

Cherwell District Council

Personnel Committee

17 October 2022

Policy Updates

Report of Chief Executive

This report is public

Purpose of report

In line with the Terms of Reference of the Personnel Committee, all policy changes should be reviewed and authorised by the committee prior to implementation.

1.0 Recommendations

The meeting is recommended:

1.1 To review the following policies and approve for implementation:

- Family Friendly Policies as follows:
 - Maternity
 - Paternity
 - Adoption Leave
 - Shared Parental Leave
 - Parental Leave
 - Time Off for Dependents
- Pension and Retirement Policy Statement

2.0 Introduction

2.1 It is essential that the Council keeps up-to-date its HR policies to ensure the Council remains a great place to work and which supports modern employment practices. These policies also ensure legislative compliance in order to mitigate risks to the organisation. Prior to decoupling, policies were due to be updated by a joint Policy Officer who was to be employed by Oxfordshire County Council. This has not happened and CDC policies have not been updated for some time but are now on a rolling programme to ensure regular review.

- 2.2 In accordance with the Constitution, all new policies and changes to policies affecting staff need to be approved by Personnel Committee prior to implementation. Policies presented at the meeting today are the first tranche and further policies will be presented for approval as they are reviewed.

3.0 Report Details

- 3.1 As part of the policy review process being undertaken, policies for review have been prioritised based on changes in legislation and or work practices.

Family friendly policies

- 3.2 The suite of family friendly policies has been reviewed by an external firm of specialist employment law solicitors to ensure they are up to date with recent legislative changes. The six family friendly policies are included at appendices 1 - 6.
- 3.3 Policy content has been simplified, made more user friendly, and eliminated ambiguity.
- 3.3 No changes have been made to contractual terms such as entitlement or payments linked to these policies. As part of the national pay deal for 2022, following a proposal from Unions to review family friendly leave; the National Employers have proposed to enter into discussions on broader family leave and pay but to date at the point of this report, nothing has been agreed. Should changes be made to the national schemes, of which CDC currently mirrors; and CDC decide to implement these changes, in liaison with Unions as part of local pay award agreements, then the relevant sections in these policies will be updated.

Pension and Retirement Policy Statement

- 3.4 The Local Government Pension Scheme stipulate that all employers accessing the scheme should have a policy in place in relation to their position on flexible retirement. To date, CDC have not had this. A copy of the proposed Pension and Retirement Policy Statement is at appendix 7.
- 3.5 The Pension and Retirement Policy Statement sets out CDC's stance in relation to requests for flexible retirement with the main points to note being:
- Employees can request flexible retirement whereby they continue to work for the Council but can also access their pension.
 - In order to request flexible retirement, employees must reduce their income by 20% either by a reduction in hours or grade, or a combination of both.
 - There must be mutual agreement between the employee and management that the change in hours and/or grade can be accommodated and will be in place for at least a year.
 - The Council will not agree to enhance pensions and applications will not succeed where there are costs to the Council and the benefits to the service are not explicit.
- 3.6 The policy proposes that approvals of flexible retirement for employees up to Assistant Director grade level are made by Corporate Directors or the Head of Paid

Service; and approvals for Statutory Officers, Corporate Directors and the Head of Paid Service are made by Personnel Committee.

- 3.7 This policy does require a change to the Terms of Reference of the Personnel Committee and a report detailing this change and requesting approval for it has been submitted to Full Council for approval at its meeting on 17 October 2022.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In order to ensure employees are kept up to date with legislation and entitlements relevant to them it is essential that Council policies are regularly reviewed and updated. A thorough review is being completed of existing HR policies for CDC and where changes are required, these will be provided to Unison for consultation and presented to Personnel Committee for approval.
- 4.2 The family friendly policies are compliant and up to date with legislative changes and have been reviewed to ensure they are easier to follow.
- 4.3 The Pension and Retirement Policy Statement is a requirement of the LGPS in order to provide clarity to scheme members around CDC's stipulations regarding flexible retirement.

5.0 Consultation

Unions are being consulted on the policies.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not review HR policies – this option is rejected as policies would be out of date with current legislation and not reflective of the Council's HR objectives of being an attractive, modern employer.

7.0 Implications

Financial and Resource Implications

- 7.1 In order to mitigate risk it is important that the Council operate with up-to-date policies. The update to the family friendly policies and introduction of the Pension and Retirement Policy Statement are anticipated to be minor and will be managed within existing budgets, as is currently the case.

Comments checked by:

Joanne Kaye, Deputy S151 and Strategic Finance Business Partner,
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Legal Implications

- 7.2 Regular reviews of Council policy documentation is essential in order to ensure legal compliance with employment law.

Comments checked by:

Shahin Ismail, Interim Monitoring Officer, Shahin.Ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 There are no risk management implications arising directly from this report. Any arising risks will be managed by the relevant service operational risk register and escalated to the leadership risk register as and when necessary.

Comments checked by:

Celia Prado-Teeling, Interim Assistant Director – Customer Focus, 01295 221556
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Equalities and Inclusion Implications

- 7.4 All proposals are developed in line with the commitments set in our Equalities and Inclusion Framework, including a screening for relevance against our statutory duties to promote equality and an impact assessment (ECIA) has been completed.

Comments checked by:

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8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

N/A

Document Information

- Appendix 1 – Maternity Policy
- Appendix 2 – Paternity Policy
- Appendix 3 – Adoption Leave Policy
- Appendix 4 – Shared Parental Leave Policy
- Appendix 5 – Parental Leave Policy
- Appendix 6 – Time Off for Dependents Leave Policy
- Appendix 7 – Pension and Retirement Policy Statement

Background papers

None

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