

**AGENDA ITEM NO: 13.0.**

<b>Meeting Title/Date:</b>	Governing Body - 22 May 2018		
<b>Report Title:</b>	Human Resources Policies		
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<b>Committees where Paper Previously Presented:</b>	Executive Committee 13 February 2018		
<b>Background Paper(s):</b>			
<b>Summary of Report:</b>	<p>The report sets out proposals for updating the CCG's HR policies. Following the boundary change in April 2017, the CCG currently has different HR policies for former Lancashire North CCG staff and Cumbria CCG staff. Many of the Lancashire North policies are legacy PCT policies and need updating given changes in legislation and Agenda for Change national terms and conditions. There is also an intention to move to a consistent set of HR policies across the Lancashire and South Cumbria Integrated Care System (ICS).</p> <p>Midlands and Lancashire CSU, who provide HR support to the CCG, have done a review of the HR policies and recommendations are being made where policies are deemed obsolete or where there are no material differences between the policies. There are a number of further policies where there are significant changes requiring consultation; and a number of policies where there are minor changes which technically do not require consultation but where it is felt to be good practice to engage further with staff.</p>		
<b>Recommendation(s):</b>	<p>The Governing Body is asked to:-</p> <ol style="list-style-type: none"> <li>1. Agree that the HR policies for GP appraisal; Mileage and Reimbursement; Occupational Clothing Allowance; Preceptorship; Provisions for Childcare; Work Life Balance; Change of Base are deleted as they are deemed to be obsolete; and the Raising a Concern HR policy be replaced with the Morecambe Bay CCG Whistleblowing policy.</li> <li>2. Agree that the generic Lancashire and South Cumbria versions of the Adoption; Annual Leave;</li> </ol>		

	Disciplinary; Grievance; Job Evaluation; and Maternity HR policies are adopted.	
	3. Endorse the intention to undertake engagement with CCG staff on a proposal to adopt the generic Lancashire and South Cumbria version of those HR policies with only minor differences between the Lancashire North, Cumbria and generic policies.	
	4. Note the need for consultation and engagement with CCG staff and with Trade Unions through the CCG Staff Partnership Forum on the Management of Change; Absence Management; Career Break; Flexible Working; and Organisational Change HR policies.	
		<b>Please Select Y/N</b>
<b>Identified Risks:</b>	Not directly arising from this paper.	N
<b>Impact Assessment:</b> (Including Health, Equality, Diversity and Human Rights)		Y
<b>Strategic Objective(s) Supported by this Paper:</b>		<b>Please Select (X)</b>
To Improve the health of our population and reduce inequalities in health		X
To reduce premature deaths from a range of long term conditions		X
To develop care closer to home		X
To commission safe, sustainable and high quality Hospital Health Care		X
To commission safe, sustainable and high quality Mental Health Care		X
To improve capacity and capability of primary care services to respond to the changing health needs of our population		X
<b>Please Contact:</b>	<a href="mailto:anthony.gardner@morecambabayccg.nhs.uk">anthony.gardner@morecambabayccg.nhs.uk</a> <a href="mailto:cath.owen@nhs.net">cath.owen@nhs.net</a> (M&L CSU)	

## **Background and Introduction**

Robust and consistent human resources policies that are reflective of current terms and conditions of employment and legislation are critical in providing written guidance for employees and managers on how to handle a range of employment issues. In addition, HR policies play an important role in practically and effectively implementing an organisation's HR strategy whilst providing consistency and transparency for employees and managers, helping to create a positive organisational culture.

Following the implementation of the Health and Social Care Act in 2013 the newly established CCGs were required to introduce new human resources policies in line with their individual governance arrangements.

Lancashire North CCG had continued to rely on legacy Primary Care Trust Policies – this represents a risk to the organisation and this systematic review of all CCG policies aims to mitigate these risks as well as achieve a single set of MBCCG HR policies.

In April 2017, Lancashire North CCG underwent a boundary change which resulted in the formation of Morecambe Bay CCG and included the transfer of 17 staff from Cumbria CCG. Further to the Boundary Change, as part of an alignment of services, 3 staff transferred from the North of England Commissioning Services (NECS) into MBCCG. As a consequence of these TUPE transfers, MBCCG now has in place three sets of policies – the original Lancashire North CCG policies alongside Cumbria CCG and NECS policies applicable to the transferred staff. However, the policies that apply to the transferring NECS staff mirror those in place for the Cumbria CCG transferees and those being recommended as standard for Lancashire and South Cumbria (with notable exceptions that would form part of a consultation process). As part of the TUPE transfer consultation and measures, all staff were advised that a single set of policies for MBCCG would be developed following the boundary change and formation of MBCCG.

In addition, Lancashire CCGs had expressed a desire to move to a standard set of HR policies across the Lancashire and South Cumbria footprint. Consequently, generic HR policies have now been developed for adoption across the Lancashire and South Cumbria CCGs, albeit some local amendments currently remain in place. These take account of recent changes in legislation, Agenda for Change national terms and conditions etc.

The CCG has therefore asked Midlands and Lancashire CSU (M&LCSU), who provide HR support to the CCG, to undertake an exercise to assess the difference between the Lancashire North CCG policies, the Cumbria Policies and the generic Lancashire and South Cumbria (L&SC) policies with a view to moving to a single consistent set of HR policies for the CCG in line with other CCGs in the local Integrated Care System (STP). This is of course subject to consultation with staff on any significant changes arising from proposed changes.

## Policy Review

A list of HR policies current in place for staff within the CCG is attached as Appendix 1. This highlights the volume and inconsistency of policies at present; albeit that this is understandable, given the legacy issues from different CCGs.

M&LCSU have begun to review the HR Policies on behalf of the CCG. This has identified HR policies in four categories:

1. **Obsolete policies:** these are policies which are no longer needed: for example, because they are covered by Agenda for Change national conditions; or not needed following the transfer of community services from the PCT to providers
2. Policies which can be adopted as there are no differences between the LN CCG, Cumbria CCG and L&SC-wide policies.
3. Policies where there are minimal changes. With these policies there is unlikely to be an impact on staff and indeed in some cases, may even present an improvement to some staff where there is a 'levelling up' of the policy. Nevertheless, it is suggested that there is engagement with staff to ensure that there is ownership of the changes, however small, and an opportunity to ensure that there are no unintended consequences.
4. Policies where there are material changes which require further consultation and engagement.

The following sections summarise the policies within each of the four categories. In addition, there are a small number (6) of policies which are still to be reviewed. These will be considered as part of the next steps and recommendations in line with the categories above made as appropriate to a future meeting.

### Obsolete Policies

The advice from M&LCSU is that the following policies be made obsolete due to there no longer being a requirement for these within Morecambe Bay CCG:

- **GP appraisal** – *this is now governed by NHS England*
- **Mileage and reimbursement** – *covered in Agenda for Change National Terms & Conditions*
- **Occupational clothing allowance** – *This is a legacy issue from the PCT when it managed community services. The CCG is not an organisation where frontline clinical staff are employed*
- **Preceptorship** – *The CCG does not offer preceptorships*
- **Provisions for childcare** – *covered in the CCGs Flexible Working Policy*
- **Work life Balance Policy (NLPCT policy)** – *This policy is included in the other policies: Career Break Policy, Flexible Working Policy and Other Leave Policy, therefore making it obsolete.*

- **Change of Base Policy (NLPCT)** – *This policy outlines Agenda for Change Terms and Conditions and, therefore, is not required.*
- **Raising a Concern** – *This policy has been superseded as the CCG has recently adopted a new Whistleblowing Policy.*

It is recommended that the Governing Body agree to these HR policies being deleted as they are obsolete.

### **Policies to be adopted as there are no differences between Lancashire North, Cumbria and L&SC-wide policies**

M&L CSU have reviewed the following policies and have advised that there are no material differences in the policies between Lancashire North, Cumbria and the generic Lancashire and South Cumbria Policies. Inevitably, there are differences in the format and wording. It is suggested, therefore, that the L&SC policies are adopted so that there is consistency of wording with other CCGs. This approach has been agreed with the Trade Unions through the CCG Staff Partnership Forum.

- Adoption Policy
- Annual Leave Policy
- Disciplinary Policy
- Grievance Policy
- Job Evaluation Policy
- Maternity Policy

It is recommended that the Governing Body agree that the generic Lancashire and South Cumbria versions of these HR policies are adopted as there are no differences in the policies and this will allow for consistency within the CCG and across the ICS.

Further review of the policies below has been undertaken and it is deemed that these also fall into the category of no material differences. This position has not yet been agreed with CCG Staff Partnership Forum and this will take place at their next meeting at the end of May 2018.

- Domestic Abuse and the Workplace – a Lancashire-wide policy developed by Safeguarding Leads
- Equality and Inclusion
- Professional Registration
- Harassment and Bullying

- Induction
- Substance Misuse
- Training and Development

### **Policies where there are minimal changes**

M&LCSU have advised that there are two HR policies which are broadly consistent but do have some minor differences: Managing Performance Improvement; and Retirement Policies. The differences are not significant enough to warrant consultation and the CCG could adopt the L&SC generic policies. However, as a good employer it is suggested that the CCG engages with staff to ensure that there is ownership of the changes, however small, and that there are no intended consequences in proposed changes.

It is recommended that the Governing Body endorse the intention to undertake engagement with CCG staff on a proposal to adopt the generic Lancashire and South Cumbria version of these HR policies. There will also be consideration by Trade Unions through the CCG Staff Partnership Forum. A further report with recommendations following this engagement will be brought back for Governing Body decisions in the future.

### **Policies with material changes requiring consultation and engagement**

At present M&LCSU have identified policies where there are material differences between the three sets of HR policies. These are:

- Management of change policy
- Absence management policy
- Career Break policy
- Flexible working policy
- Organisational change policy

Governing Body is asked to note the need for consultation and engagement with CCG staff and with Trade Unions through the CCG Staff Partnership Forum on these three HR policies.

### **Policies still to be reviewed**

M&LCSU and the CCG are still reviewing the following HR policies:

- Ongoing Review and Objectives
- Paternity and Shared Parental Leave/Family Leave

- Special Leave, urgent domestic leave etc. (potential amalgamation into annual leave)
- Recruiting Ex-Offenders
- Recruitment and Selection
- Organisational Change (including pay protection)

These policies will be reviewed and recommendations will be made in a future report to the Governing Body.

### **Next Steps and Recommendations**

If the recommendations are accepted by the Governing Body today, the CCG and M&LCSU will undertake a process of consultation and engagement on the HR policies in categories 3 and 4, i.e. for policies with minimal and significant change. Consultation and engagement exercises for HR policies usually take up to 30 days. Hence the process would be undertaken in June with a view to bring a further report to the Governing Body with recommendations for the July or September meetings (depending on the outcome of the consultation).

## HR Policies Currently in Place in Morecambe Bay CCG

REF	PROPOSED POLICY ALIGNMENT	Cumbria CCG (transferred)	LN CCG (legacy PCT)
1	Career Break Policy	Career Break Policy	
2	Domestic Abuse and the Workplace		Domestic Violence Policy
3	Equality and Inclusion Policy	Equality and Diversity Policy	Equality and Diversity Policy
4	Flexible Working Policy	Flexible Working Policy	Appointment Facilities and Time off Work Policy
		Other Leave Policy	Work Life Balance Policy
5	Harassment and Bullying Policy	Harassment & Bullying Policy	Bullying Harassment Policy
6	Induction Policy	Induction Policy	Induction Policy
7	Managing Performance Improvement	Managing Work Performance Policy	Improving Poor Performance in the Workplace
8	Ongoing Review and Objectives	Further Education & CPD Policy	PDR Policy
		Appraisal Policy	
9	Paternity and Shared Parental Leave/Family Leave	Parental Leave Policy	Parental Leave Policy
		Paternity Leave Policy	
		Shared Parental Leave Policy	
10	Professional Registration Policy	Professional Registration Policy	Professional Qualifications and Registration Policy
11	Raising a Concern (Whistleblowing) Policy	Whistleblowing Policy	Whistleblowing Policy
12	Recruiting Ex-Offenders Policy	Recruiting Ex-Offenders Policy	
13	Recruitment and Selection	Recruitment & Retention Premia Policy	Recruitment & Retention Premia Policy
		Recruitment & Selection Policy	Recruitment & Selection Policy
14	Retirement Policy	Retirement Policy	Retirement Policy

15	Substance Misuse Policy	Substance Misuse Policy	Substance Misuse Policy
16	Training and Development Policy	Training & Development Policy	
17	Managing Absence	Absence Management Policy	Supporting Attendance Policy
18	Organisational Change Policy	Redeployment Policy	Supporting Staff Through Change Policy
		Change of Management Policy	Time off Work for Accredited Representatives of Staff Organisations
		Protection of Pay and Conditions	

## REVIEW FUTURE REQUIREMENT

<b>Cumbria CCG (transferred)</b>	<b>LN CCG (legacy PCT)</b>
Incremental Pay Progression Framework Policy	Correcting Errors in Salary and Other Payments Policy
Secondment Policy	Exit Interview Policy
Temporary Promotion Policy	Family Policy (Mat Adopt Paternity infertility)
Travel and Expenses Policy	Fixed-term Employees Policy
Working Time Directive Policy	Flexi Time for Office Based Staff Policy
Travel and Lease Car Policy & Procedures	Flexible Working During Major Incident Policy
	Lease Car Scheme Policy
	Mobile Communication Policy
	Severe Weather Policy
	Staff Partnership Agreement Policy
	Tobacco Control Policy
	Workforce Development Strategy Policy
	Working Time Directive Policy