



## **Rutland County Council**

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

A meeting of the **EMPLOYMENT AND APPEALS COMMITTEE** will be held in the Council Chamber on **Tuesday, 18th February, 2020** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs  
**Chief Executive**

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Please note hard copies of the agenda will not be available at the meeting. If you require a hard copy of the agenda please email your request to [governance@rutland.gov.uk](mailto:governance@rutland.gov.uk) or telephone (01572) 720991.

### **A G E N D A**

#### **1) APOLOGIES**

#### **2) DECLARATIONS OF INTEREST**

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

#### **3) MINUTES**

To confirm the Minutes of the Employment and Appeals Committee held on 16 July 2019 (previously circulated).

**4) PETITIONS, DEPUTATIONS AND QUESTIONS**

To receive any petitions, deputations and questions received from members of the public in accordance with the provisions of Procedure Rule 93.

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 Governance 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.

**5) QUESTIONS FROM MEMBERS**

To consider any questions received from Members of the Council in accordance with the provisions of Procedure Rule 95.

**6) NOTICES OF MOTION**

To consider any Notices of Motion from Members submitted under Procedure Rule 97.

**7) HR POLICIES**

To receive Report No.27/2020 from the Strategic Director for Resources.  
(Pages 5 - 16)

**8) ANY URGENT BUSINESS**

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

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**TO: ELECTED MEMBERS OF THE EMPLOYMENT AND APPEALS COMMITTEE**

Mr K Bool (Chairman)

Mr A Brown

Mrs S Harvey

Miss M Jones

Mrs K Payne

Miss G Waller

Mr N Woodley

**OTHER MEMBERS FOR INFORMATION**

## EMPLOYMENT AND APPEALS COMMITTEE

18 February 2020

### HR POLICIES

#### Report of the Strategic Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate and Growth, Tourism and Economic Development, Resources (other than Finance and Communications)	
Contact Officer(s):	Saverio Della Rocca, Strategic Director Resources	01572 758159 <a href="mailto:sdrocca@rutland.gov.uk">sdrocca@rutland.gov.uk</a>
	Carol Snell, Head of Human Resources	01572 720969 <a href="mailto:csnell@rutland.gov.uk">csnell@rutland.gov.uk</a>
Ward Councillors	N/A	

#### DECISION RECOMMENDATIONS

That the Committee:

1. Consider and approve the updated Standby Policy.
2. Consider and approve the updated Relocation Policy.

#### 1 PURPOSE OF THE REPORT

- 1.1 To seek approval for updated Standby and Relocation Policies – primarily to reflect uplift in rates.

#### 2 STANDBY POLICY

- 2.1 We carried out a significant review of this policy in 2016 to bring together a range of local provisions into one corporate policy. This has provided consistency and fairness and a pragmatic approach to managing standby.

- 2.2 Standby arrangements are currently in place in IT, Premises and Highways where there is a requirement to provide urgent response to situations and events outside of normal hours. For example, system failures, alarms in buildings, traffic incidents. Relevant staff are on a rota so they are available to make such responses. The standby period covers hours outside the Council's normal working hours and outside the employee's contractual working pattern. Payment is an annual value (see para 2.5) paid monthly; further payment may be made if the employee is called out or attends work.
- 2.3 The majority of our employees' Terms and Conditions of Employment are based on the National Joint Council for Local Government Services (Green Book) – we have provision within this agreement to negotiate local arrangements for standby. The exception is the Social Care Emergency Duty Rota which is paid in accordance with NJC rates. The current policy was agreed with the Trade Unions in 2016.
- 2.4 The payment provision for staff on standby is dependent on (a) the frequency of the standby and (b) the level of accountability/decision making. The rates have not been uplifted since 2016 and is therefore now considered appropriate to revisit the values applied to ensure that staff receive appropriate compensation for standby.
- 2.5 The recommendation is to uplift the values by 10% - as follows. (Pay Awards since 2016 have been at 2% each year). The overall additional annual cost to the Council is £1,100pa.

Level	Frequency	Current rate (pa)	Recommended rate (pa)
Level 1	1 in 5	£400	£440
	1 in 4	£500	£550
	1 in 3	£600	£660
Level 2	1 in 5	£600	£660
	1 in 4	£750	£825
	1 in 3	£1000	£1100
Level 3	1 in 5	£1000	£1100
	1 in 4	£1250	£1375
	1 in 3	£1500	£1650

- 2.6 We have also taken the opportunity to refresh the content and style of the Policy.

### **3 RELOCATION POLICY**

- 3.1 This was last approved by Employment Committee in 2015 and provides the Council with scope to support a new employee to relocate. Whilst this is not a widely used policy as most of our appointments live locally/ regionally, it is a useful recruitment/attraction tool and gives us a policy and provision to apply when needed.
- 3.2 We have looked at comparator policies in other local authorities – our policy is consistent with most provisions.
- 3.3 The recommendation is to increase our maximum contribution from £6,000 to £8,000 as aligned to the HMRC rates – this therefore keeps us below the threshold

for tax and national insurance.

- 3.4 The policy describes the circumstances in which newly appointed employees will be eligible for relocation assistance. It identifies the levels of assistance that they may be entitled to, the procedure to be followed to request assistance, and the repayment arrangements that would apply if an employ subsequently left the Council.

#### **4 CONSULTATION**

- 4.1 These policies have been shared with Unison (Trade Union) for consultation purposes and have been agreed.

#### **5 ALTERNATIVE OPTIONS**

- 5.1 Policies and procedures 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.
- 5.2 The Council ensures that such policies and procedures reflect employment law, provisions of the national terms and conditions of employment and best employee practice. The amendments within this paper relate to necessary updates and amendments.

#### **6 FINANCIAL IMPLICATIONS**

- 6.1 The annual additional increase for the Standby Allowance uplift is £1,100 per annum plus on costs – this is not considered a significant budget pressure and can be accommodated within existing budgets.
- 6.2 Costs associated with Relocation have been minimal – the last claim being 2018 . The scheme is only offered where it is considered essential to secure an appointment; such costs are met from service budgets.

#### **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 7.1 The Council must be compliant with relevant employment law and regulations.

#### **8 DATA PROTECTION IMPLICATIONS**

- 8.1 A Data Protection Impact Assessments (DPIA) has not been completed as there are no risks/issues identified to the rights of individuals or personal data.

#### **9 EQUALITY IMPACT ASSESSMENT**

- 9.1 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 Head of Human Resources.

## **10 COMMUNITY SAFETY IMPLICATIONS**

10.1 There are no Community Safety implications arising from this report.

## **11 HEALTH AND WELLBEING IMPLICATIONS**

11.1 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 of staff. 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 employment engagement.

## **12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

12.1 The Council provides updates of policies to all staff and ensure that updated copies are available on the Council's intranet.

## **13 BACKGROUND PAPERS**

13.1 There are no additional background papers to the report.

## **14 APPENDICES**

Appendix A - Standby Policy

Appendix B - Relocation Policy

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



**1. Scope of this policy**

- 1.1 The purpose of this policy is to ensure:
- (a) The Council has the capacity to respond to situations, events and urgent issues outside of normal hours.
  - (b) Appropriate staff are available to provide standby cover as part of their contract of employment, or, at the Council's discretion.
- 1.2 A standby period will cover hours outside the Council's normal working hours and outside the employee's contractual working pattern.
- 1.3 It applies to employees on grades up to and including P05. It does not apply to employees on Chief Officer Terms and Conditions.
- 1.4 It is the Line Manager's responsibility to ensure that standby rotas are covered by employees with the appropriate skills and knowledge and at the appropriate level; that risk assessments have been undertaken and hours worked are in accordance with the Working Time Regulations.
- 1.5 It is an organisation decision which services require standby arrangements – the provision will therefore be removed if there is no longer a business need to provide out of hours cover or other arrangements are to be put in place, eg. via third party.

**2. Standby arrangements**

- 2.1 **Regular Standby** is appropriate where there is a consistent and sustained requirement to provide services outside of normal working hours. Employees are required to remain contactable during the period they are on standby in order to provide the necessary call out support.
- 2.2 The requirement for **Emergency Standby** may arise at short notice, for example, in response to severe weather conditions. The unpredictable nature may necessitate the drawing up of a rota at short notice.

**3. Standby payments**

- 3.1 Payments for Regular Standby will be made on a recurring basis based on a set annual amount determined by a combination of (a) frequency of standby and (b) the level of accountability/decision making. Emergency Standby payments will be put in place for the period required dependent on the emergency situation.

### 3.2 Payment Model for **Regular standby** – 10% increase on 2016 values

Frequency & Decision making level  Frequency ♦	Level 1 Low level decision making / passing on request for service to appropriate provider	Level 2 Lead co-ordination required but not required to attend on site OR Required to attend on site and make key decisions	Level 3 Critical decision making needed more often than not requiring attendance on site
Average of 10 weeks per year (ie. 1 in 5 or more rota)	£440	£660	£1100
Average of 13 weeks per year (ie. 1 in 4 rota)	£550	£825	£1375
Average of 17 weeks per year or more (ie 1 in 3 rota)	£660	£1100	£1650

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

Level 2 – Required to resolve the issue/call and make judgements and decisions. Co-ordination of others/tasks – internal and external; may be required to attend on site. Likely posts Scale S01 and above

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

3.3 Payments will cease in the event that an employee is unable to fulfil the standby requirements, eg prolonged periods of absence.

3.4 **Emergency Standby** will also be based on the Level of accountability required and paid at a weekly rate on claim ie. Level 1 = £45 per week; Level 2 = £70 per week; Level 3 = £130 per week. 2016 values - £40 per week; Level 2 = £60 per week; Level 3 = £100 per week.

- 3.5 Payments made under this procedure will be taken into account for the purposes of calculation of holiday pay and are superannuable.
- 3.6 **Emergency Duty Team (EDT) rota Adult Social Care** – standby payments are based on the National Joint Council for Local Government Services (Green Book) rate for each Emergency Duty standby session between the hours 22:15 and 06:30. The standby payment is applicable to any standby session up to a maximum of 12 hours.

#### 4. Call out payments

- 4.1 Payment for hours worked if ‘called out’ are in accordance with the overtime provisions up to and including SCP 22. Staff who are called out will receive a minimum payment of 2 hours at the appropriate rate. Where work continues beyond the initial 2 hour payment period the employee will be paid for the number of hours worked at the appropriate rate.
- 4.2 Employees who are called out, on Scale S01 and up to and including P05, may claim TOIL at plain time.

#### 5. Mileage expenses

- 5.1 If mileage is incurred in travelling to work following a call out it should be claimed in accordance with the Council’s Travel and Expenses Policy. If, following call out an employee returns directly home, they would be entitled to claim mileage for this journey. Home to work mileage will be deemed taxable.
- 5.2 In circumstances where the call out occurs within 3 hours of normal starting time and as a result the employee remains at the place of work and enters normal working hours, there is no entitlement to claim mileage for the return journey home.

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

Version & Policy Number	Version 2
Guardian	Human Resources
Date Produced	January 2020
Next Review Date	January 2022

Approved by SMT	December 2019
Approved by LJC	January 2020
Approved by EAC	

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**1. Scope of this policy**

1.1 The purpose of this policy is to:

- (a) Assist eligible/new employees with expenses associated with moving to Rutland.
- (b) Provide the Council with a benefit to offer to new employees and to support the employee with a relocation of their home.

1.2 It describes the circumstances in which newly appointed employees will be eligible for relocation assistance. It identifies the levels of assistance that they may be entitled to, the procedure to be followed to request assistance, and the repayment arrangements that may apply.

1.3 Discretion on the use of the scheme is via approval by the Chief Executive and will be related to the recruitment and attraction strategy for each position.

**2. Eligibility**

2.1 An employee will be entitled to claim provisions of this scheme where they meet the following criteria:

2.1.1 At the time of their application for appointment they live outside a 25 mile travelling distance measured from Catmose, Oakham, and they move to within 25 miles of Oakham and in normal circumstances make the move within 12 months of the appointment.

2.1.2 If they are an owner/occupier they will receive the full scheme

2.1.3 If in rented property they may be entitled to up to a maximum of 50% of the overall relocation scheme, at the discretion of the relevant Director.

2.2 The individual must have accepted a permanent position and are required to move house to fulfil the position. In addition they should have no other relocation expenses being made for the move from any other employer or source.

2.3 An employee who benefits from any or all of the provisions of the scheme will be required to sign an undertaking to the effect and that they full understand the conditions of the scheme (including repayment).

2.4 All claims from this Scheme start from the first day the employee commences employment with the Council and must be made not later than 1 year from the date of appointment. The Chief Executive has the discretion to waive this time limit in exceptional circumstances.

2.5 For payments to be made free of tax, claims must be paid by the end of the tax year following the year of appointment. Any queries should be referred to Human Resources.

### **3. Provisions within the scheme**

3.1 A maximum of £8,000 for removal and relocation costs which may include:

3.1.1 Actual removal costs and the costs of storing furniture based on the lower of two quotations.

3.1.2 Actual legal costs concerned with selling one house and buying another.

3.1.3 Stamp Duty.

3.1.4 Lodging and travel costs whilst selling a house.

NB Travelling costs are defined as travelling to Rutland to find accommodation or where the employee chooses to travel to and from Rutland rather than stay in lodgings prior to the permanent move.

3.1.5 Costs towards expenses incurred in the move e.g. curtains and carpets which will not transfer and service connections etc.

3.1.6 The Council will also reimburse payment of public transport rates (standard class if by rail) or car mileage rates for up to 4 return journeys for the potential employee and partner whilst seeking accommodation prior to employment. These sums will be reimbursed on the basis of receipts as soon as the employee starts work with the Council.

3.1.7 Upon commencement of Employment with the Council, reimbursement of expenditure actually incurred on lodging and/or travelling up to £75 per week for the first six months.

3.2 A maximum of two days paid leave for house hunting and/or moving house.

3.3 All expenses claimed will be reimbursed within the limits specified, upon production of receipts and paid via payroll in the normal way.

3.4 It is the responsibility of the authorising manager to monitor the scheme and to ensure that the amount(s) claimed are eligible and to ensure payments are processed in a way which is compliant for tax recording purposes and within the agreed limits up to a maximum of £8,000.

### **4. Conditions of Repayment**

4.1 If the employee leaves the Council's employment within two years of receiving their first payment under this scheme, repayment of the assistance provided is required on the following basis –

- 100% repayment up to 6 months

- 75% repayment between 6 and 12 months
- 50% repayment between 12 and 18 months
- 25% repayment between 18 months and 2 years.

- 4.2 If the move is not made within 12 months of the date of appointment any lodging and/or travelling expenses are repayable unless the Chief Executive, after consideration of a report on the circumstances of the case, agree to waive repayment.
- 4.3 Prior to leaving the Council’s employment all monies owing may be deducted from the employee’s final salary following a notification to the employee of the amount due to the Council. If the final salary is insufficient to reimburse the Council in respect of the expenditure incurred under this Relocation Scheme, then any outstanding sums are required to be repaid within one calendar month of the date of any invoice sent by the Council.
- 4.4 These repayment conditions are waived if the officer’s post is made redundant by the Council.

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