

NORTH LINCOLNSHIRE COUNCIL

CORPORATE SERVICES CABINET MEMBER

REVISED HUMAN RESOURCES (HR) DOCUMENTS

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1. To seek approval for revisions to the following HR documents
- Probation policy
 - Learning and Development policy.

2. BACKGROUND INFORMATION

Probation

- 2.1 The Probation policy has been revised following the review of the council's corporate induction process. The corporate induction process is now much more detailed and the revised policy supports a more structured approach for employees joining the council.
- 2.2 The revised policy sets out clearly the procedure to be followed through the probation period for new employees joining the council including documentation to support initial action planning and the monthly review process.

Learning and Development

- 2.3 The Learning and Development policy was last amended in 2005 and was out of date in several areas. It has been amended to take account of changes within the council and changes to legislation.
- 2.4 The policy outlines the council's approach and commitment to developing its employees. It details responsibilities for learning and development as well as the resources the council will allocate to development of its employees. The policy now accords with the Apprenticeships, Skills, Children and Learning Act 2009, which gives employees a statutory right to request time off to train. An appendix to the policy provides further details to employees wishing to exercise this right.

3. OPTIONS FOR CONSIDERATION

- 3.1 To consider and accept the revised policies.

- 3.2 To reject the proposed policies.
- 3.3 To suggest further revisions to the proposed policies.

4. ANALYSIS OF OPTIONS

- 4.1 Accepting the proposed changes will ensure that the policies accord fully with legislation, represent best practice and promote fairness and consistency in these areas.
- 4.2 Rejecting the proposed changes would result in the council's approach not keeping up to date with best practice. It would also mean continuing to use documents that do not fully reflect legislation in these areas.
- 4.3 Recommending further changes to the policies is an option if there are particular aspects or clauses that are deemed to be unsatisfactory but would require further consultation and delay implementation.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

None.

5.2 Staffing

None.

5.3 Property

None.

5.4 IT

None.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 CRIME AND DISORDER, RISK AND OTHER)

- 6.1 The Learning and Development policy emphasises the need for equity of access to development opportunities for all employees including those employed on a part time basis.

7. OUTCOMES OF CONSULTATION

- 7.1 The relevant trade unions have been consulted and are supportive of the revisions.

8. RECOMMENDATIONS

- 8.1 That the revised policies be approved and adopted.

SERVICE DIRECTOR HUMAN RESOURCES

Pittwood House

Ashby Road

Scunthorpe

DN16 1AB

Author: R Stanford

Date: 15 February 2010

Background Papers used in the preparation of this report: None

1.0 Introduction

- 1.1 This procedure describes the steps to be taken during an employee's probationary period. The probationary period allows both the employee and line manager to objectively assess the employee's capability and suitability for the role.
- 1.2 The council recognises the need for all employees to undergo a period of planned induction, training and integration into the workforce. This will ensure that employees feel valued, gain an appropriate insight into the workings of the council and the role they are expected to play in order to make an effective contribution to the services the council provides.
- 1.3 All new employees must attend a council corporate induction session. This is designed to help employees integrate into the workforce.
- 1.4 With the exception of TUPE transfers and employees on teachers' terms and conditions all new employees, irrespective of the nature of the contract or any continuous local government service will be subject to a probationary period on appointment to a role with North Lincolnshire Council.

Note 1: This procedure does not apply to those employees appointed by schools with delegated powers.

- 1.5 Existing employees who transfer within the council will not be subject to a probationary period unless their initial probation is not completed. Separate procedures apply to those transferring as a result of redeployment; see the council's Redeployment procedure, A.9.
- 1.6 Subject to the conditions outlined at paragraph 1.4, permanent posts and temporary/fixed term posts of one year or more will be subject to a probationary period of up to six months on appointment.
- 1.7 For temporary/fixed-term posts of less than one year the probation period should not normally be greater than half of the duration of the contract.

Note 2: Employees during their probationary period are encouraged to talk to their manager at the earliest opportunity if they are experiencing problems or difficulties in the role.

2.0 Procedure

- 2.1 The HR service team will advise managers if a new employee has to undergo a probationary period.
- 2.2 The employee's Principal Statement of Main Terms of Employment will make clear that the appointment is subject to the satisfactory completion of a probationary period of up to six months and that if the employee does not fully meet the required standards by the end of the probationary period their employment will be terminated with notice.
- 2.3 Managers must make clear to employees the standards of performance and outcomes required in the role using the Personal Action Plan, how these will be assessed during the probationary period and any training requirements necessary to support the employee. This must be undertaken at the start of employment, within the first week.
- 2.4 Every month throughout the probationary period, the employee will attend a one-to-one review meeting with their manager to discuss their progress and performance. The discussions should be recorded on the monthly probation review form, which should be signed, by both the employee and the manager. The employee must be provided with a copy of the form.

Note 3: Employees may be requested to attend a review meeting at any time during their probationary period where performance or conduct is a cause for concern. If the employee's conduct is so detrimental, action may be taken before the end of the probationary period under the council's disciplinary procedure.

Satisfactory Performance

- 2.5 If the employee's performance is consistently satisfactory in every aspect, probation may be completed after a minimum period of three months.
- 2.6 Following confirmation from the line manager, the HR service team will inform the employee in writing when they have satisfactorily completed their probationary period.

Unsatisfactory Performance

- 2.7 If the employee's performance has not been satisfactory, managers must raise any issues and set targets for improvement along with details of necessary support to be provided. The discussions should be recorded on the monthly probation review form as detailed in paragraph 2.4 above. The employee has the right to be accompanied by a trade union representative or fellow worker of the council.
- 2.8 The Service Director, or nominated officer, in consultation with HR, may extend the probationary period by up to three months where more time is needed to fully assess an employee's capabilities.
- 2.9 If the employee fails to reach the required standard by the end of the probationary period, they will be informed in writing of the issues with their performance, including evidence of unsatisfactory performance and what support has already been provided. They will be invited to a meeting to discuss their performance with their manager. The employee has the right to be accompanied by a trade union representative or fellow worker of the council.
- 2.10 Should the decision be taken to dismiss the employee, appropriate notice will be given and this will be confirmed in writing. Employees who are dismissed will have a right of appeal. The appeal must be made in writing to Service Director Legal and Democratic Service who will arrange for it to be considered by the Appeals Committee. Action to implement decisions to dismiss will not be suspended pending the appeal but should the appeal be upheld, the appellant will be reinstated to his or her original post without a break in service.

Note 4: There may be instances where the end of the notice period is after the original expiry date of the probationary period. In such instances it should be made clear that this does not mean that the probationary period has been extended or, by inference, that the employee is deemed to be satisfactory because the probationary period has expired.

3.0 Additional

- 3.1 Employees who go on maternity leave or are absent for an acceptable reason for a large part of the probationary period will have their probationary period suspended

until they return to work. Advice should be sought from the relevant HR service team in these circumstances.

- 3.2 Should the probationary period be extended or suspended, this will be confirmed in writing, including:
- The length of the extension/suspension;
 - the reason for the extension/suspension;
 - standards which must be achieved by the end of the extended probationary period (applies to paragraph 2.8 only);
 - any support that is to be provided to the employee, such as training;
 - that if the employee does not fully meet the required standards by the end of the extended/suspended probationary period their employment will be terminated.
- 3.3 Unsatisfactory sickness absence during the probationary period (more than 2 absences or 6 working days in a 6 month period) may result in termination of employment. See the council's Sickness Absence policy, D.2.
- 3.4 In exceptional circumstances, where there are concerns that an employee's performance represents a significant risk to themselves, colleagues, service users or the financial/physical resources of the council, suspension on full pay may be considered.
- 3.5 Advice should be sought from Human Resources prior to contacting the employee where suspension is a possibility. The reason for the suspension will be confirmed in writing to the employee with a copy to the Service Director Human Resources. If the employee is a trade union representative, a senior trade union representative or full time official will also be notified at the same time or as soon as possible thereafter. This should only occur however **with the agreement** of the trade union representative whose performance is in question.

PERSONAL ACTION PLAN

When completing this form please refer to the Probation policy, A.3 for guidance.

Surname: _____ **First name:** _____

Job title: _____ **Service area:** _____

Start date: _____ **Manager:** _____

Your individual action[s] for the next 12 months:

Which council and service objective does your role mainly support?

Action[s] <i>(What you need to achieve)</i>	The desired outcome <i>(What will happen/change as a result of achieving this action?)</i>

Do you have the required level of competency for your role?

All North Lincolnshire Council employees are expected to demonstrate a minimum level of competency against the following areas. Full details are found in the "Generic Competencies" Assessment Pack and the Leadership and Management Development Assessment Pack. All employees must complete the relevant assessment(s).

Discuss the following areas and ensure competency

*Competency
agreed*

*Training need
identified*

GENERIC COMPETENCIES

	Competency agreed	Training need identified		Competency agreed	Training need identified
Organisational Environment			Employee Conduct & HR		
Environment			Data Protection & FOI		
Diversity & Equality			Risk Management - basic		
Culture			Finance (if applicable)		
Customer Service			Procurement (if applicable)		
Communication			Information Technology (if applicable)		
Health & Safety			Performance Management System (if applicable)		
Managing your Performance			Risk Management – intermediate and advanced (if applicable)		
Developing Self					

MANAGEMENT COMPETENCIES

Communication			Joined up working		
Problem solving and decision making			Working with partners		
Managing professional development			Managing projects		
Personal effectiveness			Serving our community		
Self awareness			Working within the political arena		
Motivating teams and individuals			Read and understand the organisational environment		
Leading teams			Improve service delivery		
Managing staff performance			Striving for excellence		
Managing diversity			Focusing on the future		
Corporate Vision and values			Building shared vision and values		
Managing resources			Strengthening corporate leadership capacity		
Managing Quality			Promoting and facilitating change		
Customer focus					

Learning & development required to support the achievement of your actions or competency gaps		
Learning & Development	The desired outcome <i>(What will you are able to do as a result?)</i>	
<p><i>The council is committed to enabling all employees to reach a minimum level of achievement. This covers basic skills in literacy and numeracy, and encourages achievement at level 2. This is the equivalent to 5 A-C GCSEs. Would you benefit from any further development in these areas?</i></p>		
Yes	No	Action Required

**Month 1
review date:** _____

Outline the employee's views on the job, work environment and working conditions:

	Improvement required	Satisfactory
Quality and accuracy of work		
Efficiency		
Attendance		
Time keeping		
Work relationships		

Where any areas require improvement give details below:

Outline plans to improve performance:

Signed (employee): _____ **Date:** _____

Signed (manager): _____ **Date:** _____

**Month 2
review date:** _____

Outline the employee's views on the job, work environment and working conditions:

	Improvement required	Satisfactory
Quality and accuracy of work		
Efficiency		
Attendance		
Time keeping		
Work relationships		

Where any areas require improvement give details below:

Outline plans to improve performance:

Signed (employee): _____ **Date:** _____
Signed (manager): _____ **Date:** _____

**Month 3
review date:** _____

Outline the employee's views on the job, work environment and working conditions:

	Improvement required	Satisfactory
Quality and accuracy of work		
Efficiency		
Attendance		
Time keeping		
Work relationships		

Where any areas require improvement give details below:

Outline plans to improve performance:

Signed (employee): _____ **Date:** _____
Signed (manager): _____ **Date:** _____

Month 4

Review date: _____

Outline the employee's views on the job, work environment and working conditions:

	Improvement required	Satisfactory
Quality and accuracy of work		
Efficiency		
Attendance		
Time keeping		
Work relationships		

Where any areas require improvement give details below:

Outline plans to improve performance:

Signed (employee): _____ **Date:** _____

Signed (manager): _____ **Date:** _____

Month 5

Review date: _____

Outline the employee's views on the job, work environment and working conditions:

	Improvement required	Satisfactory
Quality and accuracy of work		
Efficiency		
Attendance		
Time keeping		
Work relationships		

Where any areas require improvement give details below:

Outline plans to improve performance:

Signed (employee): _____ **Date:** _____

Signed (manager): _____ **Date:** _____

End of probationary period review date: _____

Summary of the employee's overall performance:		
Is the employee's appointment to be confirmed?	Yes	No
If no, give details below:		
Should the employee's probationary period be extended to allow time for improvement?	Yes	No
If yes, please specify the revised end date of the probationary period, the improvement required and how this is to be achieved:		

Signed (employee): _____ **Date:** _____

Signed (manager): _____ **Date:** _____

Please return the completed form to your HR service team.

1.0 Introduction

1.1 This policy outlines the council's approach and commitment to the development of its employees by:

- Investing in learning and development which clearly assists the council to meet its objectives and creates a motivated workforce that is skilled and competent to enable them to provide excellent services and meet new challenges
- Allocating resources for learning and development
- Ensuring that there is equity of access to development opportunities (including part time employees)
- Consistently applying the policy across the whole council
- Reviewing learning and development needs against organisational and individual performance
- Evaluating the impact of training
- Developing the workforce's 'skills for life' and offering qualifications to those to whom this would be of benefit
- Where relevant, linking the development of employee skills to their Local and Multi Area Agreement objectives for local skill development, working with partners where appropriate

1.2 The Employee Development Handbook supports this policy. It details the associated procedures and responsibilities. It includes information on the induction process, Employee Development Reviews (EDRs), and Learning and Development Activity Records (LADARs).

2.0 Allocation of resources

2.1 The council will provide resources for learning and development to support the achievement of its business objectives, recognising where possible the personal development needs and objectives of individuals.

- 2.2 Wherever possible the total council budget allocated to learning and development should be a minimum of two per cent of employment costs per annum.
- 2.3 Where the council develops new initiatives, consideration will be given in all reports to the identification and cost of training needs.
- 2.4 Each line manager determines an annual budget to cover the learning and development needs of employees.

3.0 Employee induction

- 3.1 The induction process is detailed in the Employee Development Handbook and is supported by the council's Probation policy, A.3.
- 3.2 All new employees will receive a site specific induction, starting on their first day of employment, and a corporate induction to be completed within the first six weeks of employment. Employees who move jobs within the council will also receive a site specific induction, starting on their first day of employment in their new job.
- 3.3 All new line managers must commence the council's management induction programme within the first six weeks of their start date and complete the programme within six months of their start date.

4.0 Roles and responsibilities

4.1 The Executive Management Team (EMT)

The EMT is responsible for ensuring that mechanisms are in place to develop all employees to maximise their potential and to meet the changing needs of the council. They are responsible for overseeing effective implementation of the learning and development aspects of the HR strategy and to agree changes as appropriate.

4.2 Service Directors

Service Directors, supported where appropriate by their management teams, are responsible for ensuring commitment to learning and development. They are responsible for:

- Defining their most important current and future skills needs
- Assessing their employees' current capability, so as to identify their most critical skills gaps
- Taking action to attract, develop or share the skills they need
- Producing an annual service area learning and development plan including the commitment of resources to support the plan
- Including learning and development targets in their service plan

4.3 Line managers are responsible for:

- Identifying development needs of employees against performance requirements
- Planning the development of employees in relation to improved performance.
- Producing annual team training plans linked to organisational, team and individual objectives (from individual LADARs)
- Enabling the development of employees including the identification of relevant apprenticeships
- Ensuring equity of access
- Supporting and monitoring employees throughout all learning and development activities
- Evaluating the development of employees in relation to improved performance at individual, team and organisational levels.
- Developing the potential of employees (critical for engagement in performance improvements and change)
- Carrying out EDRs at least annually (as described in the Employee Development Handbook)
- Accessing any available funding that may be available for service specific areas of training
- Line managers must have attended the Managing Employee Development workshop as part of the management induction programme.

- Developing their leadership and management competencies in line with the council's Leadership and Management Development Framework

4.4 **Employees** must:

- Take responsibility for helping to identify their own learning and development needs to continually improve performance against changing needs
- Develop themselves in line with the council's generic competencies.
- Participate constructively in EDRs as explained in the Employee Development Handbook and stated in the council's Code of Conduct
- Undertake training to maintain and improve their knowledge, skills and performance
- Plan and record all learning and development activities using LADARs
- Evaluate and record activities against planned objectives and performance improvements

Note: All employees have the right to request time to train in accordance with the Apprenticeships, Skills, Children and Learning Act 2009, see Appendix 1 for further information.

4.5 **Human Resources (HR) learning and development team:**

This team is responsible for developing, monitoring and reviewing corporate learning and development policies and initiatives. They also:

- Provide an advisory and consultancy service on learning and development related matters to all service areas
- Design and deliver an annual corporate training programme to meet the needs of the council (available on Intralinc and from the learning and development team)
- HR will provide monthly and quarterly performance monitoring reports on learning and development to all services
- The Service Director Human Resources presents an annual summary to the Chief Executive and Deputy Chief Executive evaluating the benefits from

learning and development activities and application of this policy across the council

4.6 Learning and Development Steering Group

The Learning and Development Steering Group meets regularly to develop, coordinate and review learning and development matters across the council. It comprises of representatives from each service area, the learning and development team, trade unions and Union Learning Representatives (ULRs).

5.0 Learning and development methods

5.1 Recognising individual needs, learning styles, and the pressures of time; the council supports a wide range of learning and development methods. These include:

- Day to day learning on the job
- Coaching
- Mentoring
- E-learning
- In-house training
- Seminars, conferences and workshops
- Cascading training to others
- Reading
- Academic/professional qualification courses
- Secondments
- Work shadowing
- Work based NVQ provision
- Distance learning
- Discussion groups
- And any other valid methods

6.0 Councillor learning and development

6.1 All councillors are responsible for helping to identify their own learning and development needs. Councillors are expected to participate fully and to identify how the learning and development activity has helped them in their work.

6.2 Learning and development for councillors is provided according to the Improvement and Development Agency's Charter on Councillor Development.

6.3 Councillors will be encouraged to contribute to corporate learning and development by accessing the corporate training programme where suitable.

6.4 Adequate resources will be provided to meet the objectives of the Councillor Learning and Development Strategy.

7.0 Additional

7.1 The council may provide financial support for employees to undertake qualification courses. There is a form available for this purpose, see Appendix 1F Claim for payment of training expenses. This is on the condition that employees remain with the council for a period of two years after successfully obtaining the qualification. Should an employee leave within that period, the repayment of financial support should be undertaken in accordance with Part B of the council's Finance Manual.

7.2 The council recognises that some professional bodies and other government bodies require their members to maintain a level of continuous professional development. It will try to ensure that these employees can participate in relevant opportunities. The payment of one professional subscription may be approved, where certain criteria apply, see B.4 Allowances and Expenses policy.

7.3 This policy is also supported by the following council documents:

- Employee Development Handbook
- Leadership and Management Development Framework and competencies
- Generic competencies
- Code of Conduct
- Probation policy, A.3
- Special Leave policy, B.3.1
- Finance Manual, Part B, Payments through Payroll – Pay, Travel and Expenses
- Finance Manual, Appendix 1F – Claim for payment of training expenses
- Allowances and Expenses policy, B.4

- 1.1 The Learning and Development policy, E.1 details the process of engaging employees in learning and development activities. Employees also have a statutory right to request time off to train in accordance with the Apprenticeships, Skills, Children and Learning Act 2009.
- 1.2 In addition to any other learning and development activities an employee can request time off to train that is relevant to their job. Employees must have 26 weeks' continuous service in order to make a request.
- 1.3 Employees can request time off for any training as long as it is relevant to their job. This could include:
 - An accredited programme (leading to a qualification)
 - An unaccredited programme (not leading to a qualification)
 - Training undertaken in the workplace, at a local college or through a local training provider
- 1.4 There is no limit on the amount of time or the amount of training an employee can request, but only one request can be made in any 12-month period.
- 1.5 Where training is agreed by the line manager and is relevant to enhancing performance in the job, the council will provide financial support as outlined in Part B of the Finance Manual.
- 1.6 Employees should put any requests in writing and this can be done using the Learning and Development Activity Record (LADAR) form. Where this request is made under the right to request time to train legislation, this must be clearly stated on the LADAR form.
- 1.7 Line managers then have a duty to consider such a request and respond within 28 days.

- 1.8 Where the manager accepts the request, they will sign the LADAR form to signify this.
- 1.9 Where requests are not automatically accepted, a meeting between the line manager and the employee must take place within 28 days, at which meeting the employee has the right to be accompanied by a trade union representative or fellow worker of the council.
- 1.10 Where the line manager wishes to vary the training proposed, such as the provider used, they should discuss this with the employee in more detail at the meeting.
- 1.11 Requests for time off to train can only be refused for one of the following reasons:
- The proposed study or training would not improve the employee's effectiveness
 - The proposed study or training would not improve the performance of the council
 - The burden of additional costs would be too great
 - The proposed study or training would conflict with the needs of the service (eg, inability to meet customer demand, reorganise work amongst existing employees, inability to recruit additional staff)
- 1.12 Any variations or refusals to requests must be confirmed in writing to the employee stating clearly the reasons for the variation or refusal within 14 days of the meeting.
- 1.13 Where an employee wishes to challenge the decision made by the line manager, they have a right of appeal, which must be made within 14 days of receiving notification of the decision. This must be done in writing to the relevant Service Director, stating clearly the reason(s) for the appeal.
- 1.14 The appeals process is designed to be in keeping with the overall aim of the right of request for time off to train, encouraging both parties to reach a satisfactory outcome in the workplace.

- 1.15 The appeals meeting must be arranged to take place within 14 days of receipt of the employee's letter.

- 1.16 The Service Director will hear the appeal, at which the employee and the line manager must give reasons why the request for time off to train can or cannot be accommodated. The employee may bring a trade union representative or a fellow worker of the council to the appeal hearing.

- 1.17 The Service Director will notify all parties of his/her decision in writing. The Service Director's decision is final.