

# Report for Nantwich Town Council

Item 7

Date of Meeting: 4<sup>th</sup> February 2021

## Draft Employee Handbook/Employment Contract

### 1. Purpose of Report

To consider recommendations of the Staffing Committee for the introduction of the attached draft employee handbook and employment contract

### 2. Background

Earlier in 2020 Council approved the appointment of new HR consultants as the Town Council had several areas to address in relation to the management of human resources:

- There are members of staff who do not currently have an employment contract in place which breaches legislation.
- The Town Council has not carried out 'Right to Work' checks on all its employees which again is a legislative requirement.
- There is no appraisal system in place.
- Whilst there are many varying HR policies that have been found on the system. There has been a phased approach to the policies which leads to the risk of policies contradicting each other rather than complementing each other.
- It is good practice to carry out regular reviews of all policies/procedures to meet the ever-changing legislation.

In November 2020, the Staffing Committee considered a new Employee handbook containing up to date policies together with a revised employment contract.

### 3. Considerations

#### Committee observations

Members considered the draft documents, which had been prepared by the HR consultants. Both the Clerk and Facilities Manager had reviewed the documents in detail and amendments had been made with the support of the consultants. Members were advised that the employee handbook contained policies which were in line with current employment legislation and would replace all the existing policies.

Members considered one section within the employment contract relating to section 20. Layoff. During a previous review of contracts some years ago this had been an issue that members had agreed to remove from the contract. The Clerk had sought advice from the HR consultants to allow members to make an informed decision. The consultants had advised that this section was a standard element of a contract and protected employees from redundancy. However, it was within the organisation's power to decide to remove this section if it wished.

The committee was concerned as it did not want staff to be unduly concerned and asked if the section was included within other local authority contracts, which would help council make a decision.

Following the Staffing Committee meeting the Clerk has researched other local government employment contracts together with the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service and the NALC/SLCC model employment contract for Clerks, and there is no reference to be found where the laying off of staff is included within the employment contract.

### **Employee Handbook**

The draft handbook contains all relevant employment policies and has been reviewed by the Clerk and Facilities Manager to ensure the suitability for the town council. All the policies are in line with up-to-date employment law.

### **Employment Contract**

The draft employment contract has been developed to ensure consistency between all employees. The contract is based on the existing contract of longer serving employees and the model SLCC Clerk contract of employment. The contract is also in line with Nation Joint Council (NJC) for Local Government Services National Agreement on pay and conditions of service (Green Book agreement).

There is no need for a formal consultation period, because the council would be replicating the terms of existing staff within the new version. If some staff have questions, these could be addressed individually.

## **4. Recommendations**

4.1 That council considers the recommendations of the Staffing Committee and approve the Employee Handbook;

4.2 That council considers the recommendations of the Staffing Committee and Clerk and approves the employment contract with the removal of section 20. Lay Off.

## **5. Financial Implications**

There would be no financial implications.

## **6. Equalities Impact**

The draft documents are in line with current employment law including the Discrimination and Equality Act 2010.

## **7. Personnel Implications**

The implementation of the documents will not have any implications on personnel.

## **8. Environmental implications**

Not applicable.

## **9. Consultation**

Following advice from the HR consultants a formal consultation process would not be required because the terms of existing staff would be replicated within the new version.

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