

Employment Committee

Meeting to be held on Thursday, 9 March 2023

Electoral Division affected:
None;

Revised Priority Access to Vacancies Policy and Procedure (Appendix 'A' refers)

Contact for further information:

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Brief Summary

The council's Priority Access to Vacancies Policy and Procedure (formerly Vacancy Management Policy and Procedure) has been reviewed as part of the Human Resources policy review programme. A revised draft has been produced, which reflects current working practices and ensures the allocated priority statuses remain legally compliant.

Recommendation

The Employment Committee is asked to approve the revised Priority Access to Vacancies Policy and Procedure, as set out at Appendix 'A'.

Detail

The council aims to ensure that employees who are at risk of redundancy or who are unable to fulfil their contract of employment due to a disability or ill health are redeployed or appointed into suitable vacancies wherever possible. This also reflects the statutory obligations placed upon the council as an employer.

In order to achieve this, the council provides eligible employees with priority access to vacancies to give them prior consideration at interview if they meet the essential criteria of a role.

The Priority Access to Vacancies Policy and Procedure has been revised to bring the procedural elements in line with current working practices and ensure the priority status for employees with a health condition remains compliant with equality legislation.

This is an initial review to make the necessary updates, however the policy will be further reviewed alongside the planned review of the related suite of "organisational change" policies.



The proposed changes for the initial review are set out below:

- The priority status of employees seeking alternative employment on grounds of ill-health has been amended from 2 to 1, as the likelihood is that anyone who can no longer undertake their role due to their health would meet the definition of disabled under the Equality Act 2010 provisions.
- The policy has been renamed "priority access to vacancies" because the council no longer operates a vacancy management system.
- All procedural elements have been updated to reflect current ways of working.
- Duplication of wording within the Scope and Compensation Payments sections has been removed.
- The wording around priority access for employees on a fixed term contract that is due to end has been clarified.
- An additional priority access category has been created for employees seeking alternative employment due to other workplace issues which may prevent them from undertaking their substantive role, in order to support employees in circumstances that are not covered by the existing categories.
- The "Redeployment List – suffered detriment in grade and/or is eligible for excess travel" priority access category has been removed as this no longer applies.
- The "Former employee seeking to return following Career Break" priority access category has been removed as this no longer applies.
- The reference to "minimum" has been removed from the duration of access to vacancies to ensure access normally operates within a defined timeframe.
- The "Ringfenced / Prior Consideration" section has been removed as the exceptional circumstances in which these arrangements would be used are already covered in the priority status table.
- The "Corporate redeployment intervention" information has been removed as this service is no longer available.
- Wording has been added to clarify that offers of employment made to employees with prior consideration are not subject to a probationary period.



Consultations

The revised draft Priority Access to Vacancies Policy and Procedure has been shared with the recognised trade unions, through the Joint Negotiating and Consultative Forum, who have noted the proposed changes. Formal consultation with the recognised trade unions has been positive overall and minor amendments were made at their request for further clarity.

Implications:

This item has the following implications, as indicated:

Risk management

Ensuring that the language and tone are clear, straightforward and understandable, will better enable employees and managers to understand the processes to be followed in relation to priority access to vacancies.

Legal

The council is legally required to ensure that its Priority Access to Vacancies Policy and Procedure complies with current employment and equality legislation.

Financial

There are minor financial implications to the revised policy and procedure as a result of the change to the priority status of employees seeking alternative employment on grounds of ill-health from 2 to 1, which means those employees may be eligible for a compensation payment in line with the council's Compensation Payments Policy. The financial impact cannot be quantified at this stage but will be managed within the existing revenue budget. However, this is set against the requirement to comply with the Equality Act 2010 provisions.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

