

## EMPLOYMENT PANEL

THURSDAY, 18 FEBRUARY 2016

PRESENT: Councillors David Burbage (Chairman), Phillip Bicknell (Vice-Chairman), Paul Brimacombe, Simon Dudley, Lynne Jones, MJ Saunders and Jack Rankin

Officers: Terry Baldwin and Karen Shepherd

### APOLOGIES FOR ABSENCE

An Apology for Absence was received from Councillor Dr Evans.

### DECLARATIONS OF INTEREST

None

### MINUTES

**RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 21 January 2016 be approved.**

### NOTICE PERIOD IN PROBATION

Members considered a change to the notice period applicable for new employees during their probation period (6 months). The report proposed a reduction from the contractual level one month to a statutory level of one week. The number of people not confirmed in their probation period at the council was very low, just six since January 2014, with two of those in February 2016.

Members noted that the usual practice in the private sector was that an individual not demonstrating their ability to meet objectives in a probation period would swiftly exit the organisation. The proposal would reduce the amount of money payable to an individual and would amend the terms of contract for this to be paid in lieu of notice where required.

Councillor Saunders commented that one week was the default level in most companies and he was surprised this was not the case in the council. He felt that it was important that the one week level was seen as a mutually advantageous situation for both the council and the employee, given the likelihood of the employee changing their mind was logically higher. Councillor Saunders also commented that a three month probation period was more than adequate, with the option to extend if necessary. The Head of HR confirmed that six months was standard practice in the public sector, although he appreciated that this did not mean it was appropriate for the borough. There had been occasions when six month probation periods had been extended.

Councillor Brimacombe commented that it could be a risk for an individual to join a new organisation, therefore there was an onus on the employer to ensure a person would fit the organisation via the recruitment process. The individual would be left with only one week's protection, therefore he felt there should be some discretion. The Head of HR explained that the Corporate Management Team had debated the issue

and concluded that one week was reasonable and would not affect recruitment. The number of people who failed probation was very low. It was important that the council ensured objectives were set and probationary reviews undertaken to demonstrate an individual was supported and developed.

Councillor Bicknell highlighted that the most important factor was being clear about terms and conditions from the start, before an employee accepted a position. This would demonstrate mutual agreement.

Councillor Mrs Jones questioned why the probation period for newly qualified social workers and youth and community workers was 12 months. She felt that one week's notice when an individual may have worked for the council for nearly a year could be perceived as harsh. The Head of HR explained that newly qualified social workers had to demonstrate set achievements during probation, therefore an extended period was in place. Councillor Bicknell commented that a lot of support was provided; it was almost an apprenticeship type role. The individual would therefore also have benefitted greatly if they were employed for 11 months.

Councillor Brimacombe highlighted that three aspects needed to be made clear:

- Good attention to the recruitment process appropriate to the level
- Up front terms before an individual signed a contract
- Active probation management

The Chairman suggested that officers be asked to undertake a review of the probation policy in respect of newly qualified social workers and youth and community workers, but that the recommendation be agreed for all other employees.

Councillor Saunders commented that the person the new employee reported to should be able to explain clearly why the probation period needed to be greater than three months.

The Head of HR confirmed that the three points raised by Councillor Brimacombe were already in place. He would be able to undertake a review quite quickly to identify the rationale for a 12 month probation period for certain employees. He would also investigate a reduction to a three month standard period for other employees, with the proviso of flexibility if required. He would then report back to the Panel with options.

Councillor Rankin commented that the report highlighted standard practice across Berkshire local authorities. He felt that standard practice in the private sector would be a better measure. It was noted that due to close proximity, staff could move to other Berkshire authorities as a result of changes to terms and conditions, therefore it was important to include the Berkshire comparison.

**RESOLVED UNANIMOUSLY: That Employment Panel:**

- i. Approve the recommendation to provide statutory notice of one week, which may be paid in lieu, for any employee dismissed during their probation period (except newly qualified social workers and youth and community workers).**
- ii. Request the Head of HR to undertake a review of the Probationary Period Policy including the responsibility of managers.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY:** That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 6-8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 6.00 pm, finished at 6.38 pm

CHAIRMAN.....

DATE.....