

Personnel
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Look at the Size of That Procedure!

Being an HR Professional my business life is full of procedures. Everything from Sickness Management, Holidays, Grievance and Discipline, Redundancy, there's a procedure for it.

Twenty years ago when I started working with Town and Parish Councils it was not unusual to find some who had no policies and procedures at all, including an Employment Contract.

Thankfully, the situation has now changed. However, for some Councils there is a danger that the pendulum has swung too far the other way.

Clerks and Councils now recognise that they have a legal obligation to have certain employment procedures. The problem is then one of where do they get these procedures from. Most Clerks and Elected Members are too busy to write procedures, and often look elsewhere for help. There is a danger when adopting someone else's procedure that it isn't appropriate. Every Council is different, and so are the requirements of its HR procedures. Rather than taking this into consideration, a lot of Councils get their hands on something that another Council has used and assume it will work for them.

This can be particularly problematic if the other Council is a larger Principal Authority. Larger Councils have more HR resources, and often draft their policies and procedures based around these resources and in consultation with Unions as part of their Collective Bargaining procedures. This creates something that is right for them, but not always right for a Parish Council.

For example, Grievance and Discipline Procedures can include:

- ❖ The right for an Employee to have a Union Representative with them at an informal disciplinary investigation.
- ❖ The need for an Independent Note Taker.
- ❖ Providing the Employee with 15 days prior notice of a Formal Hearing.
- ❖ For all parties involved in managing the process to have no prior knowledge of the alleged indiscipline, or Employee's grievance.

None of these are legal requirements, and such processes can be difficult, if not impossible, for a Town or Parish Council to follow. They create unnecessary hurdles which the Council hasn't got the resources to follow and can result in it failing to follow or missing parts of the process.

At the same time, Grievance procedures from larger Councils probably don't include a mechanism for addressing Code of Conduct complaints, which is a serious omission for a Town / Parish Council.

Town and Parish Councils are generally small organisations. Many rarely employ 20 or more people, and 80% only have one. ACAS procedures recognise the specific needs of small organisations. Their policies and procedures often include a stand alone process for small organisations. Their statutory Disciplinary Guidelines for small organisations are 3 pages long. Their Grievance Process is one page and their Absence Management guidelines are a 6 page document. Size isn't everything!

This doesn't automatically mean that ACAS procedures are necessarily right for Town / Parish Councils. However, what they do provide for Clerks, Councils and HR Committees is an insight into the level of simplicity that can be used when drafting their own procedures.

Focusing on the formal steps and not giving enough consideration to informal stages can be another mistake when drafting procedures. One important point that ACAS make in their procedures is the essential value of an informal mechanism, prior to getting into the formal stages.

Councils who have a culture of adherence to formal procedures can find that disciplinary issues and staff complaints are fed into the formal process too quickly. This can result in an opportunity being lost. Worse still, the focus is shifted onto how the procedure is followed, rather than tackling the Employee's problem and supporting them towards improving the situation.

Informal meetings that are conducted at the outset of any HR issue can provide a valuable opportunity for Managers to have an open and factual conversation with their Employee. Most people are rational and have a modicum of intelligence. Give them the opportunity to have a confidential meeting, with adequate time put aside for the process, and an opportunity to examine factual evidence, and they will usually reach a level of understanding. This can apply to both parties.

As a consequence, problems can be addressed quickly, at little cost to the Council, and to the benefit of all concerned. Alternatively once the employment issue is fed into a formal procedure, the end result is that usually that someone has to win and someone has to lose, which simply exacerbates problems in the workplace.

PROFILE

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If you need advice from Chris let us (Norfolk ALC) know and we can refer you.