

AGENDA ITEM

REPORT TO CABINET

11 March 2010

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION

Management and Finance – Lead Cabinet Member – Terry Laing

**REVISED HUMAN RESOURCES POLICIES IN RESPECT OF THE MANAGEMENT OF
ORGANISATIONAL CHANGE AND EQUAL OPPORTUNITIES**

1. Summary

The Organisational Development Section of Human Resources are systematically reviewing current policies on a prioritised basis to ensure they take account of changes to legislation and also that they continue to meet the needs of both managers and employees. The revised policies in relation to the management of organisational change and equal opportunities are attached as **Appendix A** and **Appendix B** to this report. All policies are subject to detailed consultation with the Trades Unions and with the Human Resources Strategic Group.

2. Recommendations

Cabinet are asked to approve the following revised policies:

- 1) Management of Organisational Change Policy and Procedure (**Appendix A**)
- 2) Equal Opportunities Policy (**Appendix B**)

3. Reasons for the Recommendations/Decision(s)

The revised Management of Organisational Change Policy and procedure replaces the current Organisational Review policy which was approved in 1999. The revised policy is a more comprehensive document designed to guide and support managers through the process of organisational change and to ensure the involvement of employees and Trades Unions in the process. The policy which now also incorporates the handling of redundancies, gives a clear and transparent stage-by-stage process for handling reviews. Equality and Diversity is everyone's responsibility. It is already mainstreamed across the Council and embedded within the Customer First programme, thus ensuring that it is an integral part of providing excellent customer service. This policy restates the Council's commitment to the workforce in terms of diversity, ensures legal changes are up to date and supports the Council's Single Equality Scheme.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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SUMMARY

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RECOMMENDATIONS

Cabinet are asked to approve the following revised policies:

- 1) Management of Organisational Change Policy and Procedure (**Appendix A**)
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DETAIL

MANAGING ORGANISATIONAL CHANGE

1. Members will be aware that the Council is undertaking a number of organisational changes at present, not least of which those associated with the Efficiency, Improvement and Transformation Programme. Given the drive for efficiency and improvement it is likely that organisational change will continue and it is therefore essential that effective policies and procedures are in place to support the process. The Management of Organisational Change Policy has therefore been given a high priority. It replaces the current Organisational Review Policy which was approved in 1999. The revised policy is a more comprehensive document designed to guide and support managers through the process of organisational change and to ensure the involvement of employees and Trades Unions at all stages in the process. The policy, which now also incorporates the handling of redundancies, gives a clear and transparent stage-by-stage process for handling reviews. The aim of this policy is to:
 - enable employees and Trades Unions to influence the shape of changes which affect them at any early stage
 - ensure a consistent approach to managing change, incorporating lessons learned from previous reviews and ensuring a transparent and fair process. This includes the handling of redundancies.

- minimise disruption to services
- set out an appeals process for dealing with personal applications for regrading following the completion of the Job Evaluation Review process
- wherever possible to maintain continuity of employment and stability of the workforce through the active use of redeployment and retraining. This policy will be supported by the Redeployment Policy which is currently being finalised.

EQUALITY AND DIVERSITY

2. Equality and Diversity is everyone's responsibility. It is already mainstreamed across the Council and embedded within the Customer First programme, thus ensuring that it is an integral part of providing excellent customer service. This policy re-states the Council's commitment to the workforce in terms of diversity, ensures legal changes are up to date and supports the Council's Single Equality Scheme. The Policy also supports the work of the Recruitment and Engagement Action Plan which has been developed in conjunction with local community leaders with the primary aim of increasing the diversity of the workforce.
3. The Equality Policy aims to:
 - promote equality of opportunity
 - promote equality of access
 - promote good relations between diverse communities.

The policy focuses mainly on employment related issues and listed below are the main objectives:

- to set out the Council's approach to equality
- ensure that recruitment and selection procedures are fair and equitable
- ensure equality of access to development opportunities for all employees and that the principles of equality are embedded in the Council's training programmes
- ensure that all policies and procedures within the Council are free from discrimination by conducting equality impact assessments
- gather and analyse workforce data in relation to equalities
- support the provision of a working environment where unacceptable behaviour will be challenged e.g. bullying and/or harassment
- ensure equality of pay through a fair and transparent job evaluation process
- provide links to related policies and procedures.

FINANCIAL IMPLICATIONS

4. There are no financial implications arising out of this report.

LEGAL IMPLICATIONS

5. Employment Legislation changes frequently and subsequent case law often has implications for Human Resources policies and procedures. These policies have been written to take account of such changes and the Head of Legal Services has been consulted on their content. The policy will be reviewed on an annual basis.

RISK ASSESSMENT

6. These policies are categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

7. This policy complements the Single Equality Scheme (SES) and the Community Cohesion Strategy developed by the Corporate Diversity Team. Any changes/recommendations arising from the Sustainable Community Strategy will be reflected in the revised editions of the SES and within the Equal Opportunities Policy.

EQUALITIES IMPACT ASSESSMENT

8. This report has been subject to an Equality Impact Assessment and has been judged to have a positive impact. No remedial actions are required.

CONSULTATION INCLUDING WARD/COUNCILLORS

9. There are no specific ward implications arising out of this policy. However, detailed consultations have been undertaken with the relevant Trades Unions.

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Background Papers: None

Human Resources Service



Management of Organisational Change Policy

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STATUS:	
APPROVED	
EQUALITY IMPACT ASSESSMENT COMPLETED	August 09
REVIEW DATE	
REVIEWED BY	Policy & Project Team

Management of Organisational Change Policy

Stockton Borough Council is committed to ensuring that its employment practices are fair and consistent, compliant with employment legislation and in line with 'best practice' principles. The Council has a legal responsibility to ensure there is no unlawful discrimination on the grounds of age, disability, faith/belief, gender, race and sexual orientation.

This policy and related procedures applies to all Council staff *excluding*:

¹staff recruited by and working in schools with a delegated budget.

Employees, other than those detailed above, must adhere to this policy.

This policy applies to organisational changes throughout the Council which affect a number of staff such as:

- Reorganisations and restructures
- Reductions or discontinuation of specific areas of work
- Major changes to terms of conditions of service

Ongoing, minor changes to individual roles and responsibilities and / or working practices will occur from time to time. In these cases employees are expected to be flexible and adapt to reasonable changes appropriate to the level of their post.

Changes which affect only a small number of roles may be dealt with through a scheme of delegation. A scheme of delegation is a corporate authorisation document which allows minor changes in management structures to be delegated to the Chief Executive and/or Chief Officers in agreement with the Head of Human Resources and Director of Law and Democracy.

Organisational reviews are undertaken to:

- Improve operational effectiveness and efficiency of current services.
- Enhance the quality of the services provided to service users.

Aims and Principles

The aims and principles of this policy are to:

- establish a framework for the management of organisational change,
- reflect current legislation, codes of practice and good people management,
- retain and build upon the skills, experience and knowledge of staff who may be at risk,
- ensure consultation with employees and trade unions takes place at the earliest opportunity to enable them to influence the shape of the changes; on a collective and/or individual basis as appropriate,
- consider the best interests of service users and the Council,

¹ Schools policies are saved on the extranet NOT the intranet

- ensure a consistent and equitable approach to managing change,
- ensure all proposals for change are properly communicated,
- minimise disruption to services,
- maintain continuity of employment and stability of the workforce wherever possible through the active use of redeployment and retraining.

Responsibilities:

Elected Members, managers, employees and representatives are required to co-operate and participate fully with all stages of the organisational review policy. Due to the sensitive nature everyone involved in the application of this policy must conduct themselves in an appropriate manner and treat all information as confidential in accordance with their role in the process.

In the interests of fairness and equality, all parties must ensure throughout this policy that no conflicts of interest and/or roles occur and that the appropriate people are notified.

Corporate Management Team: have strategic responsibility for ensuring effective policies and procedures are developed, that managers and employees have the necessary skills and that policies and procedures are effectively and consistently implemented.

Human Resources (HR): as Business Partners are responsible for providing training and coaching as required and for providing advice and guidance on putting policies and procedures into practice.

Employees with staff management responsibilities: are responsible for

- ensuring their staff have awareness and understanding of organisational change which is applicable to them and their service,
- involving employees at the earliest opportunity, and enabling them to contribute to the formulation of the proposed changes,
- consulting with trade union representatives and affected employees at the earliest opportunity,
- ensuring that changes are communicated to other areas of the Council, as appropriate,
- providing information to Xentrall to update the PSE system.

Employees: are responsible for adhering to policies and procedures, and are required to co-operate and participate fully with all stages of this policy.

It is the responsibility of the employee to:

- Arrange for their representation at any formal meetings if required.
- Notify their representative of meeting dates in good time.
- Provide copies of all relevant documentation

Trade Unions: should ensure that their officials are trained in the role of acting as an employee's representative and understand this policy and procedure.

A trade union representative, who is not an employed official, must have been certified by their union as being competent to accompany an employee.

Representation is provided by the relevant union and not an individual union official. It is therefore important to ensure that the process is not delayed unduly if a trained and competent representative is available.

Work Colleagues accompanying employees: are responsible for representing or supporting their colleague at meetings as appropriate.

Dignity at Work Advisors: are responsible for providing support and/or signposting employees if required during the process.

Representation at all formal stages of the procedure:

Employees have the right to be accompanied by a trade union representative or a work colleague. It would not normally be reasonable for employees to insist on being accompanied by someone whose presence would prejudice the meeting. It would be unreasonable for an employee to ask to be accompanied by someone who was not available when someone suitable and willing was available.

Procedure:

1. Identify the need for organisational change:

Managers are responsible for the effective and efficient delivery of services and for making changes to structures and working practices to achieve this. Managers should be able to identify the need for change and communicate this to their employees during the formulation of proposals.

Trade unions will be notified as soon as possible once a decision has been made that an organisational review of the service will be undertaken and initial discussions will commence with recognised trade unions and employees at the earliest opportunity. The manager should therefore meet with the trade unions and an HR Business Partner to discuss:

- The objective of the review.
- The process.
- Who will be involved.
- Any potential outcomes already identified.

2. Formulate proposals:

Proposals should be developed involving employees of the service and the trade unions. However, dependent upon the nature of the proposed change, agreement subject to consultation may need to be obtained from Cabinet/CMT before detailed discussions commence.

Consideration must be given on how to involve employees. It is not always possible to involve everyone if a large number of employees are involved, therefore focus groups should be established.

Human resources must also be consulted on any proposed changes which could affect the roles, contractual terms or job security of employees. They will work in partnership with managers and the trade unions to consider and develop the proposals.

Although information will be provided at the earliest opportunity, discussions will be based on all parties recognising the sensitivity of information and maintaining confidentiality where necessary.

During the formulation of proposals, the emphasis should be on the design of new ways of working, what organisational structure needs to be put in place to deliver the change and the job roles and responsibilities to support the structure. The grading of posts should not be discussed with employees until the roles have been evaluated by the Job Evaluation (JE) team.

3. Evaluate New Structure:

The Council is committed to equality of pay. All new or changed posts must therefore be job evaluated by the HR JE Team to ensure equality of pay is maintained across the Council.

4. Consultation and Communications:

Successful communication requires planning both in terms of meetings to communicate the proposals and through providing supporting documentation.

The provision of relevant information must be provided to enable the trade union representatives to fulfil their function and for meaningful consultation to take place.

A consultation document should therefore be drawn up and provided to both employees and trade unions which will:

- describe the proposed changes,
- identify the reasons for change,
- explain the possible impact on employees,
- include job descriptions and person specifications if these are available, for current and proposed organisational structures,
- consider if it will be appropriate to place restrictions on the filling of vacancies which arise during the consultation period,
- set out an outline plan for implementation of the change including the proposed timescales. This plan will provide the basis for initial discussions although it may be amended following consultation.

Where the proposed change could result in redundancies, redundancy selection criteria should also be discussed.

Further meetings should be arranged to consider the views of the trade unions and employees until the final proposals have been drawn up.

Discussions could include:

- How the service can be improved to meet the requirements of the service users.
- How the new arrangements will deliver the changes required.
- The plan for implementation with timescales.
- How the changes will be managed.
- Internal and/or external factors affecting the changes.
- Who will be responsible for delivering each aspect of the change.

- Details of individual and collective consultation with employees.

Consideration must be given to communication arrangements for those employees who are away from the workplace during the consultation period e.g. long term sickness, maternity leave.

5. Formal Consultation Stage:

Formal consultation will commence on the date that trade unions are sent formal management proposals including notification of a 28 day formal period of consultation and the end date. Where redundancies affecting 20 or more employees are envisaged this consultation period will be extended in accordance with legislation.

At the start of the consultation period the trade unions and employees will be provided with the consultation document referred to in paragraph 4 above, suitably amended, if appropriate, to include the outcome of discussions.

During the start of the consultation period, the manager should set time aside to meet with individuals or groups of employees who may wish to discuss their personal situation or raise questions about the review itself. A meeting with the trade unions should also take place part way through the consultation period, if appropriate. This will enable issues of clarity and questions to be raised.

Where "preferences" form part of the recruitment arrangements to the new structure employees will be asked to indicate their preference(s) by the end of the consultation period. If there are any further changes to the structure or job roles following consultation these should be circulated to all affected parties.

At the end of the consultation period, trade unions and management will meet to discuss their formal response if necessary. Consideration will be given to the issues raised and any proposals suggested by the trade union(s) as well as individual responses from employees.

Employee issues raised will be responded to on an individual or collective basis either in writing or at an individual/group meeting.

Where amendments are made to the proposal a meeting will be held with employees and the trade unions to explain the change(s) and confirm the new structure or working practices. Where this is not practical written confirmation will be sent to employees following a meeting with the trade union(s).

6. Implementation Stage:

Recruitment to the New Structure

Management must identify the process for recruiting employees to the new structure. This will include the recruitment timetable and likely implementation date.

Recruitment to the new structure provides an important element of consultation and consistency of approach in managing change across the Council.

Slotting in arrangements

Existing employees will be slotted into posts, which have been determined as identical or substantially the same in terms of the grading, nature and responsibilities of the job role. Slotting in will occur if the number of employees is equal or lower to the number of posts in the new structure.

Ring fencing

Existing posts, which are identical or substantially the same as posts in the new structure, will be ring fenced for existing post holders. Where there are more employees than posts, then selection will be by competitive interview. Employees need to possess the relevant skills to ensure the service area is able to deliver its services.

Employees will be asked at an early stage to indicate their preferences as to the types of post they would wish to be considered for within the changed structure. However, where job roles are changed in the new structure, employee preferences will not always be able to be accommodated.

Filling vacant posts in the new structure

Once the recruitment arrangements detailed in the consultation document have been completed, consideration can be given to recruitment to vacant posts.

Prior to advertisement, the manager must contact the HR Advisory service to ensure any employees displaced by the review are properly considered for any redeployment opportunities in accordance with the redeployment policy.

New job roles which did not exist in the current structure, depending on the nature of the post, may be either:

- Ring fenced to some or all existing employees who are part of the structure review,
- restricted to employees listed on the redeployment register,
- restricted to all council employees,
- be externally advertised.

HR Advisory can advise on the most appropriate method.

Temporary employees (Fixed Term):

Employees on temporary and fixed term contracts may be considered as part of the ring fencing arrangements depending on the nature of their contract. Advice on individual employees should therefore be sought from Human Resources.

Agency workers:

A new directive with regard to temporary agency workers has been adopted by the European Council; this affords agency workers equal treatment to directly employed staff.

The UK Government has stated that regulations implementing the Directive will come into force on 1 October 2011.

The Regulations afford agency workers equal treatment in basic employment conditions, including pay, working time and holiday, after 12 calendar weeks in a given job. Stockton Borough Council must give agency workers the same basic employment conditions that would apply if they had been recruited directly by the Council.

Employees in receipt of honoraria or acting up allowances:

Where an employee has been acting up or is in receipt of an honoraria payment for 12 months or less, their substantive post will be used to determine the ring fencing arrangement and offer of suitable alternative employment.

Where arrangements have been in place for more than 12 months, advice should be sought from HR Advisory.

Any salary protection or redeployment issues which arise on implementation of a new structure will be based on the employee's substantive salary.

Grading and re-grading of new posts (read in conjunction with Appendix 1 Grading of Posts):

Employees who disagree with the grade allocated to their new post can request that the grade of their post be reviewed if they can demonstrate that the duties have substantially changed. However, generally a review will not be undertaken until 6 months has elapsed since the employee commenced their role to allow the full requirements of the job role to be fully developed and understood.

The employee must complete a Personal Application for Re-assessment of Job Role form – Appendix 2, which must be returned to their manager and representatives, if required.

The JE team will arrange to meet with the employee and their manager to re-evaluate the post.

Employees have the right of appeal against the outcome of the re-evaluation. The procedure for appeal will be as detailed at Appendix 1.

The decision from the appeal will be final.

7. Transfer of Undertakings Protection of Employment Regulations (TUPE):

TUPE is to protect employees if the business in which they are employed changes hands. Its effect is to move employees and any liabilities (pensions, redundancy etc.) associated with them from the old employer to the new employer by operation of law. This could include a 'TUPE in' situation. A change in a provider working under a contract could also have TUPE implications.

HR Advisory must be consulted in any proposed changes which could affect roles, contractual terms or the job security of employees and this includes changes where TUPE may apply.

Redundancy and redeployment will not apply to employees who transfer to a new employer in accordance with these regulations.

8. Redundancy:

During an organisational review compulsory redundancies may be unavoidable, however the Council will endeavour to keep these to a minimum wherever possible.

Definition of Redundancy

An employee who is dismissed shall be taken to be dismissed for redundancy if the dismissal is attributable wholly or mainly to the fact that:

- The employer has ceased, or intends to cease, carrying on the business for the purposes of which the employee was employed; *or*

- The requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where he was so employed, have ceased, or diminished, or are expected to cease or diminish. (*section 139 (1) Employment Rights Act (ERA 1996)*).

Although consultation will continue throughout the organisational review there are certain legislative requirements which the council is obliged to meet in a redundancy situation as follows:

If redundancies, affecting 20 or more employees, are proposed at one establishment within a period of 90 days or less, the statutory consultation procedure must be followed and the minimum consultation period is 30 days before the first notice of dismissal is issued. If the proposal is for 100 or more employees to be made redundant, the minimum consultation period is 90 days.

Employees will be:

- Consulted individually and collectively.
- Fully advised of the manner in which their positions may be affected.
- Informed how they may be selected for redundancy.
- Informed how the redundancies are to be carried out
- Informed about the period of time over which it is proposed the redundancies be implemented.

Where 19 or fewer employees are affected consultation must still be undertaken in accordance with this policy.

Employees who are at risk of redundancy will be considered for redeployment within the Council and are expected to participate fully in the process.

Employees who do not participate in the process risk forfeiting a redundancy payment, if applicable.

Selection for Redundancy:

Employees who are at risk of redundancy will be selected on the basis of objective criteria which must be agreed as part of the consultation process. It is essential that the selection of employees and the criteria used are carried out in a fair, objective and consistent way. Age and length of service are not appropriate selection criteria and should not be used. Appendices 3 (Redundancy Selection Matrix) and 4 (Redundancy scoring) should be used to determine the criteria to be used. If any additional criteria are necessary these will be agreed with HR and trade unions.

Voluntary Redundancies:

It is not an intention of the organisational review process to facilitate voluntary redundancy opportunities, although there may be occasions where this is appropriate or necessary to avoid compulsory redundancies and expressions of interest may be requested. Selection of volunteers for redundancy shall be at the discretion of the Council and shall be determined by the Council's requirements to retain key skills and experience to meet the present and anticipated needs of the Council.

Redundancy Payments:

Where redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with the terms of their contract of employment up to a maximum of twelve weeks.

All employees must have two years continuous service to qualify for any redundancy payment. Those who receive redundancy payments will be given written notification of how this has been calculated.

The Council has a redundancy scheme, which enhances the amount of redundancy employees could receive i.e. using the statutory multiplied by 2.2 weeks.

Under this scheme a week's pay is the actual amount to which an employee is entitled under the terms of their contract.

If the pay varies, the amount of the week's pay is averaged over the 12 weeks prior to the 'calculation date'. The 'calculation date' is the date on which the employer issues the minimum notice to the employee.

Please see Appendix 5 Enhanced Redundancy Table to identify the number of week's entitlement.

Local Government Modification Order

Where a new offer of employment is made by another Modification Order body an employee who is under notice of redundancy receives an offer of a job from another Modification Order body before the termination of his or her employment and takes it up within 4 weeks of the end of the old employment, there will be no dismissal for redundancy payment purposes.

Consequently there will be no entitlement to a redundancy payment.

Appeals:

Employees who are dismissed for reason of redundancy have the right of appeal against dismissal.

The Employee Appeals Panel advised by representatives from Legal Services and Human Resources will hear appeals against dismissal.

Details on how an employee can lodge an appeal will be included in the redundancy notification letter.

Early Retirement

Those employees who may be interested in early retirement should refer to the retirement policy.

Support for Individuals who are at risk of redundancy

The following support facilities are available:

- Employees will be given reasonable time off to look for alternative work and attend interviews. Employees should make the appropriate arrangements with their line manager.
- Access to the Councils Well Worker counselling service.
- Assistance and advice on completing application forms, C.V. preparation, interview techniques, signposting to agencies etc. Employees should discuss this with the HR Advisory service.
- Information and advice on training opportunities.

- For those who are in a redundancy situation, prior consideration will be given for suitable vacancies within the council. Further information is contained in the Redeployment Policy and Procedure.

Disturbance Allowance

If, due to an organisational review, employees have to relocate their workplace within the Borough of Stockton, they may be eligible for additional travelling expenses in accordance with the Single Status Agreement.

A Disturbance Allowance will not be paid to employees who have accepted alternative employment as a redeployment option as set out in the redeployment policy.

Monitoring of the policy: This policy will be monitored on an ongoing basis by Human Resources to ensure that it is being applied fairly and consistently throughout the Council. The policy will be reviewed annually to reflect any changes in responsibilities and changes in legislation.

Related policies: [Redeployment Policy](#), [Grievance Policy](#), [Retirement Policy](#), [Single Status Agreement](#), [Local Government Modification Order](#).

Useful Telephone Numbers

Acas Helpline 0845 474747

BERR Redundancy Payments Helpline 0845 145 0004

Stockton Welfare Rights (entitlement benefits) 01642 526141

Main Legislation

The Trade Union and Labour Relations (Consolidation) Act 1992,

The Employment Rights Act 1996,

The Collective Redundancies (Amendment) Regulations 2006 (SI 2006/2387),

The Employment Equality (Age) Regulations 2006,

The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999,

The Information and Consultation of Employees Regulations 2004 (SI 2004/3426),

Disability Discrimination Act 1995

Appendix 1

Grading of posts

The Council uses either, and on occasion both, the NJC Job Evaluation Scheme and Hay methodology in determining the grading of a job.

Jobs are evaluated when either management create new posts/change existing job roles or when an employee requests a personal application for their job role to be re-assessed.

Organisational Structure Review

Where job roles have been evaluated as part of an organisational structure review, which has been the subject of consultation with employees and the trade unions, there will be no right of review/appeal against the grading of the job on implementation of the new structure until at least 6 months has elapsed.

The consultation period enables employees and trade unions to raise issues and concerns in relation to the review proposals. During this period any issues associated with the grading of the post can be raised, however evidence will need to be provided as to why the grading is inappropriate based on the duties, responsibilities and nature of a job role. This will be reviewed by the HR Advisory Service – JE Team as part of management's consideration of the trade union's response to the consultation process.

Where, after 6 months has elapsed, an employee feels the grading and factor profile of their job is inappropriate they should follow the process for a personal application for their job role to be re-assessed.

Personal Application for Re-assessment of Job Role

It is expected that an employee will have been performing a job role for a minimum of 6 months before a personal application for re-assessment will be submitted. This is to ensure that an employee is able to fully understand the requirement of and perform the job role in order to be able to provide appropriate examples and information to the HR Advisory Service – JE Team to evaluate their job role.

Process

1. An employee should complete the Personal Application for Re-assessment of Job Role form (Appendix 2) and send it to their Head of Service.
2. The Head of Service will add any comments in relation to the factual content of the form and forward it to the HR Advisory Service.
3. A meeting will be arranged by the HR Advisory Service – JE Team with the employee(s) and management representative(s). The employee(s) can be accompanied by a trade union representative or work colleague.

Where the re-assessment is from a group job, employees should nominate a couple of representatives to attend the meeting on their behalf.

4. Following the meeting the job role will be evaluated. The Head of Service will be informed of the evaluated grade prior to the employee(s) receiving their written notification of the outcome.
5. Where an employee(s) remains dissatisfied they have a right of appeal. An appeal must be lodged to the Head of Human Resources within 7 days of receipt of written notification of the outcome.
6. An appeal against the outcome of an evaluation using the NJC JE Scheme will be heard by a Panel consisting of a management and trade union representative, facilitated by Human Resources.

An appeal against the outcome of an evaluation using Hay methodology will be heard by a Head of Service/Corporate Director advised by Human Resources.

The decision of the Panel will be final. The Head of Service will be notified of the outcome of the appeal and the employee(s) will receive written confirmation within 10 working days of the appeal hearing.

Appeals Procedure

Representatives and Evidence

Employees have the right to be accompanied by a trade union representative or a work colleague. It would not normally be reasonable for an employee to insist on being accompanied by someone whose presence would cause a conflict of interest nor would it be reasonable for an employee to ask to be accompanied by someone who was not available when someone suitable and willing was available.

It is the responsibility of the employee to arrange for his/her representation, notifying their representative of the appeal date in good time and providing copies of all relevant documentation. The employee must also ensure that there is no conflict of interest with the person accompanying or representing them.

Representatives presenting the management case will include an HR Business Partner and management representatives from the employees service.

New evidence cannot be presented at the Appeal Hearing. If new evidence is presented the appeal hearing may be adjourned. The Panel may instruct a further review meeting to take place.

1. Notification of Appeal Hearing Date

Employees will be given at least two weeks advance notification of their appeal hearing date. The appeal will only be re-arranged in exceptional circumstances so the employee(s) must make every effort to prepare their documentation and arrange representation.

Appeals may be arranged with shorter notice but agreement will be sought in advance.

2. Exchange of Documentation

Documentation that the employee(s) will rely on at the hearing must be submitted to the HR Advisory Service - JE Team no later than one week before the appeal hearing date.

A documentation pack will be prepared by the HR Advisory Service – JE Team and sent to the employee and the Panel no later than 3 working days before the hearing date.

3. Appeal Hearing – Procedure for Conduct of Hearing

1. Introductions

2. Employee Presentation:

- The employee(s) (or their representative) will present their case to the Panel in the presence of management representatives.
- Management representatives will have an opportunity to ask questions.
- Members of the Panel will have an opportunity to ask questions.

3. Management Presentation:

- Management representatives will present their case to the Panel in the employee's presence (and their representative).
- The employee (and their representative) will have the opportunity to ask management representatives questions.
- Members of the Panel will have an opportunity to ask management representatives questions.


4. Summing Up:

- Management representatives will have the opportunity to summarise their case.
- The employee(s) (or their representative) will have the opportunity to summarise their case.

5. Consideration of Presentations:

- The employee(s) (and their representative) and management representatives will withdraw.
- The Panel consider the presentations and
- Determine their outcome.

Appendix 2

 <p>Stockton-on-Tees BOROUGH COUNCIL</p>	<p>Personal Application for Re- assessment of Job Role</p>	
--	---	--

- You should submit this form to your Head of Service and keep a copy for yourself. You may send a copy to your trade union representative if you wish.
- Your Head of Service will forward your application to Human Resources.
- If you have not received an acknowledgement from the Head of Human Resources within two weeks of submitting your form to your Head of Service (HOS) you should raise the matter immediately with the HOS.
- You should receive a decision on your application within six weeks of receipt of your submission by Human Resources. If it has not been possible to progress the matter, you will be informed of the reason.

Part A (for completion by the applicant)

Name:	Service/Section:	
Post Title:	Post Ref:	JE Reference:
Date appointed:	Present grade:	
Basis of Application Please provide a summary of your reasons for re-assessment of your job role and an outline of the changes which have taken place since the last review. Then consider the job evaluation factors detailing reasons/examples against those you believe need to be re-evaluated.		

Job Evaluation Factor	Current Level	Reasons / Examples
Knowledge		
Mental Skills		
Interpersonal and Communication Skills		
Physical Skills		
Initiative and Independence		

Physical Demands		
Mental Demands		
Emotional Demands		
Responsibility for People		
Responsible for Supervision, Management and Co-ordination		
Responsibility for Financial Resources		
Responsibility for Physical Resources		
Working Conditions		

Please continue on a separate sheet if necessary

Please provide any other information you believe is relevant to your application.

Signature:

Date of Submission to
Head of Service:

Part B (for completion by Head of Service)

I received this application on:		
Observations:		
Signed:		Date Rec'd by HoHR:
		Date Ack. by HoHR:

Appendix 3 - Redundancy selection matrix

The scores arrived at will form the basis of management decisions as to whom to select for redundancy.

Guidance for scoring:

The range of 1-7 for employees' point scores should be applied as Appendix 4.

Redundancy selection matrix	
Name of employee	Job title
Department	Length of service
Name(s) of manager(s) making assessment	

Criteria	Score (1- 7)	Weighting (1-7)	Total score
Skills, knowledge & experience: Knowledge of job, customers, the Council, etc. Breadth and depth of relevant experience			
Capability (only applicable if employee is currently subject to formal capability procedure)			
Relevant qualifications/training			
Attendance			
Disciplinary record			
Total score			
Manager's signature		Date	
Approval of senior manager		Date	

Appendix 4 – Redundancy Scoring

Skills/Knowledge/Experience/Flexibility/Versatility

Score	Standard
7	Outstanding
6	Very good
5	Good
4	Average
3	Minimum
2	Acceptable
1	Below acceptable

Capability

Score	Standard
7	No current capability issues
0	Currently subject to formal capability procedure

Relevant Qualifications

Score	Standard
7	Hold relevant qualification
4	Working towards
0	Do not hold relevant qualification

Attendance (this will be in accordance with Attendance Management Policy)

Score	Standard
7	No absence during service
4	No absence in the last 12 months
1	Any absence which meets a trigger point including long term absences of 4 weeks duration

Disciplinary Record (Live)

Score	Standard
7	No disciplinary record
5	Firm Management Guidance
3	First Written Warning
1	Final Written Warning

Appendix 5 - Enhanced SBC Redundancy Table (Statutory x 2.2)

Ready reckoner for calculating the number of weeks pay due

	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age 18	2.2	3.3	4.4																
19	2.2	3.3	4.4	5.5															
20	2.2	3.3	4.4	5.5	6.6														
21	2.2	3.3	4.4	5.5	6.6	7.7													
22	2.2	3.3	4.4	5.5	6.6	7.7	8.8												
23	3.3	4.4	5.5	6.6	7.7	8.8	9.9	11.0											
24	4.4	5.5	6.6	7.7	8.8	9.9	11.0	12.1	13.2										
25	4.4	6.6	7.7	8.8	9.9	11.0	12.1	13.2	14.3	15.4									
26	4.4	6.6	8.8	9.9	11.0	12.1	13.2	14.3	15.4	16.5	17.6								
27	4.4	6.6	8.8	11.0	12.1	13.2	14.3	15.4	16.5	17.6	18.7	19.8							
28	4.4	6.6	8.8	11.0	13.2	14.3	15.4	16.5	17.6	18.7	19.8	20.9	22.0						
29	4.4	6.6	8.8	11.0	13.2	15.4	16.5	17.6	18.7	19.8	20.9	22.0	23.1	24.2					

30	4.4	6.6	8.8	11.0	13.2	15.4	17.6	18.7	19.8	20.9	22.0	23.1	24.2	25.3	26.4				
31	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	20.9	22.0	23.1	24.2	25.3	26.4	27.5	28.6			
32	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	23.1	24.2	25.3	26.4	27.5	28.6	29.7	30.8		
33	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	25.3	26.4	27.5	28.6	29.7	30.8	31.9	33.0	
34	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	27.5	28.6	29.7	30.8	31.9	33.0	34.1	35.2
35	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	29.7	30.8	31.9	33.0	34.1	35.2	36.3
36	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	31.9	33.0	34.1	35.2	36.3	37.4
37	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	34.1	35.2	36.3	37.4	38.5
38	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	36.3	37.4	38.5	39.6
39	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	37.4	38.5	39.6	40.7
40	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	37.4	39.6	40.7	41.8
41	4.4	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	37.4	39.6	41.8	42.9
42	5.5	7.7	9.9	12.1	14.3	16.5	18.7	20.9	23.1	25.3	27.5	29.7	31.9	34.1	36.3	38.5	40.7	42.9	45.1
43	6.6	8.8	11.0	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	37.4	39.6	41.8	44.0	46.2
44	6.6	9.9	12.1	14.3	16.5	18.7	20.9	23.1	25.3	27.5	29.7	31.9	34.1	36.3	38.5	40.7	42.9	45.1	47.3
45	6.6	9.9	13.2	15.4	17.6	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	37.4	39.6	41.8	44.0	46.2	48.4
46	6.6	9.9	13.2	16.5	18.7	20.9	23.1	25.3	27.5	29.7	31.9	34.1	36.3	38.5	40.7	42.9	45.1	47.3	49.5
47	6.6	9.9	13.2	16.5	19.8	22.0	24.2	26.4	28.6	30.8	33.0	35.2	37.4	39.6	41.8	44.0	46.2	48.4	50.6
48	6.6	9.9	13.2	16.5	19.8	23.1	25.3	27.5	29.7	31.9	34.1	36.3	38.5	40.7	42.9	45.1	47.3	49.5	51.7
49	6.6	9.9	13.2	16.5	19.8	23.1	26.4	28.6	30.8	33.0	35.2	37.4	39.6	41.8	44.0	46.2	48.4	50.6	52.8
50	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	31.9	34.1	36.3	38.5	40.7	42.9	45.1	47.3	49.5	51.7	53.9
51	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	35.2	37.4	39.6	41.8	44.0	46.2	48.4	50.6	52.8	55.0
52	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	38.5	40.7	42.9	45.1	47.3	49.5	51.7	53.9	56.1
53	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	41.8	44.0	46.2	48.4	50.6	52.8	55.0	57.2
54	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	45.1	47.3	49.5	51.7	53.9	56.1	58.3
55	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	48.4	50.6	52.8	55.0	57.2	59.4
56	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	49.5	51.7	53.9	56.1	58.3	60.5
57	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	49.5	52.8	55.0	57.2	59.4	61.6
58	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	49.5	52.8	56.1	58.3	60.5	62.7
59	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	49.5	52.8	56.1	59.4	61.6	63.8
60	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	49.5	52.8	56.1	59.4	62.7	64.9
61*[1]	6.6	9.9	13.2	16.5	19.8	23.1	26.4	29.7	33.0	36.3	39.6	42.9	46.2	49.5	52.8	56.1	59.4	62.7	66.0

Appendix B

Human Resources Service



Equal Opportunities Policy

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DATE CREATED	July 09
EQUALITY IMPACT ASSESSMENT COMPLETED	Oct.09
REVIEW DATE	January 2011

1.0 Introduction

Stockton Borough Council is committed to ensuring that its employment practices are fair and consistent, compliant with employment legislation and in line with 'best practice' principles. The Council has a legal responsibility to ensure there is no unlawful discrimination on the grounds of age, disability, faith/belief, gender, race and sexual orientation.

This policy and related procedures applies to all Council staff *including*:
Chief Executive
Chief Officers
²staff recruited by and working in schools with a delegated budget.
Employees on probationary service, whether or not extended beyond its originally specified duration.
Employees engaged on a casual basis.

1.1 The Council's Commitment

The Council is committed to the promotion of equality and diversity and ensuring that all its services are fully accessible. We recognise that people may be disadvantaged due to a range of circumstances and we will actively work to engage with all our employees to understand, reduce and ultimately eliminate this disadvantage.

Equality and diversity is embedded in everything the Council does and this is reflected in the Council's Single Equality Scheme. This policy focuses on employment related issues, such as recruitment, retention, employment practices and how the council monitors workforce information.

The Council is one of the largest employers in the borough and has committed itself to the highest standards of equality and diversity in all service areas. The Council is also committed to working towards ensuring that its workforce is reflective of the diversity of the borough's residents. This is achieved by ensuring that effective and appropriate consultation and engagement is undertaken with the diverse communities.

The Council is reviewing all of its HR policies to ensure they fully embrace the spirit of equality and diversity. As part of this the new People Strategy has been fully impact assessed to support the goals contained within it.

The Council is also committed to reviewing the job application process, considering the need for positive action and is working with key stakeholders on this. There is a clear commitment to identify any barriers that may hinder potential applicants from applying for vacancies. A Recruitment and Retention action Plan is in place to support this process.

1.2 Leadership and Accountability

Equality and diversity is everyone's responsibility. It is already mainstreamed across the Council and is also embedded within the Customer 1st Programme, thus ensuring that it is an integral part of providing excellent customer service.

1.3 Aims and objectives

² Schools policies are saved on the Extranet NOT the Intranet

A golden thread runs throughout the Council's planning and policy development processes from the Sustainable Community Strategy through to Council wide strategies such as the Single Equality Scheme to Service Improvement Plans. Equality and Diversity is a key part of this golden thread and can be seen throughout our plans and policies. This Equal opportunities policy relates to recruitment, retention and employment practices and supports the Council's overall approach embedded in the Single Equality Scheme.

The overall aim of this policy is to:

- Promote equality of opportunity
- Promote equality of access and
- Promote good relations between diverse communities

This policy will influence and be reflected in the council's employment policies and practices, in service delivery and in engagement with partners and communities in the borough.

The objectives of this policy are to:

- Set out the Council's approach to equality.
- Ensure that recruitment and selection procedures are fair and equitable.
- Ensure equality of access to development opportunities for all employees and that the principles of equality are embedded in the Council's training programmes
- Ensure that all policies and procedures within the Council are free from discrimination by conducting equality impact assessments.
- Gather and analyse workforce data in relation to equalities
- Support the provision of a working environment where unacceptable behaviour will be challenged e.g. bullying and/or harassment.
- Ensure equality of pay through a fair and transparent job evaluation process.
- Provide links to related policies and procedures

2.0 Responsibilities

2.1 Corporate Management Team (CMT)

Corporate Management Team (CMT) has strategic responsibility for ensuring effective policies and procedures are developed and that managers and employees have the necessary skills and ensure effective and consistent implementation.

2.2 Corporate Diversity Working Group (CDWG)

The role of the Corporate Diversity Working Group (CDWG) is to provide a strategic lead relating to equality and diversity issues. This group is responsible for setting equalities targets and making decisions strategically.

2.3 Human Resources Strategy Group (HRSG)

This group are responsible for making recommendations, reviewing and approving any policy or procedure before it is released for all to use.

2.4 Employees with line management responsibilities

Line managers/supervisors in the Council have a responsibility to promote equality. This involves:

- Being proactive and leading by example through their own behaviour
- Making sure that they and their staff have equalities training so they understand about equalities legislation, the Council's responsibilities in this area and their own responsibilities.
- Ensuring that their staff have equal opportunities and fair treatment in relation to training, promotion, redeployment, redundancy, disciplinary, grievances or any other employment related issues.
- Ensuring that their services meet the different needs of the community
- Helping the Council to achieve it's targets in relation to the Equality Framework for Local Government

2.5 Employee's responsibilities

All employees have a responsibility to be aware of this policy and to ensure that their behaviour is in line with the Council's Dignity at Work policy.

Employees should also understand the other corporate policies and those that relate to their own area of work and comply with them in a non-discriminatory manner.

If an employee is subject to or witnesses something that is discriminatory based on gender, race, religion, disability, age or sexual orientation, they should report the incident to their line manager in the first instance. Alternatively, the employee can contact Human Resources (HR) for advice. The employee can also contact the Dignity at Work Advisors or look at the Dignity at Work or Grievance policies for reference. Details of these policies can be found on the intranet under 'Handbook of HR policies and procedures'.

The Council also has an [incident reporting procedure](#) this can be used if a person is a victim or a witness of an offensive incident from the public.

2.6 Human Resources Responsibilities

Human Resources (HR) are responsible for developing this policy, providing training and coaching as required and for offering advice and guidance on putting policies and procedures into practice. They will also work in partnership with managers to assist with any appropriate investigations involving a Dignity at Work issue e.g. bullying and/or harassment.

2.7 Trade Unions Responsibility

The Council welcomes the clearly stated support for equality of opportunity from the Trade Unions and recognises the important role the Unions can play in achieving the objectives of this Policy. The Council will consult with the Unions on the implementation of this Policy, including procedures for the regular monitoring and review of its operation.

Trade unions should ensure that their officials are trained in the role of acting as an employee's representative and understand the Equal opportunities policy.

3.0 Equality of Opportunity in Employment

3.1 Recruitment, Selection and Promotion

- The Council will provide equality of opportunity to people who apply for jobs with the council by ensuring that there is no unlawful discrimination in the recruitment and selection procedures.
- Any applicant or employee of the Council will be treated equitably in all aspects of the employment relationship.
- Recruitment, selection and promotion will be determined by following fair and equitable criteria in line with the Code of Practice for Recruitment and Selection.
- All recruitment and selection criteria and documentation will be reviewed periodically to ensure discrimination does not occur.
- Vacancies will be advertised in a way that promotes a diverse workforce. As a minimum, jobs will be advertised on the Council's intranet (except for situations where the Council is required to adhere to employment statutory legislation). Where appropriate, jobs will also be advertised on internet sites, Job Centre+ and e-mailed to different faith and community groups in order to attract a sufficient number of applications from a diverse background.
- All members of the interview panel must have undergone recruitment and selection training or refresher training at regular intervals.
- Applicants will compete in a fair and transparent recruitment process and the successful candidate shall be appointed on merit. Further details are available on the Code of Practice on Recruitment and Selection available on the intranet under 'Handbook of HR Policies and Procedures'.
- The Council uses the 'Two Ticks Symbol' to indicate to employees and potential employees the Council's commitment to best practice in the employment of disabled people, including interviewing all applicants with a disability who meet the minimum criteria for a job vacancy.
- As part of the pre and post recruitment and selection process, reasonable adjustments must be made to ensure that employees who are or have become disabled are supported at work with the appropriate health and safety measures put in place. Please refer to the attendance management policy available on the intranet under 'Handbook of HR Policies and Procedures'.
- Managers should ensure that all employees have an equal opportunity to be considered for higher graded posts when promotion opportunities are made available at work.

3.2 Training, Development & Appraisals

Training and equality of access to training will be provided to enable all employees to perform their jobs effectively and to pursue career developmental opportunities in line with organisational objectives.

[Staff training and development opportunities](#) are regularly communicated and updated by the training department.

Managers, who are responsible for conducting appraisals and identifying development needs of their staff, will ensure that their decisions are based on objective job-related criteria and do not give rise to unfair discrimination.

In addition the Council will:

- Provide training to all employees on equality and diversity as part of the corporate training programme.
- Ensure that Recruitment & Selection training has an element of diversity.
- Ensure that the content of all the training courses reflects the Council's commitment to equality.

3.3 Induction

Equality and diversity forms an integral part of the Council's Induction Programme. All new members of staff have to attend corporate induction where they are made aware of their responsibilities under the Equal Opportunities policy.

3.4 Terms and conditions of service

The Council will ensure that terms and conditions of service are applied fairly to all employees and don't discriminate against individual groups. To this effect, the Council's [Single Status Agreement](#) the Statement of Written Particulars and the Council's HR policies and procedures have been fully impact assessed.

3.5 Part-time staff and those on maternity/paternity/adoption/parental leave

Under the Equal Opportunities policy, it is important to keep those staff who work part-time or are on maternity/paternity/adoption/parental leave informed about any changes in the workplace which may have an impact on their work or unfairly disadvantage them in any way e.g. re-structure within a service, promotion opportunities or training.

3.6 Complaints of bullying and harassment

If any employee thinks that they have been discriminated against during the course of their employment, they should seek advice from the Human Resources (HR) Advisory Service in the first instance. If the individual wants the issue to be dealt with informally then mediation may be an initial step. However, any formal action has to be pursued via the Council's grievance or dignity at work policies as appropriate. Details of the Dignity at Work policy can be found on the intranet under 'Handbook of HR policies and procedures'.

Policies and procedures relating to bullying and harassment are regularly monitored and reviewed by the 6 diversity strands in order to ensure that they don't disproportionately affect any specific group of employees. Where persistent concerns/trends are identified, appropriate measures will be taken to escalate the matter to senior management e.g. head of service.

4.0 Exit Interviews

The Council has recently reviewed its exit interview process. The information obtained via the exit interview process will then be analysed and the data, including all six equality strands will be examined to extrapolate any trends or obvious areas for improvement e.g. mainly women or younger people leaving the Council and the reasons why.

5.0 Equal Pay

The Council implemented its Single Status Agreement on 1st April 2008 which included a new pay and grading structure following a job evaluation exercise. An equalities impact assessment was undertaken by the Council and the trade unions to ensure it was non-discriminatory. An equal pay audit will be undertaken on an annual basis.

6.0 Breach of this policy

Any breach of the Council's Equal Opportunities Policy which leads to an act or acts of discrimination against others, may, following an investigation and disciplinary hearing, result in dismissal. Details of the disciplinary policy can be found on the intranet under 'Handbook of HR Policies and procedures'.

7.0 Single Equality Scheme (SES)

The Single Equality Scheme is the over-arching framework that sets out the strategic direction of the equalities agenda for public sector bodies like the Council. This Equal opportunities policy is developed to complement the scheme from an employment perspective.

The Single Equality Scheme sets out how Stockton-on-Tees Borough Council will meet its duties under the Race Relations Amendment Act 2000, the Disability Act 2005 and the Equality Act 2006.

It meets the requirement in each piece of legislation to develop a specific Equality Scheme, bringing the three areas together without losing focus on the specific needs of any community.

Though the Council is only required by law at this time to publish a scheme or schemes about race, disability and gender, Stockton-on-Tees Borough Council's commitment to equality is wider. It also encompasses age, religion and belief and sexual orientation.

Equality and Diversity are embedded in the Council's service planning and delivery processes. Action plans are regularly monitored and updated accordingly in the Service Improvement Plans.

8.0 Equality and Diversity action plan

The Corporate Diversity Team produce three separate action plans to show how the Council will be implementing and carrying out the work necessary to reach each level of the Equality Standard. To date the Council has achieved level 3 of the Equality Standard. [The Single Equality Scheme](#) provides further details.

9.0 Equalities monitoring information

The Council publishes a workforce profile annually. Equalities information is collected regularly on employees and potential employees via:

- Regular data matching on employee data held by the authority
- Equal opportunity forms (Equal Opportunities Monitoring Forms) issued with application forms for jobs within the council
- Employee Audits to ensure employee information held is accurate and up to date.
- Recruitment, retention and exit data

This information is analysed at least annually to inform the Council of:

- The ethnic breakdown of the workforce
- The percentage of the workforce which considers themselves to have a disability
- The age profile of the workforce

- The gender profile of the workforce
- The pay profile of employees by ethnicity, age, gender and disability
- The ethnicity, age, gender and disability profile of those applying to work in the Council compared to those appointed and of those who leave the council

All information is broken down into service areas as well as being available Council wide. There is a commitment to interrogating data linked with for example training, length of service, promotion, reasons for resignation and disciplinary action.

The Council is seeking ways to improve the data collection and analysis to include areas such as the impact of the absence management policy on different groups of staff by the 6 diversity strands. In addition, the Council regularly carry out staff surveys and has developed two staff forums to help understand the experiences of minority groups and those with disabilities of working within the Council. Information Technology (IT) systems are in place to allow accurate processing of this data and build up a good quality workforce profile.

In relation to recruitment and selection, application forms received and appointments made are all monitored by the 6 diversity strands. To obtain the required information candidates are voluntarily asked to complete the Equal Opportunities Monitoring Form. This is included with all application forms. When completed application forms are returned, the monitoring forms are separated from the application forms to ensure that the information does not in any way influence the short-listing process. The Council received an excellent return of 90% for the period April 2006 to March 2007.

In addition, to ensure that the workforce is reflective of the population of the borough, research is being carried out to look at the ways different groups of people access and search for jobs. As a result of this, a recruitment engagement and retention action plan has been developed looking at recruitment exercises that appeal to all sections of the community.

10.0 The Impact Assessment of Policies

The Council is committed to ensuring that all adverse impact assessments within policies, procedures, and practices are removed. To this effect, the Council carry out comprehensive equality impact assessments on all policies and procedures in all service areas. Equality impact assessments aim to ensure that no unidentified barriers exist and that equality and diversity issues are identified and subsequently addressed.

11.0 Further information

Copies of this policy can be made freely available in other languages, Braille, large print and tape version, on video in British Sign language, as a printed document or in an electronic format upon request. This policy is also available on the intranet.

12.0 Related policies and procedures

Codes of Practice and Equality related policies:

[Disability Discrimination Act](#)
[Sex Equality](#)
[Aids and HIV Policy](#)

[Racial Equality](#)

Avoidance of Age Discrimination

[Religion and Belief Equality](#)

[Sexual Orientation Equality](#)

[Single Equality Scheme](#)

[Diversity](#)

[Dignity at Work Policy](#)

13.0 Main Legislation

Disability Discrimination Acts 1995 and 2005

Employment Equality Act 1998

Employment Equality (Age) Regulations 2006

Employment Equality (Sex Discrimination) Regulations 2005

Employment Equality (sexual orientation) Regulations 2003

Employment Equality (Religion or Belief) Regulations 2003

Equality Act 2006

Equal Pay Act 1970

Equality Standard for Local Government

Gender Recognition Act 2004

Protection from Harassment Act 1997

Race Equality Duty

Racial and Religious Hatred Act 2006

Race Relations (Amendment) act 2000

Sex Discrimination (Gender reassignment) regulations 1999

14.0 Monitoring and review of this policy

This policy will be monitored on an ongoing basis by Human Resources to ensure that it is being applied fairly and consistently throughout the Council. The policy will be reviewed annually to reflect any changes in responsibilities and/or changes in legislation.