



SCOTTISH
FIRE AND RESCUE SERVICE

Working together for a safer Scotland

Report To:	STAFF GOVERNANCE COMMITTEE
Report No:	C/SGC/07-15
Date:	TUESDAY 23 JUNE 2015
Report By:	PETER HEATH, HEAD OF HR AND ORGANISATIONAL DEVELOPMENT

Subject:	HROD POLICY UPDATE
-----------------	---------------------------

1. PURPOSE

- 1.1 To provide an update to the Staff Governance Committee regarding the HROD policies that are currently out for consultation.
- 1.2 To advise the Staff Governance Committee of forthcoming HROD policies in order to achieve harmonised SFRS policies that are fit-for-purpose, follow best practice, and legally compliant.

2. RECOMMENDATIONS

- 2.1 The Staff Governance Committee is invited to:
 - a) Note the content of this report;
 - b) Endorse the forward plan for HROD policies.

3. BACKGROUND

- 3.1 The process of harmonising HROD policies, through robust consultation and negotiation with the Trade Unions and in accordance with the Working Together Framework, has been ongoing since the SFRS became a single service in April 2013. Once approved and issued, all harmonised policies replace legacy arrangements.
- 3.2 A flowchart, which was agreed by all Trade Unions at the Employee Partnership Forum in April 2015, sets out the process for policy consultation and approval.

4. HROD POLICY UPDATES

4.1 Managing Attendance Policy and Handbook

4.1.1 The policy and handbook were approved in March 2015 and are available to all staff for a 3-month familiarisation period with a view to going live on 3 August 2015.

4.1.2 An implementation plan has been developed in order to increase awareness, tailor support to managers across the service, and ensure appropriate action is taken to administer and report on absence when the policy goes live.

4.1.3 A poster campaign will be underway throughout July to enhance staff awareness, and a variety of communications are being sent through the fortnightly e-zine, and a global email reminder will be sent prior to and on the go live date. July payslips will also feature a reminder for all staff that the new policy will go live in August.

4.2 Time off for Trade Union Duties

4.2.1 A draft Time off for Trade Union Duties policy and procedure is currently out for consultation with the representative bodies until 29th June 2015.

4.2.2 The policy follows ACAS guidance on Time off for Trade Union Duties and Activities and the accompanying procedure outlines the process which Trade Union representatives will be required to follow in order to request time off

4.2.3 Individual agreements between SFRS and each of the six recognised unions will seek to clarify the number of FTE officials on full pay afforded to each union based on union membership and structures, and will also outline 'exceptional' circumstances where a recharge may apply if the quota is exceeded.

4.2.4 Initial proposals are that the FBU will have a maximum of 3.5 FTE receiving full pay at any given time and Unison will have 1 FTE. It is not proposed, at this time, that the other four unions will require full time officials.

4.2.5 Over and above this, district representatives are required to request time off with their line manager in accordance with the Appendix contained in the policy. It is proposed that these agreements are reviewed quarterly to take into account changes to workload and to ensure they still meet organisational needs.

4.2.6 Initial feedback is as follows:

- Merge the policy and procedure and insert a hyperlink to ACAS in order to create a more concise document;
- Considerable disparity exists between the SFRS and FBU regarding the maximum number of FTE officials on full pay; there is a need to hold further discussions with the FBU in order to reach a position;
- Provide further detail regarding the 'exceptional' circumstances which may give rise to recharging a Trade Union should it exceed its maximum quota or should a

request be refused. Unison and Unite hold a clear position of no recharge under any circumstances.

4.3 *Pay Protection for Displaced Staff*

4.3.1 At the Employee Partnership Forum in June 2015, it was proposed that a letter would be issued to each individual who is currently displaced (does not hold a substantive post within the SFRS) outlining pay protection arrangements and the process of considering suitable alternative employment within the SFRS (thus replacing the need for a policy). It was further proposed that:

- Pay protection for displaced staff would be for a period of 24 months if an employee falls below the Scottish Government limit for low-paid workers of £21,000, OR 12 months for all other employees on the displaced list; this would seek to align, and ensure parity with, those experiencing pay protection as a result of job evaluation;
- Pay protection would take effect at the point of displacement or based on a specific, agreed date (initial proposal was 1st July 2015) if an individual has already been displaced;
- More guidance surrounding the redeployment process would be provided to managers and employees in order to ensure that robust consideration is given to suitable alternative posts.

4.3.2 Following the EPF, more detailed discussions with the unions have taken place and early consideration has been given to the proposed documentation. Whilst the unions are supportive of the enhanced clarity surrounding, and more robust application of, the Redeployment due to Organisational Change policy with regards to identifying suitable alternative employment, the preference is for pay protection arrangements to be established in a separate policy. Work has now commenced to revise the original policy document that was circulated in Summer 2014 based on the above principles.

4.4 *Maternity, Adoption, Paternity and Parental Leave Policy*

4.4.1 The SLT agreed the principles of the above policy on 20 May 2015. A draft policy is in the final stages of development based on these principles and will be issued to unions for 3 weeks' consultation by the end of June 2015.

4.4.2 The policy outlines the process that employees wishing to apply for maternity, adoption, paternity and/or parental leave must follow; the array of new legislation which has recently come into effect (for example paid time off for employees attending adoption appointments came into effect as of 1 April 2015); hyperlinks to

other leave-related policies such as Flexible Working and Shared Parental Leave; and proposed pay provisions for those on maternity/adoption leave as follows:

- 6 weeks at 9/10ths;
- 12 weeks at 50% plus SMP;
- 21 weeks at SMP which, from week beginning 6 April 2015, is £139.58;
- 13 weeks at nil pay.

4.5 Further updates on progress towards achieving harmonised SFRS policies will continue to be provided to the Employee Partnership Forum and will also be provided to the Staff Governance Committee at its next meeting.

5. HROD POLICIES FORWARD PLAN

5.1 Travel and Expenses Policy

5.1.1 As a result of the Pay and Reward project moving towards implementation stage, and also due to matters relating to strategic intent/change management (e.g. building closures and relocations), a draft policy on Travel and Expenses is being prioritised.

5.1.2 This document will aim to provide guidance on all areas/instances where travel or expenses may be claimed and provide practical guidance on how claims should be made. It is anticipated that the SLT will consider the policy at their meeting in August 2015.

5.2 Pensions Discretionary Policy – for LGPS Members

5.2.1 As a result of the recent changes to the LGPS (Scotland) scheme, SFRS are required to formulate, publish and keep under review a policy on certain discretions which they are able to exercise in relation to members of the revised scheme.

5.2.2 A draft policy document has been created in conjunction with colleagues from Finance and will be out for consultation during the summer 2015.

5.3 Capability Policy and Procedure

5.3.1 A need for a capability policy, which addresses matters of incapability where it is not as a result of absence/illness or discipline, has been highlighted by area-based HR teams. A number of cases are beginning to arise and the lack of legacy policies is presenting some difficulties in managing such cases.

5.3.2 Whilst a capability policy is being developed (an initial draft is proposed for late autumn 2015), following the ACAS procedure would ensure that legal obligations are met.

5.4 Special Leave Policy

5.4.1 A Special Leave policy, which enables staff to take additional time away from work, including in cases of unexpected and unavoidable emergency, will be developed. It

is anticipated that a first draft of this policy will be available for consultation towards the end of 2015.

6. EMPLOYEE IMPLICATIONS

6.1 Employee implications are contained within each separate policy.

7. FINANCIAL IMPLICATIONS

7.1 Where a policy has a financial implication for the SFRS, financial information is collated and presented to all relevant parties prior to consultation commencing with Representative Bodies.

8. EQUALITY IMPLICATIONS

8.1 Each policy contains a section dedicated to matters of equality and diversity. Equality Impact Assessments are also completed for each policy.

9. OTHER IMPLICATIONS

None provided.

FIONA MCOMISH
POD Manager