



Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP.
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Ladies and Gentlemen,

A meeting of the **EMPLOYMENT AND APPEALS COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 28th February, 2017** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs
Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/haveyoursay

A G E N D A

APOLOGIES FOR ABSENCE

1) MINUTES

To confirm the Minutes of the Employment and Appeals Committee held on 16 March 2016, previously circulated.

2) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

3) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions received from members of the public in accordance with the provisions of Procedure Rules.

The total time allowed for this shall be 30 minutes. Petitions, deputations and questions shall be dealt with in the order in which they are received.

Questions may also be submitted at short notice by giving a written copy to the Democratic Services Officer 15 minutes before the start of the meeting. The total time allowed for questions at short notice is 15 minutes out of the total time of 30 minutes.

Any petitions, deputations and questions which have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions which are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

4) HR POLICIES

To receive Report No. 5/2017 from the Director of Resources.
(Pages 3 - 42)

5) ANY URGENT BUSINESS

To receive items of urgent business which have previously been notified to the person presiding.

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DISTRIBUTION

MEMBERS OF THE EMPLOYMENT AND APPEALS COMMITTEE:

Mr K Bool (Chairman)	
Mr R Clifton (Vice-Chair)	
Mr R Foster	Mr A Walters
Mr A Stewart	Mr K Thomas
Mr D Wilby	

OTHER MEMBERS FOR INFORMATION

EMPLOYMENT AND APPEALS COMMITTEE**28 February 2017****HR POLICIES****Report of the Director for Resources**

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Deputy Leader and Portfolio Holder for Growth, Trading Services and Resources (excluding Finance)	
Contact Officer(s):	Debbie Mogg, Director for Resources	01572 758358 dmogg@rutland.gov.uk
	Carol Snell, Head of Human Resources	01572 720969 csnell@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Employment and Appeals Committee:

1. Consider and approve the Standby Policy (Appendix A)
2. Consider and approve the Professional Development Policy (Appendix B)
3. Consider and approve the Secondment Policy (Appendix C)
4. Consider and approve the following policies which have no/minor amendments – Umbrella Flexible Working, Capability, Umbrella Leave, Grievance.
5. Note the pending review of the NJC Green Book pay spine

1 PURPOSE OF THE REPORT

- 1.1 To seek approval for updated HR policies with regard to (a) Standby (b) Professional Development and (c) Secondment.
- 1.2 To confirm/approve the no/minor amendments to (a) Umbrella Flexible Working, (b) Capability Policy, (c) Umbrella Leave Policy and (d) Grievance Policy.

2 STANDBY POLICY

- 2.1 The Standby Policy enables the council to manage resources in such a way that we can respond to situations, events and urgent issues outside of normal hours. We therefore have available, appropriate staff on 'standby' to provide such cover. The policy provides us with a clear framework and outlines provision for financial compensation where it is an essential feature of the service and role.
- 2.2 The review of this policy has focussed on bringing local provisions into an overarching Corporate Policy for clarity and equity. The Senior Management Team have particularly scrutinised where in the organisation standby provisions need to be in place for service continuity. The review has looked at policy and practice in other organisations and has taken into account comments and feedback from the Trade Unions (Unison).
- 2.3 The key features of the new policy are:

- a) Payment for standby is aligned to a combination of (a) frequency and (b) level of accountability. Payment is therefore made on a monthly recurring basis to avoid the need for manual processing of monthly claims. Annual amounts vary from £400 to £1,500. The revised model has been costed and represents no increase in cost.
- b) Provision for emergency standby is available for situations that do not fall within a post or situation where standby is a key requirement of the role, eg. Emergency situations relating to weather or other unpredictable situations.
- c) Standby provisions are available to staff up to and including Scale P05. It is a contractual requirement (for defined services and roles – see para 2.3(e)) and staff are therefore required to be available on standby and to attend work outside of normal working hours.
- d) Standby may be withdrawn (with notice) if there is no longer a requirement for the particular service.
- e) Standby provisions will be in place for:
 - IT – out of hours cover for system infrastructure continuity
 - Adult Social Care – emergency duty cover
 - Highways – emergency response (eg. Road Traffic Accidents, flooding, emergency Highways repairs); winter maintenance
 - Premises – all sites, including Catmose and OEP – immediate response to emergencies eg. fire
 - Building Surveyors – emergency response to site/building related incidents eg damage to property.

3 PROFESSIONAL DEVELOPMENT POLICY

- 3.1 This Policy provides provision for support to staff to undertake further qualifications - this benefits the organisation in terms of additional skills and experience, as well

as supporting an individuals' career aspirations and developments. This fits well with our Workforce Development Strategy and a priority theme of 'Building Skills and Capacity.'

- 3.2 The policy is clear in the 'definition' of the type of training that is applicable, the criteria for approval of financial assistance and the process/approval. Any training requests are therefore considered against key requirements for the role (or career development) and on a cost basis as provided by the Training Budget.
- 3.3 As with current policy and practice, we have retained the scope to reclaim costs if an employee either (a) does not make a serious attempt to undertake/complete the qualification, (b) fails the qualification or (c) leaves up to 12 months after completion. This enables the Council to recoup its 'investment' in such cases where the contribution and commitment from the employee has not been as expected.

4 SECONDMENT POLICY

- 4.1 The Secondment Policy was approved in 2013 and has recently undergone it's 3-yearly 'health check'. Broadly this policy has worked well across the organisation with 15 internal secondments. Secondment arrangements provide opportunities for staff to undertake a temporary transfer to either a new role or a specific piece of work/project – thus providing development in skills, knowledge and experience.

- 4.2 Amendments to this policy include:

- Advice to employees to contact Leicestershire County Council's Pensions department to discuss, what effect if any, the secondment would have on their pension/contributions band.
- Clarification that allowances eg. Standby, that relate to the employee's substantive post will not be paid for the duration of the secondment unless they are deemed relevant to that post.
- Change of title to 'Internal Secondment Policy' to avoid any confusion with external secondment arrangements.
- Addition of reference to the potential for job share if the manager is in agreement. This could help benefit two people regarding developmental opportunities and could also be helpful if there are two people equally appointable to the secondment.
- Recommended period of secondment is minimum of 6 months (periods of less than 6 months would be managed through the Acting Up/Additional Responsibility policy).
- Clarity that employees who are at risk of redundancy, have preferential consideration for a secondment (if the same grade or below) ie. aligned to the Restructure policy.

5 POLICIES WITH NO/MINOR AMENDMENT

- 5.1 Umbrella Flexible Working Policy – this was approved by Members in 2013 with some minor amends in 2014 to reflect an amendment to the right to request

flexible working. The policy reflects the Council's approach to supporting work life balance and provides for a range of working arrangements from an organisational and personal/individual basis. This policy has worked well in practice, providing a clear framework that enables fair and equitable treatment of staff whilst balancing operational needs. There are therefore no proposed amendments.

5.2 Capability Policy – this policy and procedure provides an important framework in managing employee's performance – importantly to ensure fair processes are followed in line with employment legislation and therefore managing any risk of unfair dismissal and challenge at tribunal. It is a clear and robust policy supplemented with management guidance, training for managers and an e-learning module. In the past 3 years we have managed 10 cases through the informal stage with one proceeding to formal. There are no proposed amendments.

5.3 Umbrella Leave – to provide clarity around statutory and occupational 'rights to leave', the Council incorporates a range of leave provisions in one Umbrella Leave Policy. In particular, this includes annual leave, time off for Religious Beliefs, Compassionate Leave, GP, Dental and Medical appointments, Public duties. The policy was previously approved in 2014. There have been no employee complaints nor grievances against the provisions; the policy and guidance provides a clear and consistent framework. However, it is proposed that two minor amendments are made as follows:

- Include provision for 'other disasters/personal emergencies/other specific circumstances'. This would enable consideration to be given to paid leave for emergencies that do not neatly fall within the policy but nonetheless, given the circumstances and nature of the emergency, would be 'reasonable'. Approvals would be considered consistently by the Chief Executive with input from the Head of HR
- Confirm a 'protocol' regarding requests for leave of more than 10 days with some variation as follows: 'For periods of annual leave of 12 days+, approval must be obtained by the relevant Head of Service (equivalent) in advance of the leave being booked'. This enables the Council to have surety of continuity of cover for absences arising from a longer period of leave.

5.4 Grievance Policy – this policy and procedure was approved by Members in May 2014 and followed a comprehensive review of our policies for Grievance, Harassment and Bullying. Since that time we have managed the following formal grievances:

- 2014 – 3 cases, 2 of which were upheld, one was not
- 2015 – 3 cases, one of which was not upheld, two were resolved between all parties
- 2016 – one formal grievance raised but subsequently withdrawn.

There are no proposed amendments to this policy.

6 REVIEW OF THE NJC GREEN BOOK PAY SPINE

- 6.1 National pay awards for the NJC (Green Books) pay scales are as a result of negotiations between trade unions (Unite, Unison and GMB) and the Local Government Association. As part of the 2016-18 pay deal, the NJC agreed to conduct a review of the pay spine – the prime reason being the introduction of the National Living Wage and the challenge of ensuring that a restructured pay spine is capable of withstanding annual changes to the National Living Wage rate without the need for regular and fundamental reviews of pay structures.
- 6.2 To take forward the review, the Joint Secretaries have set up a working group with the following aims - to ensure the restructured NJC pay spine is capable of:
- Accommodating changes to the National Living Wage rate
 - Adapting to differentials in levels of pay and responsibility
 - Accommodating all local government services roles within scope of the NJC
 - Managing the assimilation of other roles, including Health, Craft, Youth and Soulbury that are transferred to Green Book pay structures
 - Being used locally to recognise contribution and progression.

- 6.3 Both sides will endeavour to achieve an outcome that is financially viable for employers and fair to employees. The joint working group is now established, comprising local authority officers and trade union lay members; it remains their aim to conclude the review by 30 June at which point we will understand the proposals in more detail along with a timetable for a consultation process.

7 CONSULTATION

- 7.1 Where policies have required consultation with the recognised Trade Unions – this has taken place with Unison.

8 ALTERNATIVE OPTIONS

- 8.1 Policies, procedures and guidance provide clear and important frameworks that serve to protect and manage a level of risk and exposure through employee challenge and potential employment tribunal claims. The policies as presented are considered to be in line with the public/private sector and represent robust procedures for Rutland Council.
- 8.2 The absence of such policies would remove clarity and consistency in the application of conduct/disciplinary issues that could result in claims for unfair dismissal or discrimination resulting in lengthy and costly defence in court.

9 FINANCIAL IMPLICATIONS

- 9.1 Whilst there are no significant costs associated with the management and implementation of these policies, failure to follow them will present risks at employment tribunal which could be costly plus the additional cost of management time and legal fees.

- 9.2 Where costs are associated with a specific policy, eg. provision for payment of Standby, payment of Professional Training fees, these are met from existing budget and do not present pressures on the Medium Term Financial Plan.

10 LEGAL AND GOVERNANCE CONSIDERATIONS

- 10.1 The Council must be compliant with relevant employment law and regulations.
- 10.2 Delegated authority in relation to organisational decisions is defined in the Council's Constitution – policies are aligned with this framework.

11 EQUALITY IMPACT ASSESSMENT

- 11.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found. A copy of the EqIA can be obtained from the Report's Contact Officers.

12 COMMUNITY SAFETY IMPLICATIONS

- 12.1 There are no Community Safety implications arising from this report.

13 HEALTH AND WELLBEING IMPLICATIONS

- 13.1 There are no specific Health and Wellbeing implications to these particular policies but the Council has an overall duty of care to its employees which means taking all steps which are reasonably possible to ensure the health, safety and wellbeing. Clear and fair policies and procedures can also be a key factor in building trust and reinforcing commitment to our staff and help improve staff retention, productivity and performance and greater employee engagement.

14 ORGANISATIONAL IMPLICATIONS

- 14.1 Consultation has taken place with the recognised Trade Unions as required.
- 14.2 Briefings will be provided to managers to ensure they are aware of the updated policies.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 Once approved by Employment and Appeals Committee, the Council will communicate these policies to all staff and ensure copies of the Policies are available on the Council's intranet.
- 15.2 The Human Resources team will carry out briefings with Line Managers to ensure they are aware of the policies.

16 BACKGROUND PAPERS

- 16.1 There are no additional background papers to the report.

17 APPENDICES

Appendix A – Standby Policy

Appendix B – Professional Development Policy

Appendix C – Secondment Policy

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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Rutland County Council

STANDBY AND CALL OUT POLICY

Version & Policy Number	Version 1.0
Guardian	Human Resources
Date Produced	October 2016
Next Review Date	October 2019

Approved by SMT	November 2016
Approved by LJC	November 2016
Approved by EAC	

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1. INTRODUCTION AND PURPOSE

- 1.1 It is essential that the Council has a structured Standby and Call Out arrangement in place to deal with a diverse variety of issues that can arise outside of normal working hours. This will enable the Council to maintain services and respond to its statutory duties and responsibilities effectively and efficiently.
- 1.2 The purpose of this policy and procedure is to ensure:
 - (a) The Council has the capacity to respond to situations, events and urgent issues outside of normal hours.
 - (b) Appropriate staff are available to provide standby cover. This policy stipulates under what circumstances payments will be made and what the payments will be.

2 SCOPE

- 2.1 The Standby Payment and Call Out will apply to employees on grades up to and include P05. It does not apply to employees on Chief Officer Terms and Conditions. These procedures apply to the periods when an employee, either as part of their contract of employment, or, at the Council's discretion, are on standby to be available to attend work outside of normal working hours.
- 2.2 Payment for hours worked if 'called out' are in accordance with the overtime provisions up to and including scp 28.
- 2.3 It is an organisation decision which services required standby arrangements – the provision will therefore be removed if there is no longer a business need to provide out of hours cover or other arrangements are to be put in place, eg. via third party.

3. DEFINITIONS

- 3.1 A standby period will cover hours outside the Council's official opening times and outside an employee's contractual working pattern. Standby can be categorised as follows:
 - 3.1 Regular Standby
 - (a) This is to provide cover outside of normal working hours. It will only operate where there is a consistent and sustained requirement to provide services outside of normal working hours. Being on standby will therefore be an established feature and requirement of the role and a contractual requirement.
 - (b) In order to enable employees to make the necessary arrangements and to ensure that there is clarity of roles and responsibilities, the standby rota

should be prepared as far as possible in advance. The contact numbers for the employees on the rota and the procedures for accessing tools, vehicles, entry into buildings etc. should be well established and known in advance.

(c) Employees on standby will be required to ensure that they are available to carry out the duties and tasks required and which necessitate the employee being on standby or called out. It may impact on an employee's social arrangements and necessitate an employee restricting their activities to those which will not compromise the requirement to respond quickly and effectively. The needs of the service will determine the requirement for a regular standby system and as such the need may cease from time to time. Payments made for being on standby should not be relied upon as guaranteed earnings as they will be subject to review and could cease.

3.2 Emergency Standby

The requirement for Emergency Standby may arise at short notice, for example, in response to severe weather conditions. The unpredictable nature may necessitate the drawing up of a rota at short notice. It is important to ensure that contact numbers for those expected to be working are kept up-to-date.

4. STANDBY APPROVALS

- 4.1 Arrangements for regular standby must be outlined at the point of recruitment and will be advised to the employee in writing setting out the terms and requirements of the standby provision and payment methods.
- 4.2 Arrangements for Emergency Standby must be approved by a Director.

5. STANDBY PAYMENTS

- 5.1 Payments will be made on a recurring basis (except Emergency Standby) based on a set annual amount incorporated into monthly pay.
- 5.2 The payment model is aligned to a combination of (a) frequency of standby and (b) the level of accountability/decision making.

5.3 Payment Model -

Frequency & Decision making level Frequency ♦	Level 1 Low level decision making / passing on request for service to appropriate provider	Level 2 Lead co-ordination required but not required to attend on site OR Required to attend on site and make key decisions	Level 3 Critical decision making needed more often than not requiring attendance on site
Average of 10 weeks per year (ie. 1 in 5 or more rota)	£400	£600	£1000
Average of 13 weeks per year (ie. 1 in 4 rota)	£500	£750	£1250
Average of 17 weeks per year or more (ie 1 in 3 rota)	£600	£1000	£1500

Level 1 – Clear course of action or referral to another person/provider. No immediate decision making or advice required. Applicable to staff up to and including Scale 6; payment would be made for any call out in accordance with current enhancement provisions.

Level 2 – Required to resolve the issue/call and make judgements and decisions. Co-ordination of others/tasks – internal and external; may be required to attend on site. No payment is made for call-out. Scale S01 and above

Level 3 – Critical decision making/co-ordination of agencies/services, likely requiring attendance on site; emergency response and management of the incident/emergency duty cover. Requires specific experience, knowledge; management of higher risk.

5.4 Payments will cease in the event of sickness absence which prevents the employee from undertaking their standby rota based on the frequency as outlined above.

5.5 Emergency Standby Standby will also be placed on the Level of accountability required and paid at a weekly rate on claim ie. Level 1 = £40 per week; Level 2 = £60 per week; Level 3 = £100 per week.

- 5.6 Payments made under this procedure will be taken into account for the purposes of calculation of holiday pay and are superannuable.
- 5.7 Payments made under this procedure shall not be taken into account for the purposes of sick pay.

6. MANAGER RESPONSIBILITIES

- 6.1 It is the line manager's responsibility to ensure that standby rotas are covered by employees with the appropriate skills and knowledge and at the appropriate level, for example, it would not be appropriate for a senior manager to be on standby if the work required could be undertaken by a post that reports to the senior manager etc. It would also not be appropriate for an employee who is unlikely to have the knowledge or skills to deal with certain situations that may arise to be on a standby rota.
- 6.2 The line manager must ensure that:
 - Standby rotas are prepared in advance of any standby period
 - The contact details are available
 - Risk assessments for the duties are up-to-date
 - The necessary approval has been given by the Head of Service
 - Hours worked are in accordance with the Working Time Regulations, Section 11 (other than in exceptional circumstances)

7. EMPLOYEE RESPONSIBILITIES

- 7.1 Employees are on standby on the basis that they will be expected to deal with incidents that may arise within the scope of their job role and/or competency. Employees on standby must not consume alcohol or take medication/drugs which could impact on the ability to respond to a call out or in the event of a call out to perform the work.
- 7.2 An employee is expected that they will be able to arrive at work within a reasonable time of being called out. This time will be set according to the needs of each service. An employee may leave their home but must still remain contactable and have transport available to enable a return to work within the prescribed period.
- 7.3 An employee must contact their manager as soon as possible if they become ill or are unable to comply with their responsibilities during a period of standby. This will enable the manager to make alternative arrangements.
- 7.4 Personal arrangements should not ordinarily be made if this prevents an employee from undertaking their standby cover. However, it is accepted that there may be circumstances arise that cannot be changed. If this arises, the employee should request leave as soon as possible from their manager. Leave may not be approved unless and until suitable cover arrangements are

made. An individual should not therefore make any arrangements relating to annual leave prior to receiving approval of the leave dates requested.

8. CALL OUT

- 8.1 The standby payment covers, for example, requirement to undertake telephone calls whilst on standby and having related discussions. However, in addition to the standby payment, compensation for call out will be made under the following circumstances:
 - If due to being on a standby duty rota an employee is required to return to work, or
 - The employee has been called out on an ad hoc basis, for example, to respond to an alarm call or to assist with the Council's Business Continuity plans or Emergency plan
- 8.2 Payment for being called out to work will only apply to employees at or below the overtime limit of SCP 28 contained in the national agreement. Staff who are called out will receive a minimum payment of 2 hours at the appropriate rate. Where work continues beyond the initial 2 hour payment period the employee will be paid for the number of hours worked at the appropriate rate
- 8.3 Employees who are called out, on Scale S01 and up to and including P05, may claim TOIL at plain time.

9. CLAIMING FOR MILEAGE

- 9.1 If mileage is incurred in travelling to work following a call out it should be claimed in accordance with the procedure for claiming travel or mileage. If, following call out an employee returns directly home, they would be entitled to claim mileage for this journey. In circumstances where the call out occurs within 3 hours of normal starting time and as a result they employee remains at the place of work and enters normal working hours, there is no entitlement to claim mileage for the return journey home.

Note: If a Rutland County Council vehicle has been used to get to and from a call out, there is no entitlement to claim mileage.

10. WORKING TIME REGULATIONS

- 10.1 The Working Time Regulations state that it is necessary for an employee to have an uninterrupted break of 11 hours between periods of work. Standby time is not 'working time' within the definition of Working Time Regulations. Only time for call-out (and travelling to and from the location) applies for this purpose. However, exceptions can be made for emergencies that may occur and emergency call-outs would fall into this category provided that the rest

period could be taken at a later date (a weekend would count for this purpose).

10.2 It is important for managers who operate a call out system in their area to monitor and regularly review:

- The frequency and length of call-outs
- The extent of planned and unplanned out of hours worked in order to ensure that no employee is being required to undertake additional work which may be detrimental to their health and wellbeing
- Fairness in the application of the Standby and Callout Policy and Procedures

10.3 Employees working on shift patterns should not normally be placed on formal standby rotas on their rest days. If an employee is required to attend an emergency call out situation then the ability of the employee to attend for work on the following day must be assessed. The employee's line manager should determine any appropriate time off in lieu to compensate for this.

11. RISK ASSESSMENTS

11.1 In the case of employees called out to carry out their substantive duties it is expected that managers would already have risk assessments in place for such duties. Although some call outs may be of an unpredictable nature, for the majority of situations it should be possible for managers to already have identified potential risks and have up-to-date risk assessments in place ie. lone working. Employees should have access to the risk assessments and should have received appropriate training in connection with any potential risks.

11.2 Employees should be aware of any potential risks and hazards that could arise while dealing with a call out. For example, an employee being called out due to a leaking roof, although not expected to repair the roof could be at risk due to slips or falls due to wet floor surfaces, personal injury due to a ceiling collapse or electrocution from water damaged electrical appliances.

12. EQUIPMENT AND TOOLS

12.1 Managers should ensure that the relevant equipment and tools are available for collection in the event of a call out.

**A large print version of this document is
available on request**

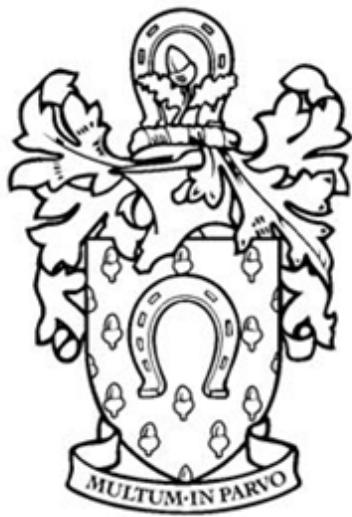


**Rutland
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Rutland County Council

Professional Development Policy

Version Number	Version 1
Guardian	HR
Date Produced	October 2016
Next Review Date	October 2019

Approved by SMT	November 2016
Approved by Employment Committee	

Summary of document

Rutland County Council encourages employees to obtain qualifications that are relevant to both their current posts and career progression. This policy applies to all employees of the Council regardless of whether they are full time, part time or on a fixed term contract.

Rutland County Council accepts that professional training will be required to maximise the potential of its most valuable resource - its employees, who are crucial to the future development and success of the organisation's services. This will be further supplemented through the development of our Apprenticeship Scheme and delivery of the Workforce Development Strategy.

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Appendices

1 Request for professional training qualification

2 Training agreement

1 Conditions for Study Leave and Financial Assistance

- 1.1 ‘**Definition**’ - the term professional development reflects a wide variety of specialist training, formal education, or advanced professional learning intended to help individuals improve their professional knowledge, competence, skill, and effectiveness.
- 1.2 The normal reimbursement of course fees available for all employees who attend a further / higher education course, which is authorised by their Directorate, will be 100% subject to available budget. The conditions that follow apply to any financial or other assistance given to employees of the Council.
- 1.3 Criteria for the approval of financial assistance towards a professional qualification include:
 - Priority 1 – Continuation of a previously approved professional training programme
 - Priority 2 - To meet an essential requirement within the Person Specification
 - Priority 3 - To meet a ‘desirable’ requirement within the Person Specification
 - Priority 4 - The course of study is relevant to the employee's current post or career development and has been authorised by the employee's manager and Head of Service.
- 1.4 In all cases, the request for Professional Training Qualification will need to be completed.

The process will require employees to:

- Discuss their request with their line manager; complete the Request for Professional training form (Appendix 1) and obtain approval by the Head of Service (or equivalent Senior Manager) prior to submission
 - HR will send the employee a Professional Training Agreement – the course/programme should not be confirmed or booked until the agreement is signed.
- 1.5 Rutland County Council will pay the full cost of the course including examination fees.
 - 1.6 The employee will have assistance withdrawn and will be required to reimburse all financial assistance received in the following instances:
 - Failure to attend the course or to sit examinations without satisfactory reason.
 - Failure to show satisfactory progress.
 - Discontinuing the course without satisfactory reason.
 - Failure to achieve the required standards of work in their job.

- 1.7 Employees are required to remain within the employment of the Council for a minimum period of two years after qualification (taken as the certified date on the 'certificate'). If an employee voluntarily leaves for any reason (excluding voluntary redundancy) within this period, he or she will be required to reimburse the Council on a basis proportionate to completed months of post qualification service. Heads of Service maintain responsibility for ensuring this process is applied.
- 1.8 Progress will be monitored by the appropriate line manager throughout the course.
- 1.9 Rutland County Council reserve the right to contact the provider for updates on progress/attendance/
- 1.10 Employees will require to evidence confirmation of successful completion by showing a copy of the professional training certificate and a copy will be retained for their personnel file.
- 1.11 Employees may be required to produce a presentation, report or project linked to the course during their period of study. This would be agreed with the employee's Head of Service at the beginning of the course. At the end of the study period all employees will be asked to evaluate the course.

2 Expenses

- 2.1 Expenses deemed appropriate for Professional Training are as follows:-

- E-learning materials/Books
- Where possible employees should fully explore the use of materials already purchased by others or any library facilities at colleges/universities. If the required learning materials/books are unavailable employees can seek authorisation for approval to purchase.

Full reimbursement will be made in relation to all authorised books and equipment. Receipts must be provided to claim. The Council will retain ownership of any books purchased through this scheme. These must be returned to the service area for the benefit of other staff.

- Travel/Accommodation: Employees will be reimbursed the cost of excess travel they incur as a result of attending an approved course, i.e. where the distance is greater than that normally travelled to work. This reimbursement will be based on existing mileage rates as provided by the Council at the time. V.A.T. receipts must be attached to any claim that shows the purchase of sufficient fuel for the mileage claimed.

- 2.2 All expenses claims should be claimed through the usual expense claim procedure.
- 2.3 Falsification of any expense claim will be considered gross misconduct. Formal disciplinary action will be taken against an employee who makes false claims; this may result in dismissal.
- 2.4 Subsistence claims are in accordance with the Council's policy on Travel and Expenses and all receipts must be provided. Claims must only cover actual expenditure incurred.

3 Other Related Conditions

- 3.1 Study Leave: Employees will be allowed half a day study leave per course/programme and paid authorised leave to sit any examination. Study leave is not an automatic privilege and any application for this leave must be approved by the relevant manager.
- 3.2 Resits and Repeat Years: Where an employee fails an examination the Council will consider providing
 - (a) funding for one retake
 - (b) study leave for one retake

Based on the following criteria:

- demonstration of consistent and regular attention/focus on the study – ie. genuine desire to successfully complete the course
- any personal or mitigating circumstances that may have hindered the employee's ability to attend/focus on the course .

The Council will not fund more than one resit.

The employee will be required to refund the full cost of the course if:

- (a) they fail the first resit
- (b) make no attempt to resit
- (c) they fail a further resit

- 3.3 Public Holidays: Where employees are required to attend college on a public holiday they will be entitled to time off in lieu, subject to prior agreement with the Head of Service. This will be at plain time and on the following basis: up to half a normal day = half a day off work; over half a working day = 1 day off work.
- 3.4 Pay full salary during staff attendances at classes held during normal working hours.

4. Examination courses not related to professional qualifications

- 4.1 Day release facilities and financial assistance with expenses for evening classes will not be granted, except on an individual basis where an officer requires the qualification as a condition of entry to a course of study for an approved professional examination or the qualification or course of study if a requirement of the Council.

5. Repayments

- 5.1 Where repayment in full or part is required, the officer will be duly notified by Human Resources of the amount to be reclaimed by the Council. Repayment of the total amount to be refunded shall be made in accordance with the following scale:-

Total Amount	Repayment Period <i>(from date of leaving)</i>
Up to £500	3 months
£501 to £1,500	6 months
£1,501 to £2,500	9 months
£2,501 upwards	12 months

In cases where the repayment period would, cause hardship to the employee, the period may be varied.

- 5.2 For the purposes of this paragraph, financial assistance means study costs/expenditure incurred in the two years preceding the certification of the qualification. This shall not include salary paid in respect of time spent at approved courses of study nor travel expenses reasonably incurred.

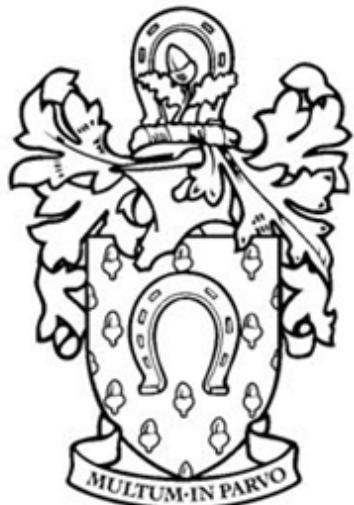
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APPENDIX C

INTERNAL SECONDMENT POLICY

Version & Policy Number	Version 2
Guardian	Human Resources
Date Produced	October 2016
Next Review Date	December 2019

Approved by DMT	November 2012 (version 1)
Approved by SMT	December 2012 October 2016
Approved by LJC	21 February 2013 December 2016

Summary of document

The Secondment Policy describes the circumstances in which internal secondments can be beneficial to the Council and to our employees. It identifies the procedures relating to the advertising, appointing and completing secondments, and the roles of managers and employees involved.

Typically internal secondments will be across Directorate lines.

Externals secondments will be in accordance with provisions agreed between Rutland County Council and the third party employer incorporating any local terms as necessary.

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1.0 POLICY

1.1 Introduction

Rutland County Council is committed to achieving an excellent service to the local community. To ensure that the Council functions effectively and manages change well requires a competent and capable work force, able to meet both current and future demands. The use of secondments within the Council will be of mutual benefit to enable the Council to achieve these aims, and to existing employees, to enable them to develop and progress. Secondments can be an integral part of succession planning, and, as such, will support staff retention.

A secondment is the temporary internal transfer of an employee to another role for a specific purpose and period of time – minimum period of a secondment would be 6 months. A secondment may involve an employee transferring temporarily at the same grade or at a higher grade to reflect higher levels of duties or responsibilities.

Secondments afford participants the opportunity to take on new responsibilities, to acquire new skills, knowledge and abilities, and to enhance their opportunity for future career development. They also enable the Council to make best use of its current employee resource by ensuring that the best people are in place with the required skills for a specific project or change programme, and for covering temporary needs.

Consideration should be given to offering secondment opportunities in a range of different situations –

- a) to carry out/assist in specific project activity
- b) to cover long-term absences of individuals – e.g. Maternity Leave or prolonged periods of sickness absence
- c) to cover roles/responsibilities of limited duration

Situations of a shorter duration may be more appropriate to be managed through the Acting Up/Additional Responsibility Policy.

1.2 Scope

All employees who have successfully completed their probationary period are eligible to be considered for secondment opportunities

2.0 PRINCIPLES

- 2.1** All secondment opportunities will be advertised internally in accordance with the normal recruitment procedure.

- 2.2** Members of staff “at risk” of redundancy will be given preferential consideration in line with the Restructure Policy ie. posts of the same grade or lower. Salary protection if applicable would also be in accordance with the Restructure Policy.
- 2.3** Secondments can be on a full-time or part-time basis, and can be worked alongside the substantive post in the latter case. A suitable option may also be Job Share to enable two individuals to benefit from a secondment/development opportunity.
- 2.4 Normally applications for a secondment should be for posts that are at the same grade, or at a grade higher than the applicant’s substantive post. Where an employee wishes to be considered for a secondment to a post that is lower than the substantive post, then in the first instance, the salary would be paid at the lower grade (unless salary protection is applicable as provided by the Restructure Policy).
- 2.4** Where the secondment grade is the same as the substantive grade, the employee will continue to receive payment at the substantive rate, including any incremental increases that are due during the period of the secondment. Where the secondment grade is higher than the secondee’s substantive grade, the secondee will receive payment at the higher grade, plus any improved terms & conditions that are applicable, eg annual holiday entitlement, and increased notice period, for the period of the secondment. Payment of allowances or enhancements that are specific to the substantive job, will cease to be paid during the period of the secondment. Clearly any allowances or enhancements appropriate to the new post, will be eligible.
- 2.5** Employees who wish to apply for a secondment must seek permission to do so from their current manager. Whilst it is the Council’s wish to encourage secondments that are beneficial to the individual’s development, it is necessary for the manager to be confident that he/she can ensure effective cover for the individual if the application is successful.
- 2.6** Secondments should either be for a specific period of time, up to a maximum of 2 years, or for the completion of a specific task, such as a project.
- 2.7** During the period of a secondment, the employee continues to be employed by their substantive team/department, and will return to their substantive role at the conclusion of the period of secondment.
- 2.8** Prior to the commencement of a secondment a Secondment Agreement will be completed with the involvement of HR, and will be signed by the substantive manager, the loan manager, and the secondee.

- 2.9** If it is subsequently agreed that the position offered as a secondment should become a permanent position, this must be advertised in accordance with the normal recruitment procedure. The secondee may apply for the permanent position, and will be considered along with other applicants.
 - 2.10** Employees are advised to contact Leicestershire Pensions to discuss what, if any, effect or impact the secondment may have on pension contributions/benefit.
- 2.12 Managers should be clear whether an opportunity is an internal Secondment or Acting Up/Additional Responsibility. As a general rule, Secondments are between services/Teams/Directorates.

3.0 ROLES and RESPONSIBILITIES

3.1 Current Line Manager (Substantive Manager)

Managers should encourage secondments, both as an opportunity for development, and to meet particular Council needs. This must be balanced against the needs of the substantive department. Secondments should not be unreasonably withheld, and, wherever possible, it is the responsibility of the substantive manager to make appropriate arrangements to ensure that responsibilities are effectively covered for the duration of the secondment, and that the secondee is released within a timescale agreed with the host team/department.

The substantive manager should keep the secondee in touch with any developments during the period of the secondment, and consult with them on any changes which may affect them on their return.

If, during the term of the secondment, proposals are made for organisational change which could result in the substantive post being significantly altered, or put at risk of redundancy, the secondee should be fully involved in the consultation process, provided always that there should be no detriment to an employee from having undertaken a secondment.

3.2 Secondment Manager (Host Manager)

The host manager is initially responsible for ensuring that appropriate authority is given to the secondment and its funding.

If the post is a new post, the host manager must ensure that it is evaluated using the Council's job evaluation process, to determine the grade and pay scale that will apply.

The host manager is responsible for advertising through the normal internal recruitment procedure.

Following completion of the selection process, the host manager should agree with the substantive manager of the selected applicant the arrangements and timescale for the transfer of the secondee.

The host manager should provide an induction on the first day of the secondment, including the responsibilities of the post, the team/department structure, appropriate Health and Safety arrangements, and the identification of any training needs of the secondee.

The host manager will be responsible for the day-to-day line management of the secondee during the period of the secondment.

The host manager should carry out regular one to one meetings and appraisals of the secondee's performance, and discuss with the substantive manager any significant issues that may arise in relation to conduct, attendance and performance.

3.3 Seconded employee (Secondee)

Prior to submitting an application for a secondment, employees must approach their line manager to establish whether such an application would be supported by the department.

Whilst it is Council policy to encourage secondments wherever possible, employees must confirm that the line manager is able to release the employee from the substantive post for the duration of the secondment.

The employee should seek to identify the development opportunities that would be achieved by such a secondment, including the resultant benefits to the substantive department.

Employees are advised to contact Leicestershire County Council (Pensions) to clarify what effect, if any, the secondment may have on pension contributions. This should take place in advance of finalising any agreement.

4.0 SECONDMENT AGREEMENT

- 4.1** Prior to commencement of a secondment there should be a mutual understanding, and written agreement (Secondment Agreement) among the three parties as to the nature and terms of the secondment. This agreement will be drafted in conjunction with HR prior to commencement of the secondment. The agreement will include confirmation of ongoing contractual terms, and details of any variations to contractual terms, along with details of the duration of the secondment, review arrangements, and procedure for exiting the secondment.

The Secondment Agreement will act as a temporary variation to the Contract of Employment for the duration of the secondment.

5.0 EXIT ARRANGEMENTS

- 5.1** The Secondment Agreement will specify the intended arrangements for completion of the secondment. This will either be a specific date, or the completion of the secondment role – e.g. completion of a project.
- 5.2** At least one month prior to the end of the secondment the substantive manager and the secondee will discuss the arrangements for return to the substantive post. This will include an update on any changes in the team/department, and agreement on any further induction or training required by the secondee on return. The secondee will return on the terms and conditions appropriate to the substantive role.

- 5.3** At the end of the secondment the host manager will carry out an end of secondment review with the secondee and pass this to the substantive manager. Any disciplinary or performance matters will also be reported back to the substantive manager.
- 5.4** In the event that there is a requirement that the secondment should continue beyond the original specified date, there should be discussion at the earliest possible date, involving the host manager, substantive manager and secondee. The purpose of such discussion should be to identify the reasons for extension, the implications to the 3 parties, and the intended course of action. If the decision is to extend the current period of secondment, then the Secondment Agreement should be amended accordingly. If, however, there is agreement that the current secondee should return to the substantive post, then the host manager will need to consider the options available for completion of the secondment role.
- 5.5** In exceptional circumstances any of the 3 parties may wish to end the secondment early. This may arise as a result of changing work requirements in either the substantive or secondment team/department, or at the request of either the secondee or host manager if either party does not believe that the secondment is working effectively. In such circumstances there should be discussion involving all 3 parties to consider reasons and options, and to agree the course of action to be taken. If the decision is to end the secondment, the secondee will return to the substantive role on an agreed date. Consideration must be given to how the secondee's cover will be displaced.

SECONDMENT AGREEMENT

This agreement constitutes a temporary variation to the seconded employee's Contract of Employment, and will apply for the duration of the secondment. The agreement should be read in conjunction with the RCC Internal Secondment Policy (copy attached).

1 THE PARTIES

- 1) (Name) (Job title)
Substantive Manager
- 2) (Name) (Job title)
Host Manager
- 3) (Name) (Job title)
Secondee

2 POSITION

The secondment post is in team/department

3 DURATION OF THE AGREEMENT

The secondment will start on and will continue until (**specify circumstances, eg. completion of a project, return of an employee (maternity leave) or specific date if known**). All parties will be given a minimum of 4 weeks' notice of the end date. Should any of the parties wish to vary the end date; this will need to be agreed by all parties in accordance with Clause 16 below.

At the end of the secondment, the Secondee will return to the substantive post.

4 PLACE OF WORK

The main base will be but the Secondee may be required at short notice to work at other locations within RCC. Any additional expenses incurred by the Secondee, either in travelling to the main base or to other locations, will be reimbursed in accordance with the Council's Expenses Policy.

5 DUTIES

The duties of the post are outlined in the attached job description. This is not an exhaustive list of the duties and responsibilities, and these may be varied as appropriate following prior consultation with the Secondee.

6 INDUCTION

The Host Manager will provide an induction to the Secondee on the first day of the secondment. This will include the responsibilities of the post, the team/departmental structure, appropriate Health & Safety arrangements, and the identification of any training needs of the Secondee.

7 WORKING HOURS/ARRANGEMENTS

The Secondee's normal working week is one of hours. During the period of the secondment the Secondee will work in accordance with the normal working pattern applicable to the secondment post.

8 PAY & GRADE SCALE

The grading of the post is Scale (), and the Secondee will continue to receive a salary of £() per annum, Spinal Column Point (). The Secondee will receive any salary increments that are due during the period of the secondment.

(Alternative – The Secondee will receive a salary of £() per annum, Spinal Column Point () within Scale (), Spinal Column Point range () to () with corresponding salaries of £() to £(). Subject to satisfactory service, the salary will rise by annual increments each year to the maximum of the grade. The first incremental date will be (start date). The secondee will revert to the substantive Scale () and Spinal Column Point () on the date of return to the substantive post, including any incremental increase that would have occurred during the period of the secondment.

9 SUPERVISION

The Secondee's direct manager during the period of the secondment will be (Name) (Job title)

10 HEALTH & SAFETY

It is the responsibility of the host department to ensure the Secondee's Health & Safety at work during the period of the secondment. The Secondee will have a responsibility for conducting him/herself in a manner that safeguards both his/her own and others Health & Safety at work.

11 HOLIDAYS

The Secondee's annual leave and public holiday entitlement will continue unchanged. During the period of the secondment, leave should be approved by the Host Manager.

(Alternative – The Secondee's annual leave entitlement will increase to X days per annum pro rata for the period of the secondment. During the period of the secondment, leave should be approved by the Host Manager)

12 SICKNESS

The Secondee must report sickness absence to the Host Manager during the period of the secondment.

13 CONFIDENTIALITY

During the period of, and following the completion of the secondment, the Secondee will not divulge any confidential information gained during and in connection with the secondment, without the prior written consent of the Host Manager.

14 DISCIPLINARY/CAPABILITY ISSUES

During the period of the secondment, any disciplinary or capability issues in respect of the Secondee will be communicated immediately to the Substantive Manager, and will be dealt with in accordance with the Council's Disciplinary or Capability Policy & Procedure, but managed jointly by the Substantive and Host team/department.

15 GRIEVANCE ISSUES

The Secondee has the right to raise a grievance as normal, at any time during the period of the secondment. The matter will be dealt with in accordance with the Council's Grievance Policy & Procedure, but managed jointly by the Substantive and Host team/department.

16 TERMINATION OF THE AGREEMENT

The period of the secondment is intended to end in accordance with the terms specified in clause 3 of this Agreement – “Duration of the Agreement”. This will be confirmed in writing by the Host Manager to the Secondee and Substantive Manager at least one month before the end of the Secondment.

Extension of the secondment may be considered if specific circumstances arise that were not apparent at the start of the secondment. Any extension must be agreed by all parties to this Agreement, and confirmed in writing.

In exceptional circumstances any of the 3 parties may wish to end the secondment early. In such circumstances there must be discussion involving all parties to this Agreement to consider reasons and options and to agree the course of action to be taken. If the decision is to end the secondment, this will be confirmed to the Secondee in writing, and the Secondee will return to the substantive post on the agreed revised date.

The Secondee will revert to his/her substantive terms and conditions of employment on the agreed revised date.

17 PERIOD OF NOTICE

Where appropriate – As the grading of the post is , which is higher than that of the Secondee's substantive post, the period of notice that will apply for the duration of the secondment will be –)

18 OTHER TERMS & CONDITIONS OF EMPLOYMENT

All other terms and conditions of employment will remain the same as the Secondee's substantive Contract of Employment during the period of the secondment.

Secondment Agreement to be signed by the 3 parties specified in Clause 1 of the Agreement –

.....
(Substantive Manager)

Date

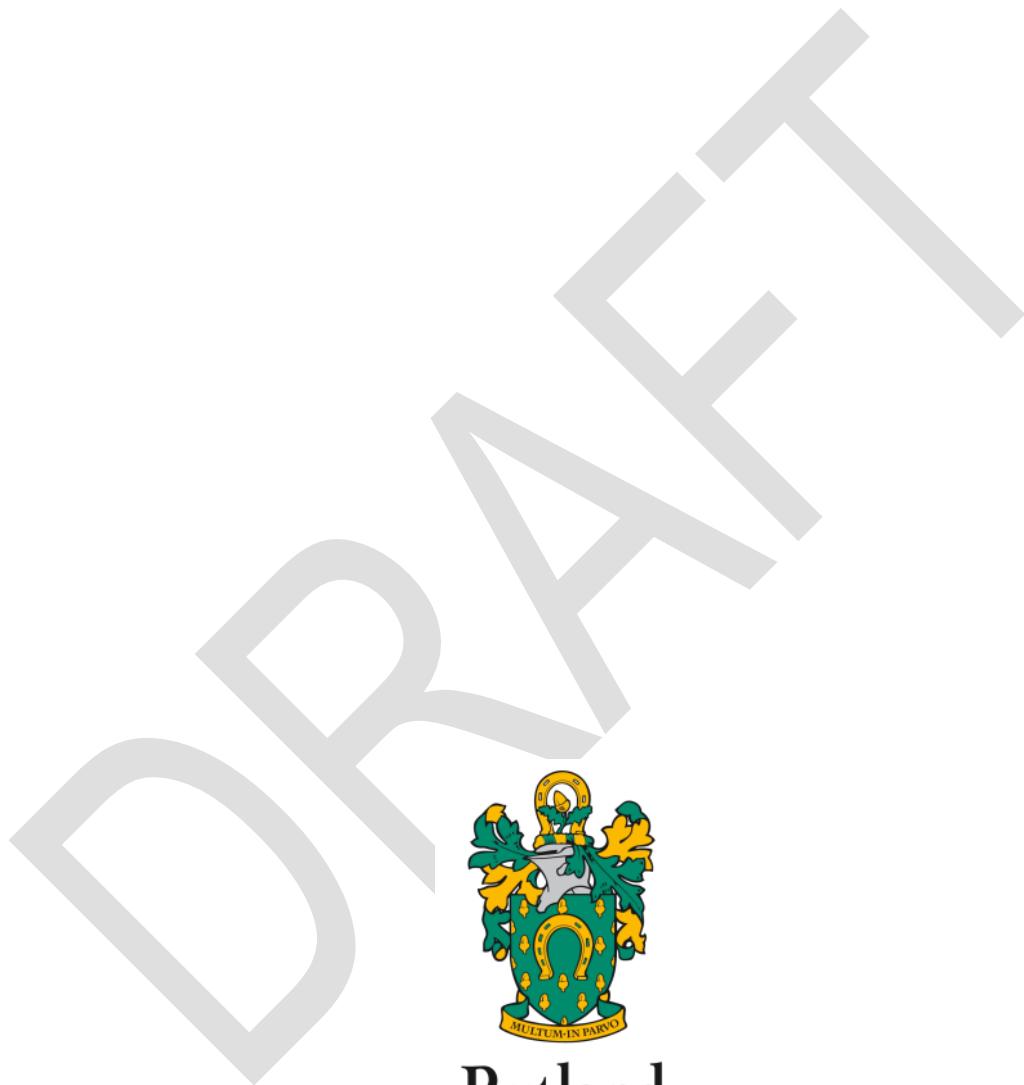
.....
(Host Manager)

Date

.....
(Secondee)

Date

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