

Public Document Pack



Rutland County Council

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Ladies and Gentlemen,

A meeting of the **EMPLOYMENT AND APPEALS COMMITTEE** will be held in the Council Chamber, Catmose, Oakham on **Tuesday, 18th July, 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) 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.

2) MINUTES

To confirm the Minutes of the Employment and Appeals Committee held on 28 February 2017, previously circulated.

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) TERMS OF REFERENCE

To note the terms of reference, number of places and voting places, membership and dates of meetings of the Employment and Appeals Committee.
(Pages 3 - 4)

5) ANNUAL REPORT OF THE EMPLOYMENT AND APPEALS COMMITTEE

To receive Report No. 139/2017 from the Chair of the Employment and Appeals Committee.
(Pages 5 - 8)

6) HR POLICIES

To receive Report No. 117/2017 from the Director for Resources.
(Pages 9 - 70)

7) 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 J Dale	Mr M Oxley
Mr A Stewart	Mr A Walters
Mr D Wilby	

OTHER MEMBERS FOR INFORMATION

Part 8 – Scheme of Delegation Revised Annual Council 8 May 2017

Employment and Appeals Committee

8.1 Employment

- a) To establish panels to appoint Chief Officers, Officers that are part of the Strategic Management Team, or Officers that report directly to the Director for People. Such Panels to consist of three members of the committee plus the relevant Cabinet Member. Political balance applies to the panel.
- b) To consider employee procedures, including dismissal procedures.
- c) To hear, consider and determine appeals against dismissal by employees.
- d) The constitution of any special human resources panels or working parties as may be required from time to time.
- e) The discharge of such human resources functions that cannot be delegated under statute to the Cabinet or have not been delegated to officers, as may be delegated by the Council from time to time.
- f) To consider and approve HR policies (this requires two thirds voting members present to approve a policy subject to its financial impact not exceeding the virement threshold of the Director for Resources . If this cannot be achieved the policy in question will be referred to Full Council for further consideration and determination).

8.2 Appeals Panels

- a) To hear, consider and determine any other appeals made under a statutory appeals process and/or where no other appeals body has been established for the specific purpose. This will include:
 - i. Access to Personal Files
 - ii. Approved Marriage Premises
 - iii. Curriculum Complaints
 - iv. Home to School Transport
 - v. Housing Improvement Renovation or Repair Grants
 - vi. Discretionary Rate Relief (NNDR)
 - vii. Children’s Social Services Complaints

The panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members with training relevant to the subject matter of the appeal in order to ensure sufficient members are available to conduct

the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. Panel members should not be a representative of the Ward of the appellant. Panels should consist of three members of the Committee, with the exception of (vii) which should comprise two members of the committee and an independent chair. Political balance applies to the panel.

8.3 Delegation to Officers

The Director for Resources is authorised to deal with day to day administration of Human Resources matters.

EMPLOYMENT AND APPEALS COMMITTEE

18 July 2017

ANNUAL REPORT OF EMPLOYMENT AND APPEALS COMMITTEE

Report of the Chair of Employment and Appeals Committee

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	N/A	
Contact Officer(s):	Cllr KA Bool, Chair of Employment and Appeals Committee	N/A
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That the Committee approves the annual report of the Committee

1 PURPOSE OF THE REPORT

- 1.1 To set out the work of the Committee for 2016/17, in an annual report in line with best practice.

2 TERMS OF REFERENCE OF THE COMMITTEE

- 2.1 The Employment and Appeals Committee is a Committee of the Council, with powers delegated to it by the Council as set out in its Terms of Reference. The terms of reference were updated at Annual Council in May 2017, but for the municipal year 2016/17 were as set out below:
1. To consider employee procedures, including dismissal procedures, and make Recommendations to Council.
 2. To hear, consider and determine appeals against dismissal by employees.
 3. To hear, consider and determine any other appeals made under a statutory appeals process and/or where no other appeals body has been established for the specific purpose. This will include:-
 - a. Access to Personal Files
 - b. Approved Marriage Premises
 - c. Curriculum Complaints

- d. Home to School Transport
- e. Housing Improvement Renovation or Repair Grants
- f. Discretionary Rate Relief (NNDR)
- g. Children's Social Services Complaints

Note: Panels hearing items at g should comprise two elected members and an independent chair.

- 4. The constitution of any special human resources panels or working parties as may be required from time to time.
- 5. The discharge of such human resources functions that cannot be delegated under statute to the Cabinet or have not been delegated to officers, as may be delegated by the Council from time to time.
- 6. To consider and approve HR policies (this requires two thirds voting members present to approve a policy subject to its financial impact not exceeding the virement threshold of the Director for Resources). If this cannot be achieved the policy in question will be referred to Full Council for further consideration and determination).

3 ACTIVITY DURING 2016/17

3.1 The Committee used its delegated powers to approve the following HR Policies during the year (Employment and Appeals Committee 27 February 2017). These were all part of our ongoing review programme and therefore replace policies that have been in place for some time/previously approved:

- Standby Policy – all provisions for standby are now brought together into an overarching corporate policy for clarity and equity. Standby provisions are aligned to a business need to maintain service delivery 'out of hours' and provide for a consolidated payment to staff dependent on frequency and level of accountability. The model presents no additional cost to the Council. Of note, Children's Social Care Duty cover is provided by Leicestershire County Council.
- Professional Development Policy – this policy outlines the Council's commitment to providing staff the opportunity and support to gain further qualifications or formal training. It contains provisions to reclaim costs if an employee leaves the Council's employment within 2 years. In addition, the Council will be making use of the Apprentice Levy as a framework of funding and delivery of professional development training wherever possible and available.
- Secondment Policy – secondments 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. The updated policy reflected some point of clarity regarding the treatment of allowances, a minimum time period (6 months) and impact on pension provisions.
- Four further policies had no/minor amendments – Umbrella Flexible Working, Capability, Umbrella Leave, Grievance. The review by the Head

of Human Resources concluded that these had all ‘stood the test of time’ and required no or minimum amendments. These Policies had been brought to the Committee as part of the review process and would allow a new review date to be applied to each Policy.

3.2 The Head of Human Resources also provided an update to the Committee on the current review of the NJC (Green Book) pay scale. The negotiations are being led by the Local Government Association . The Committee noted the upcoming review of the NJC Green Book pay.

3.3 No policies were referred to Full Council for consideration.

3.4 It was not necessary for the Committee to hear any dismissal appeals during the year.

3.5 There were no other appeal panels during the municipal year.

4 CONSULTATION

4.1 No formal consultation is required.

5 ALTERNATIVE OPTIONS

5.1 The Committee can support the annual report or ask for amendments.

6 FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications arising from this report.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

7.1 The Employment and Appeals Committee is not formally required in the Constitution to produce an annual report, however it is good practice to do so.

7.2 In accordance with Procedure Rule 31, the Committee can report any matter to Council, so could take the annual report to Council or inform other members that it is available to review in the agenda to this meeting.

8 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Assessment (EqIA) has not been completed.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no community safety implications.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 To summarise the work of the Committee in an annual report in line with best practice.

12 BACKGROUND PAPERS

12.1 There are no additional background papers to the report.

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

EMPLOYMENT AND APPEALS COMMITTEE

18 July 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 Resources	
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		

DECISION RECOMMENDATIONS

That Employment and Appeals Committee:

1. Consider and approve the Recruitment Policy (Appendix A)
2. Consider and approve the Job Evaluation Policy (Appendix B)
3. Consider and approve the Social Media Policy (Appendix C)
4. Consider and approve the Code of Conduct (Appendix D)
5. Consider and approve the Early Retirement Policy (Appendix E)

1 PURPOSE OF THE REPORT

- 1.1 To seek approval for updated HR policies with regard to (a) Recruitment (b) Job Evaluation (c) Social Media (d) Code of Conduct and (e) Early Retirement Policy.

2 RECRUITMENT POLICY

- 2.1 The review of this policy has focussed on ensuring that the Council's approach to recruitment and selection enable us to appoint high quality candidates able to

deliver high quality services, in the most effective and efficient way. Also to ensure that the process is fair, open and transparent and promotes equality of opportunity to all groups throughout the community.

- 2.2 The policy developed in 2013 incorporated a high level of detail regarding procedure and guidance. However, since then we have developed more user friendly toolkits for managers regarding procedural aspects of each stage for example (a) attraction and marketing (b) selection and assessment and (c) appointment. This has enabled us to develop and evolve approaches where a more creative and innovative style has been required – a good example of this is the ‘Get Closer’ marketing campaign targeting qualified social workers, supplemented with a streamlined assessment process that enabled us to secure candidates within two weeks of advertising. In addition, we received a nomination for a national award for ‘Social Media Campaign of the Year’.
- 2.3 There have been no fundamental changes to ‘policy’ and therefore the key amendments are:
 - 2.3.1 Reduction from 92 pages to 11 pages – reflecting a streamlined approach and style to our policies and also the removal of the detailed procedural elements
 - 2.3.2 Provision to appoint an individual to a permanent post if the position moves from fixed term to permanent – subject to qualifying conditions (para 2.6 of the policy).

3 JOB EVALUATION POLICY

- 3.1 A Job Evaluation scheme provides a fair and consistent approach to determining the relative ‘worth’ of a job through analysis of the demands and challenges of the role against a set of common criteria. This in turns provides a score that then determines the grade and ultimately the pay range. Whilst the existence of a scheme does not provide 100% protection from equal pay claims, by having a robust, consistent, gender neutral scheme, enables organisations to check and demonstrate we are providing equal pay for equal work – ie. meeting our legal obligations with regard to Equal Pay under the Equality Act.
- 3.2 The Council uses an analytical scheme provided by Northgate; this enables us to analyse jobs against a range of factors which include the impact of the role, knowledge and experience, problem solving, freedom to act and decision making, communication and interpersonal skills, exposure to physical demands or emotional/traumatic situations, managing staff, managing budgets/financial accountability.
- 3.3 We have had a policy for some time and this was last reviewed in 2014. Since then we have sought to streamline the process to ensure we can promptly process any regrading requests or evaluate new jobs as part of a service review. In 2016 we processed 54 evaluations given that we had a number of service reviews including Property Services, Revenues and Benefits, Youth Service and Adult and Children’s Social care.
- 3.4 Whilst the general principle and policy remains unchanged, the improvements we have implemented are:
 - 3.4.1 Analysis and evaluation is carried out by experienced role analysts within HR to enable consistency of assessment against a set of conventions

- 3.4.2 HR quality assures job descriptions and works with line managers to ensure they are fit for purpose
- 3.4.3 More use of job matching/benchmarking enabling more speedy evaluations ie. comparisons between roles where the principles and demands of the role are similar
- 3.4.4 Use of 'virtual' Steering Groups – ie. Directorate representatives who oversee the overall evaluation rather than co-ordinating meetings across a number of diaries
- 3.4.5 A more focussed, but less stages, in an appeals process that enables any challenges to be dealt with speedily; ensures the appeal has sound reasons and is transparent and thorough.
- 3.4.6 Clarity regarding implications of a post being down-graded and a post going up a grade and where the employee is placed on the salary scale (para 3 – Regrading).

4 SOCIAL MEDIA POLICY

- 4.1 The Social Media Policy was approved in 2015 and, given the continual pace of change in social media and digitalisation, has remained current and valid. We have not had no formal conduct/disciplinary issues for breach of this policy and the existence of the policy has enabled us to provide guidance and advice more clearly and to provide periodic reminders to staff eg. use of Facebook or other social media in relation to service provision.
- 4.2 Amendments to this policy include:
 - 4.2.1 Further reference to potential impact on the Council or its representatives (para 5.3)
 - 4.2.2 Inclusion of a statement that Managers will periodically remind staff of the policy and ensure that the risks of using social media for work related purposes have been fully assessed and managed (para 6.1). The Head of HR and the Strategic Communications Adviser will carry out audits from time to time to ensure risk assessments have been carried out in key/ vulnerable areas.
 - 4.2.3 Further clarity regarding the use of social media in the recruitment process (para 9.2)

5 CODE OF CONDUCT

- 5.1 The Code of Conduct was developed in 2013 through consultation with the Constitution Working Group and incorporated into contracts of employment. All new employees to the Council receive a copy on appointment and are required to 'sign' that they have read and understood the content. The updates are not considered sufficient to require us to republish and request 'signature' in the same way. Staff will though be notified of the updates through the staff newsletter and briefings.
- 5.2 The purpose is to ensure that the Council has firmly outlined its expectations of staff in delivering high standards of conduct and service to the public.
- 5.3 The review has been 'light touch' with the following additions/ variations:

- 5.3.1 Reference to the Local Public Services Senior Managers Code of Ethics (section 2 Accountability)
- 5.3.2 Updated paragraph 9.2 – Registration of Interests to include some examples of financial and non-financial interests
- 5.3.3 Additional paragraph to Gifts and Hospitality – paras 15.1 and 15.2
- 5.3.4 Inclusion of reference to the Driving and Riding for Work policy (para 17.4)

6 EARLY RETIREMENT POLICY

- 6.1 The refresh of the policy has been to incorporate the Flexible Retirement policy which currently sits outside of this policy. There are no changes to pension benefit or provision and these remain as provided by the Local Government Pension Scheme.

7 CONSULTATION

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

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. pay increases arising from re-evaluation of posts, these are met from existing budgets as far as possible. In the event that a pressure is anticipated then separate approval would be required.

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 – Recruitment Policy

Appendix B – Job Evaluation Policy

Appendix C – Social Media Policy

Appendix D – Code of Conduct

Appendix E – Early Retirement Policy

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

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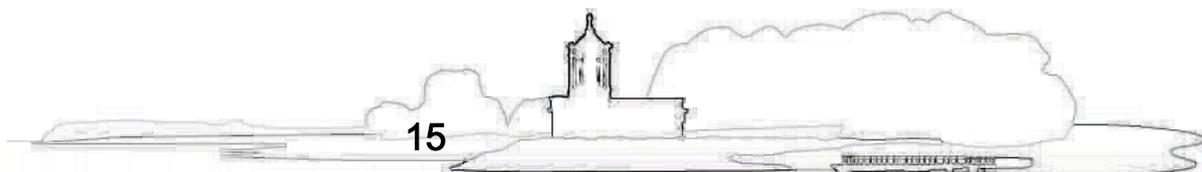


Rutland County Council

RECRUITMENT AND SELECTION POLICY

Version & Policy Number	Version 3
Guardian	HR
Date Produced	June 2017
Next Review Date	February 2020

Approved by Resources DMT	May 2017
Approved by LJC	May 2017
Approved by Employment and Appeals Committee	



Summary of document

This policy sets out the Council's aims and objectives to ensure we are able to recruit, attract and appoint across all roles within our workforce – hence enabling services to be delivered and maintained to a high standard. One of our objectives is to be an 'employer of choice' and ensure that we can attract and retain good quality staff.

We know that we are competing in a challenging labour market both from the private and public sectors, it is really important for Rutland to keep pace and ensure we can resource the organisation to deliver our services and achieve strategic aims and objectives.

The policy is designed to ensure that the recruitment and selection process is fair, open and transparent and promotes equality of opportunity to all groups throughout the local community.

This policy is supplemented by practical guidance for managers on the specific stages within the process.

DRAFT

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DRAFT

1.0 Purpose and Scope

- 1.1 Our Vision is to ensure that Rutland is a great place to live, learn, work, play and visit. In order to successfully achieve our Strategic Aims and Objectives, the Corporate Plan and deliver a high quality service to the Rutland community, we need to ensure that we have the right staff in the right place at the right time. An efficient and effective recruitment and selection process is key to ensuring a diverse workforce.
- 1.2 The aim of this process is to recruit the person who is most suited to the particular role, on the basis of their abilities and individual merits, measured against the job description and job requirements.
- 1.3 This policy should be read in conjunction with the Council's Equality and Diversity Policy.
- 1.4 This document applies to direct employees of Rutland County Council and does not apply to individuals employed by schools or colleges.
- 1.5 Our Workforce Development Strategy provides an essential framework to support the development of all our employees.

2.0 Policy Statement

- 2.1 It is essential that all recruitment activities undertaken make a positive contribution to the provision of quality, accessible services both in the short and long term.
- 2.2 The Council recognises that the principles of open access to vacancies and equality of employment opportunities, assists in the reflecting the cultural diversity of the local population in the Council's workforce. Rutland County Council puts great importance on ensuring that every stage in the recruitment process is fair and conducted in accordance with the Equality and Diversity Policy. The Council is committed to the principle of equal opportunities in all aspects of its recruitment, operation and service provision.
- 2.3 The safety and well-being of children young people and vulnerable adults is of paramount importance to the Council. Appropriate measures will be taken throughout all parts of the recruitment and selection procedure in order to prevent unsuitable people from gaining access to children, young people and vulnerable adults.
- 2.4 The recruitment and selection process represents a significant investment in terms of time and financial resources - the costs of making the wrong selection decisions can be very high. It is essential that all recruitment decisions are based solely on objective, job related criteria. The Human Resources Department provides officers with clear guidance on the recruitment and selection process and sets out a systematic way of recruiting and selecting people. The aim is to

follow good practice and provide a consistent approach to recruitment and selection, which is understood by everyone.

- 2.5 Recruitment exercises are essentially a two way process and, as such, the Council will encourage applicants to express any views, comments or concerns they have about their treatment of experiences of the process. This feedback will be monitored and the Council will act accordingly to improve and address the issues raised. The Council will regularly monitor the workforce and the application and effects of its recruitment and selection procedures.
- 2.6 In cases where a previously fixed term post is approved as permanent, the employee undertaking that post may be appointed on a substantive basis without any further advertising or interview process. Pre-conditions are :
 - (a) the post is approved as permanent
 - (b) there are no other staff who are at risk of redundancy who should be considered on a redeployment basis and
 - (c) the individual has successfully completed their 6 month probationary period.
- 2.7 The Council will have in place an appropriate approval process before advertising a post.

3.0 Safer Recruitment

- 3.1 Rutland County Council has a responsibility for, and is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and for ensuring they are protected from harm.
- 3.2 We are committed to robust recruitment and selection procedures to ensure that all staff and volunteers have been appropriately screened prior to appointment. Ensuring we do everything we can to prevent appointing people who may pose a risk to our most vulnerable service users is an essential part of safeguarding.
- 3.3 We believe that safer recruitment contributes to a safer workforce and we will ensure that any vacancy takes into account the welfare of children, young people and vulnerable adults.
- 3.4 This policy and procedure serves to emphasise the key issues of recruiting 'safely'. It demonstrates the importance of incorporating measures that help deter, reject and identify people who might abuse children, young people or vulnerable adults or are otherwise unsuited to work with them.
- 3.5 The Council has produced Safer Recruitment Guidelines that specifically relate to posts working with children, young people and vulnerable adults. These must be referred to when recruiting to such posts to ensure compliance, for example when drawing up Job Descriptions and Requirements etc.

4.0 Marketing and Advertising

- 4.1 All vacancies will be advertised as a minimum on an internal basis to ensure all opportunities for development and career progression are available to existing staff. Posts may be advertised internally and externally at the same time.
- 4.2 Advertising of vacancies will be considered alongside the Restructure Policy so that all opportunities for redeployment are fully explored and therefore minimising compulsory redundancy.
- 4.3 Consideration should be given to the most effective method of attracting a pool of candidates – this includes the likely ‘market’ and pool, and the style and branding to be used. The Council is able to access support where necessary to develop bespoke campaigns where a targeted and creative solution is required. Costs of marketing and advertising are met from Directorate budgets.
- 4.4 The Council will pool campaigns wherever possible to make best use of resources and present a ‘One Council’ brand and style.

5.0 Selection and assessment

- 5.1 As a minimum, shortlisting will be undertaken by 2 people – the aim being to have a diverse panel as far as possible. All those who will be involved in the interview stage should wherever possible participate in the shortlisting process.
- 5.2 Shortlists will be drawn up by reference to the criteria as defined by the Job Description/Job Requirements. Selection should be based only on the information provided in the application form. Where requested by a candidate, Managers will feedback to candidates reasons/rationale for not shortlisting
- 5.3 Consideration should be given to removing a panel member if there is a potential conflict of interest eg. if they are connected to any of the candidates through being related or in a personal relationship.
- 5.4 The Council uses a range of methods at the interview stage to assess candidate against the job requirements for the specific role. The purpose is to accurately predict a candidate’s ability to perform the job in question. Where applicable and appropriate to the role, use of other methods of assessment should be considered to supplement the formal interview - further guidance can be sought from HR.
- 5.5 All applicants with a disability as defined under the Equality Act 2010 who advise the Council at the time of their application and who meet the minimum criteria of the post must be offered an interview. This is in accordance with the Disability Confident scheme.
- 5.6 Where there is a direct supervisory role, the appointment of direct relatives is not normally permissible. Such candidates should not be shortlisted without the express permission of the appropriate Director or Chief Executive, following

advice from the Human Resources. Employees should exercise care to avoid any form of soliciting in relation to employment enquiries on behalf of relatives.

The above is also likely to apply, for example, in circumstances where a couple is involved in a relationship.

- 5.7 Interview panel members will ensure that all applicants are assessed objectively and solely on their ability to do the job satisfactorily. They will avoid behaviours of stereotype, prejudice and discrimination. Written records of the interview will enable the recruiting manager to defend any subsequent allegation that the recruitment exercise was discriminatory.
- 5.8 If, within a period of 3 months a similar post arises and there was more than one appointable candidate as part of a previous campaign, the recruiting manager can offer the job to the next highest ranked applicant from that process. In the first instance, consideration must though be given to any employees who are at risk of redundancy.
- 5.9 Interview panel members should bear in mind that 'promises' made to successful candidates at their interview, can become part of the contract of employment. Statements made at interview can also be used as evidence of the terms of the contract if there is subsequently a dispute.
- 5.10 The Data Protection code emphasises that personal information collected and recorded in an interview should be relevant to the job and not in excess of what is needed for the purpose of making a recruitment decision or defending the recruitment process against challenge.
- 5.11 When deciding who should be offered a job, the recruiting panel/manager should make an objective assessment of the applicant's strengths and weaknesses.

6.0 Appointment and pre-employment checks

- 6.1 The Recruiting manager should make a verbal conditional offer to the successful candidate in accordance with the Council's terms and conditions of employment. Recruiting Managers are not able to negotiate or agree terms outside of those provisions. New employees will normally start at the bottom of the grade.
- 6.2 The Data Protection Code points out that personal information should be obtained only when necessary to make a fair recruitment decision. Applicants should be told the nature and extent of those checks and if checks reveal discrepancies, the applicant should be given an opportunity to explain. In particular, browsing social networking sites for information about potential candidates increases the risk of discrimination claims (*on the basis that information could be obtained in relation to protected characteristics*).
- 6.3 A new employee should not commence employment until all pre-employment checks have been completed satisfactorily ie Right to work in the UK, employment references, Fit to Work, essential qualifications and registrations where applicable, DBS where applicable.

- 6.4 Some positions will require a Disclosure and Barring Service (DBS) check, these will include posts working with children and vulnerable adults. The Council has a separate policy, procedure and guidance regarding undertaking such checks (in accordance with Government regulation). In exceptional circumstances the relevant Director can approve a risk assessment of an individual if their DBS check is not completed at the time of appointment.

If a post is being recruited to that requires a DBS check it is essential for the recruiting manager to refer to the Safer Recruitment Guidelines available on the intranet.

7.0 Probationary period

- 7.1 The first six months of employment are designated as a probationary period during which time performance is closely assessed and monitored in accordance with the Probationary Policy. An employee's employment may be terminated during the probationary period if performance is not satisfactory.
- 7.2 Employees with continuous Local Government Service (but new to Rutland County Council) will serve a period of probation for six months in the form of monthly meetings. Any performance issues will be dealt with through the Capability procedure.

8.0 Induction

- 8.1 Line Managers are responsible for designing and delivering an effective period of induction for all new staff. A framework and guidance is available on the intranet. In addition, all staff will participate in Corporate Induction comprising e-learning materials and presentations on key organisational wide topics. All staff should aim to complete this programme within this first 3 months of employment.

9.0 Continuous Local Government Service

- 9.1 The date on which continuous employment begins is notified to new employees within their Statement of Written Particulars. Any previous continuous service with an organisation covered by the Redundancy Payments (Local Government) (Modification) Orders (which covers local authorities and related bodies) will be included in calculating entitlement to:
- sickness allowance
 - annual leave
 - notice period
 - a redundancy payment

10.0 Key legislation relating to recruitment

10.1 Equality Act 2010

It is essential that all recruitment activity carried out is in line with the Equality Act, which underpins this policy.

10.2 Data Protection Act 1998

This is the main legislation governing data protection, and aims to give individuals rights with regard to the processing of manual and computerised personal data and the movement of this. For more information on the Act and the principles that must be abided by, please refer to the Data Protection Policy.

10.3 Rehabilitation of Offenders Act 1974

This Act allows criminal convictions to become 'spent', or ignored, after a 'rehabilitation period' which is dependent upon the sentence and the age of a person at the time of conviction.

The Council has a policy statement on the recruitment of ex-offenders and the use of disclosure information, which can be accessed on the Council's intranet under HR policies. Further guidance on the Act and relevant rehabilitation periods is also available there.

10.4 Immigration, Asylum and Nationality Act 2006

This Act outlines the requirement for employers to check documents to establish a person's eligibility to work in the UK and to comply with any restrictions. Until this process is complete the prospective employee will not be able to commence employment. Managers must ensure that the appropriate documents are checked and copies taken for the employee's personal file. Further guidance on the Act, and the documents that will demonstrate eligibility to work in the UK is available on the intranet. All those invited to interview will be provided with a copy of this document.

10.5 Politically restricted posts

Part I of the Local Government and Housing Act 1989 (LGHA 1989) contains the main provisions regarding politically restricted posts. Individuals holding such a post are prevented from having any active political role either in or outside the workplace. They are automatically disqualified from standing for or holding elected office and these restrictions are incorporated into contracts of employment. Further guidance and a list of relevant posts are available on the intranet.

A large print version of this document is available on request



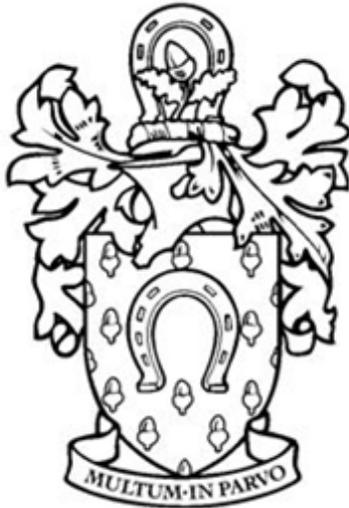
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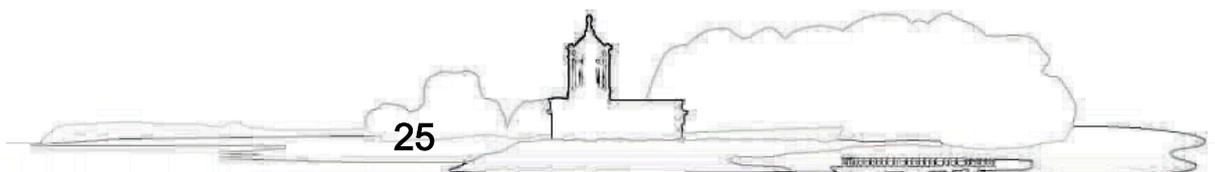


Rutland County Council

JOB EVALUATION POLICY

Version & Policy Number	Version 3.0
Guardian	Human Resources
Date Produced	May 2017
Next Review Date	April 2020

Approved by Resources DMT	May 2017
Approved by LJC	June 2017
Approved by EAC	



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DRAFT

1. INTRODUCTION AND PURPOSE

- 1.1 The Job Evaluation Policy explains the Council's policy on job grading to ensure fair and consistent application of evaluation and grading decisions in accordance with national and local agreements and to comply with equal pay legislation.
- 1.2 The policy defines the minimum requirements and standards that Managers must comply with.
- 1.3 The purpose of job evaluation is to provide a systematic and consistent approach to defining the relative worth of jobs within the Council and to enable a rank order to be developed according to the tasks, duties and responsibilities.

2 SCOPE

- 2.1 This policy is applicable to all Rutland County Council employees engaged on the National Joint Council for Local Government Services (Green Book) conditions of service. Not in scope are posts covered by the following conditions of service:
 - JNC Conditions for Chief Executives
 - JNC Conditions for Chief Officers
 - JNC Pink Book (Youth Workers)
 - those applicable to TUPE transfers in who remain in an alternative sets of terms and conditions
 - FENJC – Tutors
 - Teachers
- 2.2 This document does not apply to Schools unless where the Governors have adopted it through local consultative arrangements.
- 2.3 The pay and grading structure is that as outlined in the Council's Pay Policy. The evaluated score determines the salary for the job in accordance with the Council's pay structure.
- 2.4 The Council will adopt and apply an appropriate JE Scheme – this may be subject to change from time to time. Consultation will take place with the recognised Trade Unions.
- 2.5 All new posts will be evaluated to determine the grade and pay scale for the role. Posts may be advertised as 'pending evaluation' but the grade must be confirmed prior to an offer of employment.
- 2.6 Payments of market supplements are not within the scope of this policy but are covered in the Pay Policy.

3 RE-GRADING

- 3.1 Requests for re-evaluation of an existing post can be made by an employee or their line manager and should be approved at Head of Service/equivalent level. Re-grading's at HOS/equivalent must be approved by the relevant Director and for those on the LGA Senior Officers JE Scheme, by the Chief Executive.
- 3.2 A post should only be evaluated once within a 12 month period unless there are exceptional circumstances eg. Further organisational change.
- 3.3 Such requests would be where:
- there has been a substantial increase or decrease in the duties or responsibilities of the role OR
 - there has been a transfer of duties between posts such as the nature of each role is substantially altered.
- 3.4 No guarantee will be made that a re-evaluation of a role will increase the grade – potential outcomes include a lower grade or the grade stays the same. In the event that the grade is lower than the employee's existing grade, salary protection will apply on the basis of one grade difference for a period of 2 years, with 3 years where the loss of pensionable pay exceeds 8% and 4 years where it exceeds 12%.
- 3.5 Employees whose grade is increased will move to the bottom spinal column point of the new grade. Changes to salary will be effective from the effective date of changes to the role, ie through a restructure process or other planned/emerging changes. Any backdating will be restricted to 3 months prior to the date the amended Job Description was finalised by the line manager and job holder.
- 3.6 Where an increase in grade is 3 or more grades, consideration will be given as to whether the role is sufficiently different to justify a 'restructure' or change of role.

4 JOB EVALUATION PROCESS

- 4.1 Evaluations will be undertaken based on the job description and analysis/assessment against the factors of the Job Evaluation Scheme. JE assessment will only be undertaken by individuals (role analysts) who have appropriate training and skills in evaluation using the scheme in place at the time.
- 4.2 A member of the Human Resources (HR team) will quality assure a job description prior to proceeding with any evaluation. Job descriptions that are not 'fit for purpose' will not be evaluated to avoid the risk of 'rogue' scores and outcomes that detrimentally affect the rank order.

- 4.3 Where necessary, for supplementary information and data, the role analyst will meet with the job holder and/or line manager to review the analysis of the role against the JE factors.
- 4.4 In undertaking the assessment/scoring, the role analyst will undertake comparison and tracking of scores against similar roles/levels and use conventions and scheme guidance to ensure consistent application of the factors.
- 4.5 Evaluations will be undertaken by:
- (a) In the first instance, comparison ('benchmarking') to a job where there is a close relationship by way of functional group or family, for example – Administration roles, First Line Manager roles, Professional Technician. The comparison should be based on similar levels of demands/responsibility. In such cases the role analyst will still undergo a full scoring of the role to be evaluated, with full rationale of the scoreline. The comparison will be reviewed and considered by the Head of Human Resources and if considered a match, will be submitted to one other member of the Job Evaluation Steering Group (JESG) for validation. *(NB: Should the Council move to full job families and benchmark roles, we will consider removing the full scoring of the role).*
- (b) Where the role cannot be benchmarked (as in (a) above) posts will be assessed and scored by a role analysis and submitted for review by the JESG – the role of JESG will be to consider 'fit' of the role within the organisation's rank order and an overview of the factor scores – they will not undertake a detailed analysis or review of the evaluation. The JESG will be made up of officers representative of each Directorate and who have received training in the JE scheme in place at the time to ensure they have a full understanding of the definitions of the factors and scoring conventions. JESG review will in the first instance be carried out on a 'virtual' basis with panel meetings only be convened where a more detailed discussion or assessment is required or, for example, where a number of jobs as part of a restructure are being considered.
- (NB. The role of the JESG is not to contribute personal views or opinions or to question the need/validity of any role. They must ensure they maintain full confidentiality and do not discuss any issues outside of the JESG forum. Membership of the JESG will change from time to time).*
- 4.6 For career graded posts, each level within the career grade will be evaluated independently. The scheme will contain specific and supplementary information relating to criteria and conditions for progression.

5 GRADING APPEALS

- 5.1 If the post holder is dissatisfied with the grade outcome, they have the right of appeal. An appeal must be based on sound reasons regarding the grade of the job and not about specific factors/scoring assessments, nor on any new responsibilities that have been added to the post subsequent to the original decision.
- 5.2 The appeal must be submitted in writing to the employee's line manager with a copy to Human Resources within 10 working days of the date on the written confirmation of the grading decision.
- 5.3 A Human Resources Adviser will arrange to meet with the employee and their Line Manager to discuss in more detail the reasons for the appeal within 10 working days of receipt of the letter. The aim of the discussion is to assist in the understanding of the reasons for the grading decision and to review the original score line. The full detailed analysis report will not be shared with the post holder or line manager but the HR representative will provide a commentary assessment/summary.
- 5.4 If the outcome is that a variation in the score line should be considered, the job description and amended score line should be submitted to JESG for further review of the proposed changes.
- 5.5 If the outcome of the re-evaluation (para 5.3) is that the grade stays the same, the employee may continue with their appeal by submitting a Job Evaluation Appeal Proforma. The Proforma must be submitted to Human Resources within 10 working days of the date of the discussion and outcome (para 5.3). The details of the grounds for the appeal, the areas where the individual considers that either their manager, role analyst or the JESG did not give appropriate consideration, along with any supporting documentation must be included.
- 5.6 The appeal documentation will be submitted to a JESG Appeal Panel for further review of the score line and consider whether any amendments, based on the evidence provided by the post holder in their appeal documentation, justifies an amendment. The employee will be present at the meeting and may be accompanied by a trade union representative or work place colleague. The outcome of the review could be – increase in grade, grade stays the same, lower grade.
- 5.7 Subsequent to the JESG Appeal Panel, HR will notify the employee and Line Manager of the outcome within 2 working days of the Appeal Panel.

There will be no further right of Appeal

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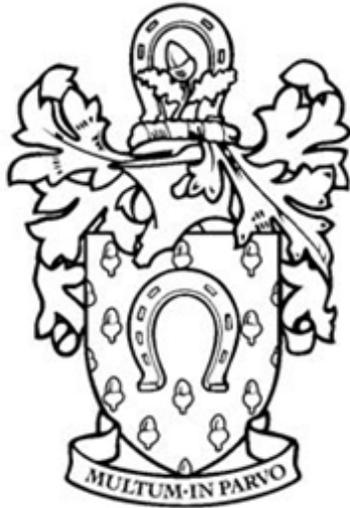


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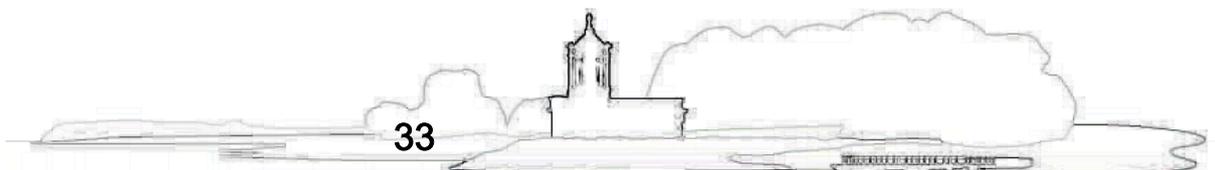


Rutland County Council

SOCIAL MEDIA POLICY

Version & Policy Number	Version 2
Guardian	Human Resources
Date Produced	January 2017
Next Review Date	January 2020

Approved by Resources DMT	June 2017
Approved by LJC	January 2017
Approved by EAC	



Summary of document

The Social Media Policy describes the benefits and concerns relating to the use of social media sites. It identifies the responsibilities of employees who act on behalf of the Council, in the use of social media, both in a professional and personal capacity. It provides guidance regarding the access to and use of social media, and specifies the implications to the Council and individuals if social media is improperly used, whether this is inadvertent or deliberate.

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1.0 INTRODUCTION

- 1.1 Rutland County Council is committed to making the best use of all available technology and innovation to improve the way we do business. This includes using all reasonable and cost-effective means to improve the way we communicate, reach out and interact with the different communities we serve.
- 1.2 'Social media' is the term commonly given to web-based tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests online. As the name implies, social media involves the building of online communities or networks to encourage participation and engagement.
- 1.3 These platforms open up many new and exciting opportunities. However, the practical application of such technology by the Council is continually developing and there are many potential issues to consider – both as individual employees and as a Council. Developments are regularly arising from legislation and case law, with conduct issues and the increase in cyberbullying and harassment regularly making headlines.
- 1.4 To avoid mistakes which could result in reputational, legal and ethical issues, and misuse/abuse of a well-functioning social media relationship, it is important that we manage any potential risks through a common-sense approach and framework as well as proactively monitoring the development of such applications.

2.0 AIM AND PURPOSE OF THE POLICY

- 2.1 The aim of this policy is to provide managers and employees with advice and guidance on their responsibilities concerning the use of, or the development of, any social media application, and to help them get the best from the tools available whilst maintaining a safe professional environment and protecting themselves, as well as the Council.
- 2.2 The purpose of this policy is to provide clear guidance about acceptable behaviour and the Council's expectations of employees regarding social media both at work and out of hours, to ensure that:
 - The Council is not exposed to legal or governance risks
 - The reputation of the Council is not adversely affected or damaged by inappropriate use
 - Social media is used appropriately by the Council as an additional communications channel when it is identified that its use will enhance engagement with specified target groups
 - The public is able to distinguish clearly that where information is provided via social media that it is legitimately representative of the Council
- 2.3 The overarching principle behind this policy is that the standards that are expected for online conduct are, in essence, no different to offline conduct.

3.0 DEFINITION OF SOCIAL MEDIA

- 3.1 For the purposes of this policy, social media are a type of interactive online media that allow parties to communicate with each other or to share data in a public forum that can create an online interaction visible to other people. This includes online social networking sites such as Twitter and Facebook. Social media also covers blogs and video- and image-sharing websites such as YouTube and Flickr.
- 3.2 Employees should be aware that there are many more examples of social media than can be listed here and this is a constantly changing area. Employees should follow these guidelines in relation to any social media that they use.

4.0 RISKS

- 4.1 Social media sites are a public forum and individuals should assume entries on such sites are in the public domain. The Council must ensure that confidentiality, the rights of others connected with the Council, and the reputation of the Council itself are protected at all times. Additionally, the Council wishes to reduce the risk of employees contravening legislation and Council policies with respect to data protection, bullying and harassment, and discrimination, or falling foul of libel, defamation and copyright laws.

5.0 SCOPE

- 5.1 This policy is applicable to **all** employees of the Council and is recommended to those schools where the Governing Body performs the function of the employer.
- 5.2 The policy also applies to temporary workers, volunteers, student/work experience placements or other partners or third parties working on behalf of the Council, collectively referred to as Council representatives throughout the remainder of this policy.
- 5.3 This policy applies to the use of social media for both business and personal purposes (where it impacts on the Council or its representatives), whether during office hours or otherwise. It also applies whether the social media are accessed using Council IT facilities or equipment or personal equipment.
- 5.4 This policy should be read in conjunction with the Employee Code of Conduct, Grievance Policy and Procedure (which includes bullying, harassment and discrimination) and the ICT Internet and E-Mail Policy.

6.0 USE OF SOCIAL MEDIA AT WORK

6.1 Access to Social Media for Work Purposes

Council representatives should be aware that their relationship with social media changes as soon as they identify themselves as a Council representative, speak in any kind of professional capacity, or use social media on Council business. Individuals are the public face of the Council and should participate in the same way as they would with other media or public meetings or forums.

Participation online will result in comments being permanently available and open to being republished via other communication channels, e.g. they may attract media interest in the individual or the Council.

Details of all corporate social media accounts, and those who have access to these, are held by the Strategic Communications Advisor. Proposals to set up new social media platforms or to expand those already in place, should be notified to the Strategic Communications Adviser. Passwords should be changed when team members leave the Council to ensure the ongoing security of the access to the account, and the Strategic Communications Advisor informed accordingly.

Managers will periodically remind staff of this policy and ensure that the risks of using social media for work related purposes have been fully assessed and managed through appropriate controls and guidance.

6.2 Access via personal devices

Any employee currently using social media for Council business, and accessing it from a home computer, MUST get permission from their manager, inform the Strategic Communications Adviser of their activity and make sure they comply with the contents of this policy. As para 6.1, the Strategic Communications Adviser must be notified of any social media that an employee is accessing for work purposes on either RCC equipment or personal equipment.

Usage of employee's own personal devices (eg. smartphones, ipads) to access websites and social media for personal use (eg. Facebook, Twitter, other websites) should be restricted in terms of frequency and length of time ie. to ensure there is no disruption to work.

Employees must not use their own equipment (e.g. smartphone) to access social media (eg. use of Facebook and Twitter) during their normal working hours. Usage should be restricted to breaks and time outside working hours.

6.3 Guidelines on the Use of Social Media for Work Purposes

Council representatives must take the following into consideration when using social media in a professional capacity:

- **You are personally responsible for any content you publish:** Be mindful that it is in the public domain and on the record potentially permanently. Anything you publish will reflect directly on the Council as a whole.
- **Clearly identify yourself and your role:** Make it clear that you are acting in an official capacity on behalf of the Council. Ensure that posts do not include personal details about colleagues or yourself such as personal contact details, addresses etc
- **Be professional:** Make sure you are always seen to act in an honest, accurate, fair and responsible way at all times. Always remember that you are an ambassador for the organisation.
- **Be aware of your association with the Council in all online spaces:** Ensure your profile and related content is consistent with how you wish to present yourself with colleagues and customers.
- **Be aware of your language and conduct:** The rules governing conduct such as the Council's Code of Conduct, Grievance Policy and Procedure and the Equality and Diversity policy still apply. Also, as in all publishing, you should be aware of issues such as libel, defamation and slander. Avoid 'textspeak', slang and any form of wording that may not be generally understood by everybody, unless you have a clear specific target audience.
- **Obtain approval from your Manager and inform the Strategic Communications Adviser** Ensure you have the full approval of your Manager, and seek advice from the Strategic Communications Adviser before any official use of social media. Always alert your Manager and the Strategic Communications Adviser early if you think you may have made a mistake.
- **Always stay within the legal framework:** Never share confidential or sensitive information and be aware that data protection and financial regulations apply.
- **Seek permission before publishing information that is not already in the public domain:** This includes documents, details of conversations, addresses etc. Do not cite or reference customers, partners or suppliers without their approval.
- **Respect copyright:** when linking to images or other online material. Seek appropriate advice on this to ensure accidental breaches are avoided.
- **Assess any risks:** Think through any potential risks and make sure you have plans in place to manage and mitigate these.
- **Monitoring and evaluation:** Make sure you have a plan for how you intend to monitor and evaluate the success of your activity.

7.0 USE OF SOCIAL MEDIA IN YOUR PERSONAL LIFE

- 7.1 Whilst we recognise an individual's freedom to use social media, the Council expects employees to consider their role in the Council, and to make a judgment taking into consideration the implications of their behavior and the potential effect this may have.
- 7.2 It is acknowledged that when participating in social media for personal use, the views and opinions that individuals express are their own, however it is important to be aware that posting information or views about the Council cannot be isolated from a person's professional working life.

- 7.3 Information published online can, if unprotected, be accessed around the world within seconds and can make them identifiable to service users as well as people they know in a private capacity.
- 7.4 The Council views any comment that is made on a social media site is made publicly and any inappropriate or offensive comments made will be considered in the context in which it is made. For example, disparaging comments about the Council, Members or colleagues made on the internet could be viewed as bullying/harassment, defamation or could be considered to bring the Council into disrepute. This may be deemed as a disciplinary offence.
- 7.5 Employees should be mindful that all comments made through social media must meet the standards of the Data Protection Act, Code of Conduct and the Equality and Diversity policy.
- 7.6 Employees should ensure that clients known to them through their work, where there could be a conflict of interest, are not linked to them through social media ie. that could create a conflict of interest. The Council considers it inappropriate to have either current or former service users as “friends” through social media, especially where these people are vulnerable and there may be safeguarding issues. For example, it would be inappropriate for social workers to have service users and their families as friends on Facebook.
- 7.7 Online sites such as Facebook are in the public domain and personal profile details may be seen by anyone, even if users have their privacy settings on the highest level as these can be compromised by “friends” who have not set their security to the same standard.
- 7.8 If you have a LinkedIn profile then you must ensure that, whenever your profile relates to your employment by us:
- It is accurate,
 - It does not divulge confidential or sensitive material, or material which might lower the reputation of the Council
 - You refer to the Council and your employment in a way which is respectful
- 7.9 Individuals should be aware that they are personally responsible for any content they publish. If the comments published are contrary to any of the Council’s policies, impact on or compromise the employee’s ability to undertake their role, or undermine management decisions, such behaviour could be considered a serious breach and be investigated and may result in disciplinary action being taken and ultimately could result in dismissal.

7.10 Guidelines on the Use of Social Media for Personal Use

Given that individuals are personally responsible for any content published the following should be taken into consideration:

- It is good practice to not mention work, your opinions of your colleagues or processes and projects on your own private Social Media Networks. Although you may believe you are sharing information with trusted friends, you need to recognise the risk of circulation outside this circle.
- Remember that commenting on or reposting messages will link you to the original statement, and could be viewed that you are condoning the opinions expressed
- Statements made on personal social media accounts will be assumed to have been made by that individual unless they can provide convincing evidence to the contrary
- Employees should be aware that the Employees' Code of Conduct covers the issues of fidelity and information disclosure, and should bear this in mind when using social media in a personal capacity outside of work.
- Employees should not engage in activities on the internet that might bring the Council, its Officers or Members into disrepute.
- Do not use Council branding, graphics (including Council photographs linked to Council buildings or Council work) or literature on personal social media pages.
- Do not reveal information which is confidential to the Council - consult your manager if you are unsure.
- Do not include contact details or photographs of service users or staff without their permission.
- Employees should be aware that any reports of inappropriate activity, linking them to the Council, will be investigated.
- With the rise in identity theft and fraud, employees may wish to consider the amount of personal information that they display on their personal profile.
- Use the Council's whistleblowing procedure to raise any issues of malpractice – this is the appropriate channel for raising issues in the first instance, not social media sites.
- Report to HR if you see anything on a social media site that indicates that a colleague may have breached this policy.

8.0 POSTING RESPONSIBLE CONTENT ON SOCIAL MEDIA SITES

8.1 In summary, any communications that employees make in a personal or professional capacity through social media must not:

- bring the Council into disrepute, for example by:
 - criticising or arguing with service users, colleagues or rivals;
 - making defamatory comments about individuals or other organisations or groups; or
 - posting images that are inappropriate* or links to inappropriate content;
- breach confidentiality, for example by:
 - revealing confidential or sensitive information owned by the Council;
 - giving away confidential information about an individual (such as a colleague or service user contact)
 - discussing the Councils internal workings (such as future plans or proposals not yet made public)
- breach copyright, for example by:

- using someone else's images or written content without permission; or
- failing to give acknowledgement where permission has been given to reproduce something;
- do anything that could be considered discriminatory against, or bullying or harassment of, any individual, for example by:
 - making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age;
 - using social media to bully another individual (such as another employee of the Council); or
 - posting images that are discriminatory or offensive or links to such content.

*inappropriate is likely to be considered (but not restricted to) as unsuitable, unfitting, unseemly, unbecoming, improper.

9.0 USE OF SOCIAL MEDIA IN THE RECRUITMENT PROCESS

- 9.1 As part of the recruitment process, the Council may make use of open-source information about applicants in order to protect service users and the Organisation. Whether or not this is required for a particular role will be considered on a case by case basis. If used, this would be undertaken as late in the process as reasonably practicable, and candidates notified of the intention to conduct this in advance of this taking place. If any information found gives cause for concern, this will be discussed with the potential candidates before any decisions are taken. Advice should be sought from Human Resources in all cases.
- 9.2 Browsing social networking sites for information about potential candidates increases the risk of discrimination claims (*on the basis that information could be obtained in relation to protected characteristics*).

10.0 MONITORING

- 10.1 Rutland County Council reserves the right to monitor and access employees' internet usage, and social media tags (references to the Council) in line with the ICT Security Policy and Email and Internet Policy. The Council considers that valid reasons for checking an employee's internet usage include suspicions that the employee has:
- been using social media websites during working hours; or
 - acted in a way that is in breach of the rules set out in this policy.
- 10.2 The Council reserves the right to retain information that it has gathered on employees' use of the internet in line with the systems monitoring outlined in the IT Security Policy, or for the duration of any 'live' disciplinary sanctions.
- 10.3 Access to particular social media websites for Council purposes may be withdrawn in any case of misuse.

11.0 NON-COMPLIANCE

- 11.1 All employees are required to adhere to this policy. Employees should note that any breaches of this policy, whether as a result of deliberate or inadvertent misuse, may lead to disciplinary action. Serious breaches of this policy, for example incidents of bullying of colleagues or social media activity causing damage to the Council (for example bringing the Council's reputation into disrepute or exposing it to potential liabilities), may constitute gross misconduct and lead to summary dismissal. Other breaches may also be considered to be serious breaches, depending on the circumstances, and the employee's role within the Council.
- 11.2 Employees must remove any material posted in breach of this policy upon our request.
- 11.3 Employees must co-operate to the fullest extent possible in any investigation into suspected breaches of this policy. This may include handing over any relevant passwords for equipment, accounts and in situations where we need these passwords in order to investigate a suspected breach.

12.0 POLICY REVIEW

- 12.1 This policy will be kept up to date and amended accordingly to reflect any changes in response to this policy and applicable standards and guidelines.

A large print version of this document is available on request



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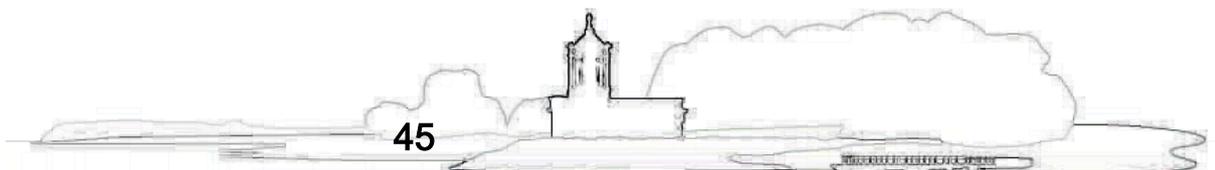


Rutland County Council

EMPLOYEE CODE OF CONDUCT

Version & Policy Number	Version 1.1
Guardian	Human Resources
Date Produced	June 2013 (updated January 2017)
Next Review Date	June 2019

Update Approved by SMT	April 2017
Constitution Review Working Group	16 July 2013 (v1)
Approved by Full Council	9 September 2013 (v1)
Update approved by EAC	(v1.1)
Approved by LJC	19 September 2013
Update	16 January 2017



Employee Code of Conduct

This Policy applies to all employees of Rutland County Council, except those based in Schools and Colleges.

The public expects the highest standards of conduct and service from all employees of the Council. The Employee Code of Conduct sets out the standards of behaviour that promote and reinforce the highest standards from everyone across the Council. There are few sectors with the breadth and scope to impact positively on so many individuals' lives; it is a great privilege to work in roles that perform such a critical role for the community.

The Code forms part of an employee's conditions of service and it is their responsibility to read and apply the standards set out in this and related documents including professional codes, policies and guidance. Any employee deliberately or knowingly acting outside the Code will be viewed as a serious matter that could result in disciplinary action.

Where an employee is a member of a professional body, they must ensure that they adhere to any professional code(s) of conduct in place in addition to this Code of Conduct.

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1. General Principles

- 1.1 The Employee's Code of Conduct establishes a set of core principles and standards which underpin the concept of public service and which are applicable to all employees of the Council regardless whether they work full time, part-time, casual or on a relief/interim basis.
- 1.2 The Council's vision is to ensure Rutland is a great place to live, work, play and visit. The Council's values underpin how we operate to service our Community.

2. Accountability

- 2.1 Employees must be accountable to the authority for their actions. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.
- 2.2 Senior leaders in the organisation carry the responsibility of ensuring our efforts knowledge that, whilst the benefits can be enormous, the risk can also be great. Professional bodies of senior managers across local public services have come together to develop a code of ethics for their members. The expectation is that every senior manager working in local public services will adopt the code of ethics. Full details can be found on the Solace website' and the Council considers the behaviours outlines in this Code are aligned to the code of ethics (www.solace.org.uk/knowledge/reports-guides)
- 2.3 Senior Managers should exhibit in their own behaviour the 'Principles of Public Life' published by the Committee on Standards in Public Life. They should actively promote and robustly support the principles and be willing to challenge poor behaviour, including by all those employed to deliver local public services and elected representatives wherever it occurs.
- 2.4 Senior Managers should uphold the principles of a representative government and ensure the effective working of the democratic process.
- 2.5 If an employee's post is exempt from the Rehabilitation of Offenders Act and subject to a Disclosure and Barring Service check, they are obliged to notify their manager of any convictions, warnings, cautions, reprimands etc, no matter now minor, during their employment. All staff are required to disclose any conviction, warning, caution or reprimand that has the potential to impact their job.

3. Honesty, Integrity, Impartiality and Objectivity

- 3.1 Employees must perform their duties with honesty, integrity, impartiality and objectivity.
- 3.2 Employees in receipt of allowances or council tax discounts administered by the Council (eg. rent allowances or council tax discounts) must notify the

appropriate department promptly, in writing, of any change in circumstances that may affect entitlement. To deliberately fail to notify any material change of circumstance that results in overpayments being made, may be deemed a fraudulent act against the employer.

4. Duty of Trust

- 4.1 Employees must at all times, act in accordance with the trust that the public is entitled to place in them.
- 4.2 Any employee who is not clear about the application of this code in relation to particular circumstances should seek guidance from their line manager or the Human Resources team.
- 4.3 Employees whose work relies upon them fostering close relationships with members of the public, should adhere to the guidelines within this code to ensure that all contact is conducted on a professional basis.

5. Respect for Others

- 5.1 A commitment by all employees to implement equalities in all aspects of their work is fundamental to effective service provision and effective working relationships. All members of the local community, customers and other employees have a right to be treated with fairness, respect and equity.
- 5.2 Employees are expected to carry out their duties in compliance with the Council's Equality and Diversity Policies and undertake Equality and Diversity training
- 5.3 The Council will not tolerate discriminatory behaviour, including harassment, which will be dealt with in accordance with the Council's Disciplinary procedure and Grievance procedure which includes Harassment, Discrimination and Bullying procedure.
- 5.4 Employees must treat colleagues with courtesy and respect. Employees must not abuse colleagues verbally or physically.
- 5.5 Communication between employees should at all times remain professional and show respect for others' feelings and opinions.

6, Stewardship

- 6.1 The Council has adopted a set of values that underpin how we operate within the Council to serve our community – these values are supported by our Strategic Aims and Objectives. The Council will support staff in understanding the part they play in delivering these objectives through management support and mechanisms such as our Personal Development Review scheme.

- 6.2 Employees must use public funds entrusted to or handled by them, in a responsible and lawful manner and not make personal use of property or facilities of the Council unless properly authorised to do so.
- 6.3 Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment.
- 6.4 Employees should not make use of Council facilities, such as telephone, computers, etc. where this is related to outside work for another employer. Neither should they undertake any correspondence or incoming/outgoing phone calls relating to external work.
- 6.5 The Council's telephone, computer system, the Council's Crest, other equipment and materials (including headed paper) are the property of Rutland County Council and are provided for employee's business purposes and for interaction with the public in the delivery of services. Council property, plant, vehicles, money and services should only be used for the Council's purposes.
- 6.6 Some personal use of the Council's electronic communication facilities and devices including phone, internet and email is permitted outside of the working day, provided it is within the scope of the Council's Email and Internet Policy. The e-mail and internet system must not be abused. Usage of such systems will be monitored through normal management practice and route checks of the Council's IT systems.
- 6.7 Individuals' use of their own personal mobile phones should, as far as possible be contained to non-working time to avoid any disruption to an employee or colleague undertaking their role. In addition:
- Employees should ensure that mobile phones and other communication devices are switched to silent during working hours.
 - The Council recognises that on occasions, employees may need to be contacted at work on urgent personal matters – in such circumstances an appropriate direct line phone number can be provided.
- 6.8 The Council's Financial Regulations and Anti Fraud and Corruption Policy must be adhered to at all times.
- 6.9 Employees should not use their position within the Council to see or receive preferential rates from organisations or Council contractors.
- 6.10 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

7. Safeguarding

- 7.1 Employees should be aware that sensitive, confidential information should not be left on desks or in places where access is available to general staff/visitors.
- 7.2 Employees should not hold sensitive confidential information on memory sticks or desktops. Any such information may only be held on encrypted memory sticks and the main IT server.
- 7.3 Employees should be aware that not all staff/visitors will have DBS clearance and to exercise vigilance when asked for information of a confidential or sensitive nature.
- 7.4 Employees should consult with their line manager if they have a concern which relates to safeguarding children, young people and adults.
- 7.5 Employees should keep the minimum amount of personal information about children (dependant on job role) and ensure compliance with the principles of data protection in storing and using information.
- 7.6 Photographs of children may only be kept with the parent's consent.
- 7.7 Employees should report immediately any concerns they have about a child or adult, or any allegations made to them about a child or adult or by a child or adult.
- 7.8 All employees are required to attend safeguarding awareness training as part of the induction and probationary procedure.

8. Personal Interests

- 8.1 Employees must not, in their official or personal capacity, allow their personal interests to conflict with the Council's requirements, or use their position improperly to confer an advantage or disadvantage on any person.
- 8.2 Activities of the Council's employees outside the working environment may be under public scrutiny and therefore the Code requires high standards of conduct.
- 8.3 Employees must be clear about their contractual obligations and should not take additional or 'outside' commitments (paid or unpaid), which may infringe on their contractual work commitments, without gaining permission from their Line Manager. In any event, the total work time involved must not breach the Working Time Regulations.
- 8.4 Some roles/positions will have specific conditions to ensure an appropriate boundary exists between their employment with the Council and any activities they may undertake in their personal time (including voluntary activities). Such conditions are outlined in relevant professional codes of practice and

standards, eg. Care Quality Commission. In such instances this must be disclosed and written consent obtained. Employees should refer to their Manager if they require further advice.

- 8.5 Employees should not carry out work, set up or accept employment with a business engaged in work which, in the view of the Council, conflicts with or is detrimental to the Council's interest or in any way weakens public confidence in the conduct of the Council's business. Employees should refer to the appropriate Director if they require further advice.
- 8.6 Employees should follow any guidance that may be issued by the Council on the acceptance of employment with a third party whilst still employed by the Council. In any event, the total work time involved must not breach the Working Time Regulations
- 8.7 Employees should not accept any fee or reward whatsoever other than proper remuneration in respect of any services given in relation to their work for the Council. Any such fee should be paid over to the Council.
- 8.8 Employees may, in a professional capacity whilst undertaking additional or outside work, publish books and articles, give lectures or speak on radio or television and may illustrate these by reference to the Council's activities or policies, but the Strategic Communications Adviser must be consulted before doing so. Employees must be clear that any views they express, are their own and not necessarily those of the Council.

9. Registration of Interests

- 9.1 Employees must comply with any requirements of the Council to register or declare interests and declare hospitality, benefits or gifts received as a consequence of their employment.
- 9.2 Employees must declare annually to the Head of Governance any financial and non-financial interests or commitments which may conflict with the Council's interests. This would include (but is not exclusive nor exhaustive):
 - Membership of an organisation receiving grant aid from the Council
 - Membership of an organisation or pressure group which may seek to influence the Council's policies
 - Membership of an organisation which may seek to influence the performance of an employee in carrying out their duties
 - Having a beneficial interest in land which is within the Council's area and is subject to any planning application.

Membership of, or activity on behalf of, a recognised trade union or professional society does not constitute such an interest. The Council encourages employees to take an active part in the life of the community. This Code of Conduct does not seek to discourage such involvement. If there is any doubt, advice should be sought from the Line Manager.

- 9.3 Employees should declare to their Director, membership of any organisation, lodge, chapter, society, trust or regular gathering or meeting which is not open to members of the public who are not members of that lodge, chapter, society or trust or requires secrecy about its rules, membership or conduct. The purpose of this provision is to prevent any conflicts of loyalty/interest arising.
- 9.4 Employees should advise the Head of Governance of their membership of any such organisation where in a specific instance, such membership constitutes (or can be perceived as) a conflict of interest.
- 9.5 Employees must advise the Director for Resources if they are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation if it may impact upon the employee's role and duties. Such information will be treated in the strictest confidence

10. Political Neutrality

- 10.1 Employees must serve the Council as a whole. They must serve all Elected members and not just those in the controlling group, and must ensure that the individual rights of all Members are respected.
- 10.2 Advice to Political groups must be given by, or with the consent of the relevant Director.
- 10.3 Employees whose posts are designated as politically restricted under the Local Government and Housing Act 1989 will be advised upon appointment and must adhere to those requirements.
- 10.4 Political Assistants appointed on full time contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraphs 10.1 to 10.3
- 10.5 Employees must seek advice if they wish to stand for election as a Member for Rutland County Council or any other local authority as it could impact on their employment.
- 10.6 An employee, who is involved in politics in their own time, must not carry out any political activity which might lead the public to think they are acting in their capacity as a Council employee. It is particularly important, if a Member of another Council, to keep the two roles separate and not use confidential information obtained in one capacity in the other.

11. Reporting Procedures

- 11.1 The Council will not tolerate any form of malpractice. Employees have an important part to play in reporting any concerns and are expected to co-operate with investigations. The Council's Whistleblowing Policy demonstrates our commitment to support employees who are concerned about the conduct of the Council or individuals and to encourage them to make those concerns known.

- 11.2 The Council recognises that it is often difficult for employees to report legitimate concerns through fear of victimisation or reprisal. However, the Council can assure employees raising such concerns that they will be fully supported and there will be no adverse impact on their personal situation.
- 11.3 However, where it is shown that unfounded allegations have been made by an employee for malicious, frivolous or vexatious reasons, disciplinary action may be taken against them.
- 11.4 Complaints from a member of staff as a member of the community and user of Council services, not as an employee, should initially be raised with the provider department, and if this proves unsatisfactory, by then using the Council's Corporate Complaints Procedure.
- 11.5 Employees must also notify the appropriate department promptly if they have any reason to suspect that a member of the public is claiming Council administered benefits fraudulently, regardless of their circumstances as to how this information is obtained.

12. Relationships and Professional Boundaries

12.1 Elected Members

Mutual respect between employees and Members is essential to good local government. Close personal familiarity between employees and individual Members can damage the relationship and prove embarrassing to other employees and Members and should therefore be avoided.

12.2 Public

Employees should always remember their responsibilities to the community we serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community.

12.3 Media

In general, all communications with the media relating to the activities of the Council are managed through the Communications Office.

Employees are not permitted to communicate with the media on matters relating to the activities of the Council without prior authority from the Communications Office and from the appropriate Director. Employees who are contacted direct by journalists should refer them to the Communications Office.

If an expression of opinion or official statement of policy is needed, employees must speak to the Strategic Communications Adviser.

Employees who have ideas for positive stories about the Council's policies and activities should contact the Communications Office.

Every assistance should be given to Members who need information to deal with questions from the media. Employees should refer to the relevant Director for further advice.

12.4 Contractors/Consultants

All relationships of a business or private nature with internal or external contractors or consultants, or potential contractors or consultants, should be made known to the relevant Director and the Head of Governance as they may have the potential to seriously compromise a Council decision.

Orders and contracts must be awarded on merit, by fair competition against other tenders. No part of the local community should be discriminated against when considering contracts and tenders.

Employees who engage or supervise contracts or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to their Director and the Head of Governance

Employees who are party to confidential information on tenders or costs for both external and internal contractors should not disclose that information to any unauthorised party or organisation.

12.5 Employees

Employees must declare any personal relationships with another employee of the Council where the relationship could cause a conflict of interest, eg. breach of the requirement for the separation of duties. In such instances there may be a need to consider alternative employment.

The Council defines a close personal relationship as one between employees who work together in the same team or department and who are:

Married

Civil Partners

Co-habiting

Dating

Immediate family members, and

Any other individuals regarded as having a familial or close personal relationship.

Employees should not be involved in a work relationship where their partner is their line manager or vice versa.

Employees who do have a close personal relationship must advise their Director of their circumstances. The Director will then decide whether to instigate a move of one or both employees. If a Director agrees that both employees can remain in the same team, the situation should be reviewed by line management on a regular basis to ensure the situation does not affect the day to day business of the Council.

12.6 Professional Boundaries

The Council has specific guidance that outlines expectations of staff in maintaining professional boundaries with service users

Close personal relationships with service users are prohibited. Service users may be from vulnerable groups in the community (eg. by age, disability, mental health etc) and the correct balance between friendly interest and the professional relationship must be maintained at all times to ensure that service users are not exploited. If a problem arises from a service user misinterpreting friendly interest as evidence of a deeper, more personal relationship developing, the employee must immediately report the matter to the appropriate line manager for advice on the way to proceed.

Service users include anyone who has or does receive a service from Rutland County Council. Examples of service users include but are not limited to children, young people, people with disabilities, people experiencing mental ill health and older people. The word carer is used to include anyone who has a caring role for another person. Examples of carers include, but are not limited to parents, sons, daughters, young people /children other family members, neighbours and friends.

Employees are required to comply with the 'Professional Boundaries Guidance and Procedures' and not enter into inappropriate relationships nor conduct the services of the Council in an inappropriate or unprofessional manner. Any breaches of the guidance may be considered misconduct under the Disciplinary procedure.

13. Treatment of Information

- 13.1 Employees must not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless required by law to do so. Employees should not prevent another person from gaining access to information to which that person is entitled by law.
- 13.2 Employees must not misuse their position by requesting or gaining information unnecessary to carrying out their work nor to make personal gain or benefit.
- 13.3 We owe a legal duty of care to ensure that references are based on fact. The Council's policy on Giving and Receiving References must be followed and is held on the intranet. Where an agreement has been reached with an ex-employee regarding the issuing of an agreed reference, this should be referred to Human Resources.
- 13.4 Employees should be familiar with and conform to Data Protection, Freedom of Information and Health and Safety legislation. These regulate and provide a framework for processing information relating to individuals which includes holding, using or disclosing information. It covers manual filing systems and records as well as computerised systems, card indexes and microfiche. The

Council treats breaches of these policies seriously and in particular the impact on service users/the Council eg. safeguarding, reputational damage.

- 13.5 Data Protection applies to hard copy documentation and all system/data held information both within a Council office environment and when taken off site/remote working.

14. Appointment of staff

- 14.1 Employees must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative or friend.

In this context, 'relative' means a spouse, partner, parent-in-law, son, daughter, step-son, step-daughter, child or a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons.

In this context, 'partner' means a member of a couple who live together.

- 14.2 Decisions to appoint are made on the basis of merit. It would be unlawful to make an appointment based on anything other than the ability of the candidate to undertake the duties of the post.
- 14.3 The Council has a detailed process for the appointment of staff that must be followed by all employees involved in the recruitment process.
- 14.4 Every candidate for an appointment shall, when making an application, disclose in writing to the Chief Executive whether to their knowledge he/she is related to any member of the Council or to a holder of any senior office within the Council. Deliberate omission to make such a disclosure will disqualify the candidate and if the omission is discovered after appointment, may be lead to dismissal.

15. Gifts, Hospitality and Sponsorship

- 15.1 Our conduct as local government employees should never lead to a question regarding our interests nor lead anyone to think that we have been influenced by gifts and hospitality. An employee's own personal and professional reputation and that of the Council could be seriously affected if an employee inappropriately accepts a gift or hospitality.
- 15.2 The overarching principle is that employees working for the Council must adhere to the highest standards of public service.
- 15.3 Employees should avoid being in a position where they might be deemed by others to have been influenced in making a decision in respect of his/her employment as a consequence of accepting a gift or hospitality.

- 15.4 Whenever there is any doubt as to whether gifts or hospitality should be accepted, the offer should be declined or advice sought from their line manager or Director for advice. Employees and Managers should refer to the Guidance on Gifts, Hospitality and Sponsorship.
- 15.5 Employees must never accept monetary gifts of any kind, whether in the form of cash or cheques. Modest gifts of a promotional nature are generally acceptable (e.g. calendars, diaries or articles for office use).
- 15.6 It is an offence for employees to accept any gift or consideration as an inducement or reward for doing or forbearing to do anything in their official capacity or showing favour or disfavour to any person in their official capacity.
- 15.7 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the guidelines and framework regarding gifts and hospitality will also apply.
- 15.8 Where the authority wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being a full disclosure to the Head of Governance. Similarly, where the authority through sponsorship grant aid, financial or other means gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

16. Alcohol and Drugs

- 16.1 All employees will be expected to attend work without being under the influence of alcohol or drugs or have their work performance adversely impacted by alcohol or drugs. Any associated inappropriate behaviour or conduct may be considered misconduct within the Disciplinary Policy.
- 16.2 Where involvement with illegal drugs, or excessive use of alcohol by an employee takes place outside of working hours, the Council will consider the impact this may have on their employment, including consideration of any implications for the Council's reputation or public confidence
- 16.3 Employees and Managers should refer to the Guidance on Alcohol and Drugs.

17. Health and Safety

- 17.1 In the interests of the public and colleagues, employees must adhere to the Council's Health and Safety policies. These are available on the Intranet/Shared Drive.
- 17.2 Employees must not act either wilfully or unintentionally in a manner liable to place the public, their colleagues or themselves at risk and must adhere to the duty of care prescribed in the Council's Health and Safety policies.

17.3 The Council as employer, and their employees are subject to duties under the Health and Safety at Work Act 1974.

17.4 The Council is committed to ensuring the safety of our driving and riding workforce and that of other road users in our community. The Driving and Riding for Work Procedure ensures that all Council employees and representatives are aware of the requirements and expectations that to relate to them, and to the Council as an organisation – in order to ensure a safe workforce.

18. Standards of Dress and Appearance

18.1 Employees must ensure that their standard of dress, the type and style of clothes and personal ornamentation worn, are appropriate to the nature of the duties and responsibilities undertaken. Inappropriate dress can create the view that the Council is inefficient, create offence or be interpreted as disrespectful by the public. Employees should seek further advice from their Manager if they require clarity regarding appropriate or inappropriate dress.

18.2 The Council will be respectful of ethnic and religious dress requirements.

18.3 Employees will be expected to conform to requirements for clothing which may apply for health and safety reasons or where a specific uniform is required and issued to them.

18.4 ID/Name badges, where provided, will be worn at all times unless agreed with their line manager for specific situations when it is appropriate that it is not worn. Employees should also show their current ID pass as appropriate, eg. when carrying out a home visit.

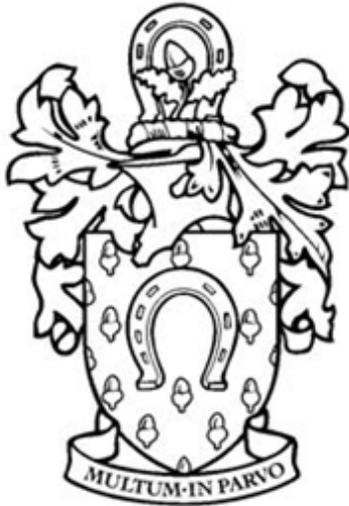
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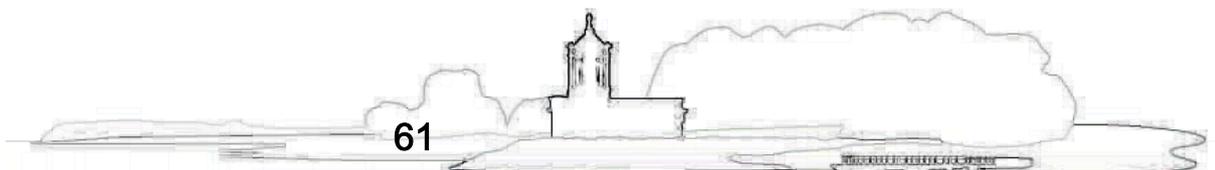


Rutland County Council

EARLY RETIREMENT POLICY – LOCAL GOVERNMENT PENSION SCHEME

Version & Policy Number	Version 5.0
Guardian	Human Resources
Date Produced	June 2017
Next Review Date	June 2018

Approved by Resources DMT	June 2017
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Approved by Employment Committee	17 March 2015 (no changes submitted in 2016)
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INTRODUCTION

This Policy outlines the Council's approach to early retirement for staff who are members of the Local Government Pension Scheme. This reflects the changes to the discretions permitted by the LGPS 2014 scheme.

The Local Government Pension Scheme (LGPS) contains provisions for the early retirement of staff and this policy will be updated to reflect any changes in scheme provision. Further guidance for employers and employees can be obtained from Leicestershire County Council Pension Section who administers the scheme on behalf of local authorities in the region.

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1.0 POLICY

- 1.1 This Early Retirement Policy is applicable for relevant staff employed by the Council who are members of the Local Government Pension Scheme, seeking early retirement on the following grounds:
- 1.1.1 Voluntary early retirement
 - 1.1.2 Redundancy
 - 1.1.3 Ill-Health
 - 1.1.4 Efficiency of the Service
 - 1.1.5 Flexible Retirement
- 1.2 This policy operates within the requirements of the national legal framework, employment legislation, Local Government Pension Scheme regulations, EEC Directives etc.
- 1.3 This policy will be subject to review to take account of budgetary constraints as well as changes to legislation and pension scheme regulation. The review will take place annually unless legislative changes require a review at an earlier date
- 1.4 All Councils are required to produce a statement of their policy on discretions under Regulation 60 of the LGPS Regulations 2013 and keep this under review.
- 1.5 The Council does not grant any discretionary enhancements under Regulation 12: Augmentation (increase of scheme membership).
- 1.6 The Council does not award discretionary compensation by way of enhancements or added years to Pension benefit.
- 1.6 Directors are required to submit a full schedule of costs for each individual case to be considered for early retirement under this policy. This should also clearly set out the rationale for the early retirement and demonstrate full consideration of alternatives. Approval will then be sought from the Chief Executive.
- 1.7 Directors and Heads of Service should consult with Human Resources on all matters relating to an employee's premature retirement.

2.0 VOLUNTARY EARLY RETIREMENT

- 2.1 Pension scheme members can retire and have receipt of their LGPS benefits in full from their normal retirement age (this will be either age 64 or the member's state pension age).
- 2.2. Employees can voluntarily retire and take their benefits from age 55 onwards, subject to potential reductions. The Council has not adopted the regulation that would waive a member's reductions. As outlined in paras 1.5 and 1.6, the Council does not waive reductions due to early release of pension benefit, nor grant any enhancement.

- 2.3 Employees seeking voluntary early retirement under the age of 55 (and have not retired for reasons for certified ill-health) will become entitled to deferred benefits and their pension will be put 'on hold' in the pension fund and offered to them when they reach the age of 55.

3.0 REDUNDANCY AND EARLY RETIREMENT

- 3.1 Employees who are made redundant by the Council, and are aged over 55 and have been a member of the LGPS with at least 3 months membership (or transferred service), will be entitled to the immediate unreduced payment of their LGPS benefits.
- 3.2 The Council will follow its Restructure Policy before any redundancies are confirmed. All redundancies and payments are subject to the approval of the Council or as it may be delegated.
- 3.3 The Council will be responsible for the capital costs associated with an early release of pension benefit arising from a redundancy (in addition to the full redundancy costs). A full estimate of benefits and associated costs must be obtained from Leicestershire Local Government Pension Scheme prior to any decisions to terminate employment on redundancy grounds with early retirement.
- 3.4 Leicestershire County Council Pension Section requires written confirmation and approval of the early retirement /redundancy.
- 3.5 No redundancy payment is payable where the early retirement is for reasons of efficiency of the service.
- 3.6 The Council does not provide any additional enhancement or compensation by way of redundancy payments. The week's pay for calculation or redundancy payment is based on actual week's pay and is not capped at the statutory maximum.

4.0 ILL-HEALTH AND EARLY RETIREMENT

- 4.1 A member of the LGPS may leave the Council by reasons of being permanently incapable of discharging efficiently the duties of their current role or any other available comparable employment with the Council, and there is a reduced likelihood of the employee being capable of obtaining gainful employment before age 65.
- 4.2 There are no criteria regarding age but an employee must have built up at least 2 years contributory membership (either through LGPS membership or transferring in another public sector pension) in the scheme before they become entitled to an ill health pension benefit.

4.3 The Council will utilise the services of its appointed Occupational Health Adviser by way of early referral to understand the impact of an employees' medical condition on their ability to carry on working for the Council before any decisions are taken. The decision to grant ill health retirement to a member or former member rests entirely with the employer. This decision will be made with reference to the advice given by the Independent Registered Medical Practitioner (IRMP) on the ill health certificate.

4.4 An IRMP must certify that a member of staff is permanently incapable of undertaking any gainful employment.

4.5 The IRMP will advise against one of three tiers as follows:

The first tier

- When there is no reasonable prospect of the member being capable of undertaking any gainful employment before reaching his/her Normal Pension Age (NPA). In these circumstances, the member receives benefits based on their accrued rights up to the date of termination and enhancement equal to all his/her prospective service from that date to his/her NPA.

The second tier

- If, on the other hand, the member is judged to be incapable of undertaking any gainful employment within 3 years after leaving local government employment, but is likely to be able to do so before reaching his/her NPA, benefits equal to his/her accrued rights and enhancement of 25% of his/her prospective service to NPA will be awarded.

The third tier

- This is when the member is judged to be capable of undertaking gainful employment within 3 years after leaving that local government employment. An employee who leaves local government employment as a 3rd tier member will be entitled to their annual accrued benefits payable as a pension for such time as the 3rd tier member does not obtain gainful employment (or is capable of it), or until the employer stops payments following the review. The third tier pension is payable for a maximum of 3 years.

4.6 The Leicestershire County Council Pension Section will be consulted with and clarification sought of eligibility, criteria and benefit payable, based on the scheme regulations in place at the time, prior to confirmation an employee's termination of employment on ill-health grounds.

5.0 EFFICIENCY OF THE SERVICE AND EARLY RETIREMENT

5.1 Employees who are released from the Council on the grounds of efficiency of the service, and are aged over 55 and have been a member of the LGPS with at least 3 months membership (or transferred service) will be entitled to the immediate unreduced payment of their LGPS benefits.

- 5.2 The consideration for early retirement 'in the interest of efficiency of the service' will be considered at the Council's discretion. This option may be considered when all other possible alternatives have been exhausted, eg. reduction in hours, retraining, redeployment. Full consideration should also be given as to the appropriateness of other policies and procedures, eg. redundancy, ill-health. Efficiency retirement is not to be used as an alternative to or substitute for disciplinary action or positively managing capability.
- 5.3 The Council will be responsible for the capital costs associated with an early release of pension benefit arising from efficiency of the service. A full estimate of benefits and associated costs must be obtained from the Leicestershire County Council Pension Section prior to any decisions to terminate employment on efficiency grounds with early retirement.
- 5.4 Leicestershire County Council Pension Section require written confirmation and approval of the early retirement on the grounds of efficiency.

6.0 FLEXIBLE EARLY RETIREMENT

- 6.1 The Council has a policy in relation to Flexible Early Retirement. Employees are able, from age 55, to retire and receive pension benefits without leaving employment, with the approval of the Council to release benefits. Conditions and regulations regarding Flexible Retirement are provided by the Leicestershire Pension Scheme.
- 6.2 It is not the Council's policy to provide any enhancement to benefits on the release of Pension as part of a Flexible Retirement Agreement.
- 6.3 The Council will consider applications for Flexible Retirement on the grounds of:
- 6.3.1 A reduction in working hours by a minimum of 40% and agree a workable new pattern of hours which meets the needs of the service. Hours cannot be increased, once reduced, by any means including overtime. (b) A reduction in grade (and salary; this should be a minimum of one grade lower – salary protection does not apply. A reduction in grade will result in the application of the appropriate salary, leave entitlement, notice period and any other specific terms and conditions as applies to the particular post. One agreed, there will be no automatic right nor entitlement for the employee to increase
 - 6.3.2 An assessment of the financial implications and identification/approval of a budget (see para 6.5)
- 6.4 An employee should submit their initial request/application to their line manager who will consider in the first instance operational/business implications. If agreed in principle, Human Resources will request an estimate of benefit to be sent to the employee and the value of any capital costs to the Council.

6.5 Decision on the approval of a request will be made on the basis of:

6.5.1 Meeting business and operational needs ie. continuity of service, by the relevant Head of Service

6.5.2 Approval of the costs/budget provision (where applicable) by the Chief Executive in conjunction with the relevant Director.

6.6 Where Flexible Retirement is agreed, Human Resources will make arrangements for the necessary amendment to contract/terms and conditions and ensure appropriate amendments are made to salary.

6.7 Where Flexible Retirement is not agreed, the relevant Senior Manager/Head of Service will ensure the employee is notified and of the reasons. The employee may still proceed with a request to reduce their hours without release of pension. A request for Flexible Retirement under this policy is separate from the statutory right to request flexible working.

A large print version of this document is available on request



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