

Title of report	People Management Policies
Public/Confidential	Public
Summary/purpose of report	To ask Council to approve the updated Disciplinary Policy. To ask Council to approve the updated Whistleblowing Policy.
Recommendations	To ask Council to approve the updated Disciplinary Policy. To ask Council to approve the updated Whistleblowing Policy.
Author	Calum Kennedy, Senior Business Partner – Human Resources
Responsible Officer	Laura Lamb, Acting Director of Workforce, Education and Standards
Link to Strategic Plan	The information in this report links to: Outcome 1: Trusted People who use services are protected by a workforce that is fit to practise. Outcome 2: Skilled Our work supports the workforce to deliver high standards of professional practice. Outcome 3: Confident Our work enhances the confidence, competence and wellbeing of the workforce. Outcome 4: Valued The social work, social care and children and young people workforce is valued for the difference it makes to people's lives.
Link to Risk Register Risks as of 01 April 2023	Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations. Risk 5: We fail to develop and support SSSC staff appropriately to ensure we have a motivated and skilled workforce or have insufficient staff resources to achieve our strategic outcomes.

Impact assessments	<ol style="list-style-type: none"> 1. An Equalities Impact Assessment (EIA) was developed. 2. A Data Protection Impact Assessment (DPIA) was not required. 3. A Sustainability Impact Assessment (SIA) was not required.
Documents attached	Appendix 1 Disciplinary Policy Appendix 2 Whistleblowing Policy
Background papers	None

EXECUTIVE SUMMARY

1. We have revised and updated our Disciplinary Policy to make sure that it remains current and up-to-date.
2. We have revised and updated our Whistle-blowing Policy to make sure that it remains current and up-to-date.
3. Council is asked to approve the updated Disciplinary Policy and Whistle-blowing Policy.

DISCIPLINARY POLICY

4. This updated policy sets out the arrangements we have for investigating potential disciplinary matters, suspending employees and taking disciplinary action. This policy has been updated to refine language and clarify its applications.
 - Clarify that the Disciplinary Chair instructs the Investigating Officer regarding the investigation of scope and remit.
 - Specifies details on Employee, Investigating Officer and Disciplinary Chair responsibilities.
 - Clarifying that we investigate serious matters only.
 - Clarifying that managers can and should undertake an initial enquiry regarding concerns and that this is not an investigation.
 - Making sure that the Counter fraud position is clear and more prominent in the policy.
 - Stating that our preferred option is to address matters informally and at the lowest sanction.
 - Prompts consideration of other policies to be alert to e.g. values, digital, fraud, dignity at work.
 - Introduces a detailed protocol and requirement surrounding suspension of employees.
 - Provides additional detail regarding convening and conducting a disciplinary hearing.

The employment appeals panel will hear and decide on the merits of appeals against dismissal.

5. Once approved, this policy will take effect from 1st April 2024. We will deliver awareness sessions on changes to the policy for managers and staff as part of our implementation process. The code of corporate governance will require to be updated to reflect the change of remit of the employment appeal panel as set out in the policy. Currently within the code any appeal against the disciplinary procedures would be heard by the Appeal panel not just dismissals.

WHISTLE-BLOWING PERFORMANCE POLICY

6. This updated policy sets out the arrangements we have for 'whistle-blowing' where individuals can raise concerns regarding actual or perceived wrong-doing. This policy has been updated to clarify our position and language. This policy has been updated in terms of language with minor clarifications to the text to make it more readable.
7. Once approved, this policy will take effect from 1st April 2024. We will deliver awareness sessions on the policy for managers and staff as part of our implementation process and we will develop specific communications to promote the role of the Whistleblowing Champion. Our Whistleblowing Champion is Council Member, Rona King. Rona will be invited to do a broadcast for staff on her role.

CONSULTATION

8. We conducted internal consultation with UNISON and agreed the wording of the revised Disciplinary Policy and Whistle-blowing Policy.
9. We benchmarked externally using XPERTHR and ACAS on each of these policies.
10. We consulted with OMT and maintained a record of comments and changes. The majority of the changes proposed related to clarifying language and we have implemented them. Those changes we did not maintain have been recorded.
11. We have consulted with the Short-Life Working Group prior to Council and incorporated its feedback. We will prepare separate guidance documents (ie flowcharts) in respect of the Disciplinary Policy for managers and employees to make reference to. These will not form part of the policy. We will deliver awareness sessions on both policies for managers and staff as part of our implementation process.

RISKS

12. We have an averse risk appetite for risk 3: We fail to meet corporate governance, external scrutiny and legal obligations.
13. We have an averse appetite for risk 5: We fail to develop and support SSSC staff appropriately to ensure we have a motivated and skilled workforce to achieve our strategic outcomes.
14. The policies informs managers and employees of their rights and obligations. There are legal, cultural and reputational risks to the SSSC if

we do not operate processes appropriately. The policies mitigate these risks by establishing clear principles, processes and guidance.

IMPLICATIONS

Resourcing

15. There are no expected additional financial or staffing implications regarding these policies. There is no extra resourcing required.

Compliance

16. These policies comply with our legal obligations and ACAS guidance.

IMPACT ASSESSMENTS

Equalities

17. We have prepared Equality Impact Assessments for each policy. They do not discriminate against our employees and we did not find any major implications after carrying out the assessments. The assessment identifies that these policies support our commitments to promoting inclusion and diversity.

CONCLUSION

18. We ask Council to approve the updated Disciplinary Policy.
19. We ask Council to approve the updated Whistleblowing Policy.