiatives controlling recruitment, establishment numbers, and performance management exercises.

**8. Statutory Officers' comments (Chief Finance Officer (including procurement), Head of Legal and Governance, Equalities**

**8.1 Chief Finance Officer**

There are no direct financial implications arising from this report. The increase in the Council's establishment and pay bill following the recent insourcing of Homes for Haringey has gone hand in hand with a corresponding transfer of staffing budgets from the ALMO.

**8.2 Head of Legal and Governance**

This report is for information only.

**9. Use of Appendices**

Appendix A - People Report (March 2023)

**10. Local Government (Access to Information) Act 1985**

Not applicable.

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## People Report

March 2022

Appendix A



Measure	Data Period	Reporting Period					% Change
		Jun 2022	Sep 2022	Dec 2022	Mar 2023	Status	
<b>Established Workforce</b>							Dec 2022 to Mar 2023
Headcount	M	3268	3249	3281	3327	↑	1.4
FTE	M	2986.0	2972.0	3009.4	3054.9	↑	1.5
Cost base pay - monthly (£000)	M	£9,508,677	£9,313,978	£10,012,889	£10,258,529	↑	2.5
Cost base pay - annualised (£000)	M	£114,104,124	£111,767,736	£120,154,668	£123,102,342	↑	2.5
Average cost per FTE (£000)	M	£38,213.0	£37,606.9	£39,926.5	£40,296.7	↑	
<b>Off Payroll Workforce - Agency (from March 2022 excludes £500+)</b>							
Headcount	M	698	699	673	660	↓	-1.9
FTE	M	516.9	543.2	540.0	557.3	↑	3.2
Cost - monthly (£000)	M	£2,630	£2,726,381	£2,800,551	£3,345,093	↑	19.4
Cost - annualised (£000)	M	£31,560	£32,716,576	£33,606,612	£40,141,116	↑	19.4
% Agency of total workforce	M	18.5	16.8	16.1	16.9	↑	
<b>Off Payroll Workforce - Interims &amp; Consultants (£500+)</b>							
Headcount	M	77	76	54	78		
FTE	M	52.7	57.7	38.5	64.1		
Cost - monthly (£000)	M	£686	£742	£487	£813,930		
Cost - annualised (£000)	M	£8,232	£8,909	£5,844	£9,767		
<b>Total Workforce (Established + Agency/Consultants/Interims)</b>							
Headcount	M	4043	4024	4008	4065	↑	1.4
FTE	M	3555.6	3572.9	3587.9	3676.3	↑	2.5
Cost - monthly (£000)	M	£9,511,993	£12,041,102	£12,813,927	£14,417,552	↑	
Cost - annualised (£000)	M	£114,143,916	£144,493,221	£153,767,124	£173,010,618	↑	
<b>Leavers</b>							
Headcount	RY	370	396	396	328	↓	
FTE	RY	336.0	358.2	358.2	294.6	↓	
% Resignation/ Retirement	RY	80	82	82	84	→	
% TUPE	RY	0	0	0	0	→	
% Redundancy	RY	7	4	4	4	↓	
% Other	RY	14	13	13	13	↓	
No. Leavers Aged <40	RY	159	177	177	144	↓	
<b>Starters</b>							
Headcount	RY	426	506	480	433	↓	
FTE	RY	366.5	473.5	453.2	403.3	↓	
% Permanent appointments	RY	68	62	68	72	↑	
% Fixed term appointments	RY	31	27	29	27	↓	
% Temporary appointments	RY	1	0	0	1	→	
No. New Starters Aged <40	RY	207	275	246	215	↓	

Data Period = Period the data relates to:

M = Month (based on snapshot within the month)

RY = Rolling Year (based on 12 rolling months)

## People Report

March 2022

Appendix A



Measure	Data Period	Reporting Period	% Change
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### Sickness Absence

		Jun 2022	Sep 2022	Dec 2022	Mar 2023	Status
Sickness rate (average days)	RY	8.7	10.0	10.4	11.6	↑
Long term sickness rate (20+ days)	RY	5.7	7.0	7.1	8.2	↑
Short term sickness rate (<20 days)	RY	3.0	3.0	3.3	3.4	↑
Sickness cost (£000)	RY	£2,864	£3,227	£3,624	£3,890	↑

### Apprentices

		Jun 2022	Sep 2022	Dec 2022	Mar 2023	Status
Adults, Health & Communities	M	9	20	23	26	↑
Children's Services	M	7	8	15	12	↓
Culture, Strategy & Engagement	M	29	23	28	24	↓
Director of Finance	M	7	15	15	14	↓
Environment & Resident Experience	M	10	12	16	16	→
Placemaking & Housing	M	13	15	22	31	↑
Legal and Governance	M	0	0	0	0	→
No. Apprentices	M	75	93	119	123	↑

Data Period = Period the data relates to:

M = Month (based on snapshot within the month)

RY = Rolling Year (based on 12 rolling months)







**Report for:** General Purposes Committee, 4<sup>th</sup> July 2023

**Item number:**

**Title:** HR Policy Review – Forward Plan for 2023 / 2024

**Report authorised by:** Dan Paul, Chief People Officer

**Lead Officer:** Dan Paul, Chief People Officer

**Ward(s) affected:** None

**Report for Key/ Non Key Decision:** Non-key

**1 Describe the issue under consideration**

To provide the General Purposes Committee with a forward plan outlining the HR policies to be brought to Committee in the 2023 /24 municipal year.

**2 Cabinet Member Introduction**

Not applicable.

**3 Recommendations**

That the report be noted by the Committee.

**4 Reason for decision**

Not applicable.

**5 Alternative options considered**

Not applicable.

**6 Background information**

6.1 The HR policy review programme began in 2021. During 2021/22 four policies were completed and agreed by Members, and since March 2022, a further nine HR policies have been completed and approved. Details of the policies that have been updated since 2021 are shown in Appendix 2.

6.2 The review will continue during the 2023 / 2024 year with a further eight policies due for review. The policies due for revision in the next twelve months will be a mix of new policies and revisions to existing ones. The revision will be required to either bring policies in line with legislative changes or process changes or to ensure that policies more accurately reflect changes to ways of working. Details of the Policy Forward Plan for 2023/24 is given in Appendix 1.

**7 Statutory Officers' comments (Chief Finance Officer, Head of Legal & Governance)**

**Finance**

There are no financial implications arising from the contents of this report. The Policy Reviews listed in Appendix 1 may have financial implications which will be dealt with in those reports at that time.

**Head of Legal & Governance**

It is noted that this report is for information purposes only.

**8 Use of Appendices**

Appendix 1: Schedule of work for 2023/24

Appendix 2: HR Policies completed since 2021

**9 Local Government (Access to Information) Act 1985**

Not applicable.

**Appendix 1 : HR Policy Review – Schedule of Work 2023 / 2024**

<b>Policy Title</b>	<b>Action / Rationale</b>	<b>Anticipated Date</b>
<b>Capability in the Workplace</b>	Revision to existing policy	June 2023
<b>Relocation</b>	This is a new policy that will be introduced for the first time	June 2023
<b>Annual &amp; Other Leave</b>	Revision to existing policy	June 2023
<b>Pay policy</b>	This is an annual revision required for Council approval by 31 March.	October 2023
<b>Job evaluation</b>	This is a new policy that will be introduced for the first time.	October 2023
<b>Employee Notice periods</b>	Variation to terms and conditions of employment in relation to notice periods	October 2023
<b>Flexible working</b>	Revision to existing policy	February 2024
<b>Probation &amp; Induction</b>	Revision to existing policy	February 2024
<b>Work Experience &amp; Apprenticeships</b>	This is a new policy to be introduced for the first time.	February 2024
<b>Trade Union Facility Agreement</b>	Revision of the existing agreement	February 2024 (TBC)

**Appendix 2: Completed policies 2021 - 2022**

<b>POLICY TITLE</b>	<b>DATE APPROVED</b>
Flexible retirement	June 2021
Parental leave	December 2021
Organisational Change	February 2022
Menopause	February 2022
Employee volunteering	June 2022
Employment references	June 2022
Conflict of Interests	June 2022
Ill Health Retirement	October 2022
Sickness absence	October 2022
Honorarium, Acting Up and Secondment	October 2022
Sabbaticals	February 2023
Grievance	February 2023
Disciplinary	February 2023