Bolsover
District Council

To: Chair & Members of the Council

The Arc
High Street
Clowne
S43 4JY

Contact: Nicola Calver
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Email: nicola.calver@ne-derbyshire.gov.uk

Tuesday, 1 December 2020

Dear Councillor

COUNCIL

You are hereby summoned to attend a meeting of the Council of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Wednesday, 9th December, 2020 at 10:00 hours.

Members will be sent the details on how to access the Virtual Meeting by email.

Virtual Attendance and Hybrid Meetings
I have provided the Leader and Deputy Leader with advice on the holding of "hybrid" meetings outlining the risks including to employees dealing with the Chamber and to Members. Hybrid meetings are those where some attendance is in person in the Council Chamber and some is virtual.

I would encourage you all to attend virtually.

Accordingly if you attend in person you will be deemed to have accepted the following disclaimer (overleaf) as applying.

Bolsover
District Council

We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese 我们会说你的语言

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If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

disability
confident
EMPLOYER

Tel 01246 242424 Email enquiries@bolsover.gov.uk Web www.bolsover.gov.uk

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- Covid-19 ARC RTW RA001
- Working in Offices At The Arc During Covid-19 Pandemic Guidance – ARC – SSW001
- Meetings – EM001 - Committee and Council Meetings during the Covid-19 pandemic

These documents have been emailed to Members and are available on the Modern.Gov App library.

The same advice is given to officers who are also encouraged to participate in the meeting remotely.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised from page 3 onwards.

Yours faithfully

Sarah Stenberg

Solicitor to the Council & Monitoring Officer

COUNCIL
AGENDA

Wednesday, 9 December 2020 at 10:00 hours taking place in the Council Chamber, The Arc, Clowne

Item No.	PART 1 – OPEN ITEMS	Page No.(s)

1. **Apologies For Absence**

2. **Declarations of Interest**

Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:

a) any business on the agenda
b) any urgent additional items to be considered
c) any matters arising out of those items
and if appropriate, withdraw from the meeting at the relevant time.

3. **Chair's Announcements**

To receive any announcements that the Chair of the Council may desire to lay before the meeting.

4. **Minutes**   **To Follow**

To approve the Minutes of the Council meeting held on 16th September

5. **Questions from the Public**   **None**

In accordance with Council Procedure Rule 8, to allow members of the public to ask questions about the Council's activities for a period of up to fifteen minutes. A question may only be asked if notice of seven clear working days has been given.

6. **Questions from Members**   **None**

In accordance with Council Procedure Rule 9, to allow Members to ask questions about Council activities. A question may only be asked if notice of seven clear working days has been given.

7. **Motions**

In accordance with Council Procedure Rule 10, to consider motions on notice from Members.

Motion submitted by Councillor Ross Walker

The Covid-19 pandemic has caused significant hardship in our communities; help provided to young people needing emotional support at secondary school has been drastically curtailed.

Council resolves to encourage the Executive to engage with every Secondary School within the District to explore how the Council can help fill this gap in provision and therefore help our young people to better succeed at school.

11. **Exclusion of the Public**

To move:-

That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006). *[The category of exempt information is stated below each item].*

PART TWO - EXEMPT ITEMS

13. **Chairman's Closing Remarks**

Bolsover District Council

Council

9 December 2020

Draft Organisational Policy

Report of the Portfolio Holder – Corporate Governance

This report is public

Purpose of the Report

- For the following policy to be brought to Council for consideration:

   o Agile Working Policy

1   Report Details

1.1   Please find attached the final version of the Agile Working Policy at Appendix One for consideration.

1.2   The purpose of the policy is to:

- To make processes simpler and clearer for managers and employees
- To fit the corporate context and supportive work environment the Council has in place
- To ensure adherence to legislation and best practice

1.3   Agile working has become a key priority as a result of the Covid-19 pandemic. As a result a review of the Council's existing policies has been undertaken to ensure they are fit for purpose.

1.4   HR have been working with managers and the Trade Unions to regularly review working practices to ensure the organisation's policies are fit for purpose and continue the ethos of being a supportive employer.

1.5   SAMT, the Trade Unions and the New Ways of Working Group have been consulted in relation to the Agile Working Policy. Due to the drive to implement a robust and fit for purpose policy to meet the current working environment, it has not been possible to take this policy to a UECC meeting. However, Trade Unions have been consulted and are key members of the New Ways of Working Group

1.6   If approved, line manager briefings will be held as part of the roll out of the policy.

2 Conclusions and Reasons for Recommendation

2.1 Approval of the attached policy will provide clear direction for managers when undertaking people management processes, delivering high performing services and supporting employees and other stakeholders in the workplace.

2.2 Agreement to the policy fulfils both legal and best practice guidance for employers.

3 Consultation and Equality Impact

3.1 There are no equality implications arising from the implementation of this policy. The policy supports corporate equality and diversity aims.

3.2 The policy is being submitted to Council for consultation purposes.

4 Alternative Options and Reasons for Rejection

4.1 The alternative option is not to have this policy which has been rejected on the grounds of risk to the Council of failing to fulfil legal obligations and best practice.

5 Implications

5.1 Finance and Risk Implications

5.1.1 The financial implications arising from approval of the policy will be met from existing budgets.

5.2 Legal Implications including Data Protection

5.2.1 There are no direct legal implications arising from the approval of the policy.

5.3 Human Resources Implications

5.3.1 The HR implications are contained within the policy.

6 Recommendations

6.1 That Council support the Agile Working Policy.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 ☐ Capital - £150,000 ☐ NEDDC: Revenue - £100,000 ☐ Capital - £250,000 ☐	No

☑ *Please indicate which threshold applies*	
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	N/A
Links to Corporate Plan priorities or Policy Framework	Transforming our organisation. Provide our customers with excellent service.

8   Document Information

Appendix No	Title
1.	Agile Working Policy
2	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below.	

Report Author	Contact Number
HR & OD Manager – Sara Gordon	01246 217677

_____
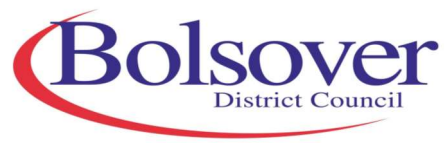
Agile Working Policy

BDC

November 2020

Bolsover District Council

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CONTROL SHEET FOR AGILE WORKING POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	BDC Agile Working Policy
Current status – i.e. first draft, version 2 or final version	Final Version
Policy author (post title only)	HR & OD Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive HR folder
Relevant Cabinet Member (if applicable)	Councillor McGregor
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

BDC AGILE WORKING POLICY

What is Agile Working?

Agile working is about bringing people, processes, connectivity and technology, time and place together to find the most appropriate and effective way of working to carry out a particular task. It is working within guidelines (of the work activity) but without boundaries (i.e. how this is achieved).

While agile working and flexible working may have similar aims:
- Agile working focuses on the impacts on the business
- Flexible working focuses on the employee

Agile working is not prescriptive and there is no one size fits all for the Council. There are common elements but it is individual to the job role, service requirements, manager and postholder – it involves choices in the how, what, where and when of working. Agile working embraces both the physical and digital "workplace" in empowering and supporting employees to work where, when and how they choose to maximise their productivity, performance, creativity and primarily delivering best value to the Council and it's customers.

This Agile Working Policy, includes flexible working, homeworking and all other potential forms of working arrangements.

Policy Aims

- To simplify the process for managers and employees this policy incorporates all forms of agile working, including flexible working and homeworking.
- To be a one stop shop policy for all forms, options and considerations regarding working arrangements.
- To provide a framework for considering agile working from an employer and employee perspective
- To support managers and employees to work together to implement effective working arrangements as quickly as possible to the benefit of service performance
- To promote a culture of agile working that meets organisational needs and supports wherever possible employee wellbeing.

In the implementation of this policy, due regard will be given to the Equality Act 2010 covering age, gender, disability, pregnancy, race, religion, belief and sexual orientation.

Why adopt Agile Working?

- Increased productivity, performance and efficiency
- Effective workplace utilisation
- Increasing creativity
- Attracting and retaining talent
- Improve sustainability
- Facilitating adaptability and change
- Supporting work life balance

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- Supporting employees who have a disability or who have complex caring commitments

Key Values for Agile Working

- Adopting a positive and constructive approach to new and different ways of working that meet service needs and improve performance
- Focusing on work activity outputs rather than inputs
- Focusing on balancing monitoring and supporting employees with trust and confidence in employees to self-manage in line with corporate expectations and within the remit of their job role.

Responsibilities

Employer
- To promote a culture of agile working that facilitates increased productivity, performance and efficiency
- To provide a framework for consideration and implementation of agile working
- To create a productive, safe and healthy working environment

Managers

- Must be proactive in promoting agile working within the workplace that meets service needs, high performance and wherever possible supports employee wellbeing.
- To determine the potential agile working options available for posts within their service area in consultation with the Head of Service and HR.
- Have a duty to consider agile working requests from team members
- Must ensure a safe and healthy working environment
- Must have in place the following for all team members, in line with Council policies and objectives:
    o Agreed communication and contact arrangements
    o clear working hours
    o structured ways of measuring work output
    o precise methods of measuring work performance
- Must ensure effective communication throughout their team regarding working arrangements
- Must adhere to all relevant Council policies and procedures.

Employees

- Must co-operate fully with the application of this policy
- Should be open to agile working arrangements and be proactive in suggesting possible solutions to any issues arising from agile working
- Should undertake their work in the most effective and efficient way possible to meet service needs and organisational performance.
- Must when applying for agile (flexible) working set out how their proposed working arrangement will meet service needs

- Must visit the workplace as required for planned or unplanned events such as meetings, cover for colleagues, surge in workload or as required by the manager
- Have a duty to assist in the creation of a safe and healthy working environment, by adhering to all relevant Council policies and procedures.

What Key Factors Influence Agile Working?

- Service needs
- Job role
- Employee
- Manager

Successful agile working is about finding the right combination of working arrangements to meet service delivery needs and enable the employee to perform at their best.

What Type of Agile Working Arrangements are there?

Working Arrangements	Definition for the Purposes of this Policy
1. Workplace/Office based working	An employee who works whole time from a Council workplace/office location
2. Homeworking	An employee who works whole time from home with attendance at the workplace as required such as for meetings, provision of cover or as requested by their manager etc.
3. Hybrid Working	An employee who splits their working time between working remotely at home and working in the office/workplace. This can be structured to a particular number of days a week or be flexible to fit the requirements of the job role and service needs.
4. Flexible Working hours	Comprises two elements • An employee has flexible start, break and finish times within the Council's flexi-time bandwidth • An employee has the ability to accrue additional hours if agreed in advance by the manager due to service needs. The employee can then request to take flexi leave based on the additional hours accrued
5. Part-time Working	An employee who works fewer hours than a full-time employee i.e. works less than 37 hours per week.
6. Job share	An employee who works is an arrangement where typically two people work on a part-time or reduced-time basis to perform a job normally fulfilled by one employee working full-time.
7. Mobile Working	An employee who is not tied to a physical location and works out on the District using technology to connect the employee to the services and networks required to do their job effectively. The employee will be

	required to attend the workplace for example to collect supplies, meet with their manager, undertake repairs to their works vehicle or their work equipment such as mobile phone, tools etc	
8. Staggered starts/hours	An employee who works fixed hours every day with start, finish and/or lunch times specific to an individual or team. It enables the work of that service to be covered for a longer working day and can enable managers to improve the service they offer.	
9. Shifts/Rota	An employee who works on a schedule outside of the traditional 9am – 5pm day. It can involve evening or night shifts, early morning shifts, weekends and rotating shifts.	
10. Term-time working	An employee works only during school term times and is absent from work out of term time. The non-working time is scheduled at regular, planned periods which are accounted for by a combination of annual leave and unpaid leave.	
11. Annualised Hours	Comprises two elements • An employee works a certain number of hours over the whole year, but with flexibility about when those hours are worked to meet service needs • An employee whose salary is annualised, it means that an employee takes home a fixed and equal amount of a predetermined annual salary each month. This method ensures a regularly distributed pay and supports the employee in managing their personal finances	
12. Casual Hours	An employee who usually works irregular hours and does not have a firm commitment in advance about the days or hours they will work. The Council is not obliged to offer the employee work and the employee is not obliged to accept the hours offered.	
13. Compressed Hours	An employee works their weekly hours in a shorter time span. For example, 37 hours are worked within four days rather than five days or an employee may arrange their working time over a nine day fortnight.	

What is the impact on an Employee's Contract of Employment?

The changes to terms and conditions of employment will be determined by:
- the working arrangements agreed between the manager and the employee to meet service needs
- the existing terms and conditions included in an employees contract of employment.

As part of the process, it is important to define whether a working arrangement is

- Ad hoc - Unplanned and infrequent working arrangement. This arrangement would not be reflected in an employee's contract of employment. For example, working from home one afternoon on occasion to finish an unexpected and

urgent report because the office environment that day is not conducive to effectively completing that task.

- Formalised: A clearly defined and/or structured working arrangement that is regularised. This arrangement would be reflected in an employee's contract of employment. For example, if it was agreed an employee can adopt a hybrid working arrangement, their "Home" would be included in their contract of employment as a place of work.

Generally, only one type of agile working arrangement can be implemented in terms of workplace and working hours. Adopting multiple working arrangements for one postholder is unlikely to be feasible in practice to meet service needs or employee wellbeing.

Managers should seek advice from the HR Team regarding the implications of any proposed working arrangements from an employment contract perspective. This will support the managers in assessing and communicating this information to employees and will support consistency in application across the workforce.

Implementation/Application of Agile Working

1. How to Implement or Apply for Agile working?

There are two scenarios:
- Agile working is implemented by the **manager** to meet service and organisational needs
- An **employee** submits a request for agile working

Managers Implementing Agile Working?

- Managers should be clear on the service, financial and/or performance needs that make the changes necessary. For example, this could be outlined in a business case prepared as part of a service review or circumstances may have evolved naturally due to the changing needs of the job role or service.
- Managers should consider the potential agile working arrangements that could be applied to posts within their service.
- Managers should consult with relevant postholders or communicate this to candidates during the recruitment process. The length of consultation required will be dependent on the circumstances of each case and managers should consult HR for advice.
- Managers should communicate the rationale for the change in working arrangements and ask employees for their feedback as part of the consultation.
- Following consultation, employees will be informed of the outcome and any changes. It will be confirmed to employees if change is a contractual change to their terms and conditions of employment or an ad-hoc arrangement.

Employees Applying for Agile Working (including Flexible Working)?

- All employees are welcome to apply for agile working (including flexible working) in accordance with employment legislation.

- Employees must submit their application in writing to their manager and include the following:
    - The date of the application
    - A statement that it is a statutory request if applying for flexible working
    - Set out proposed working arrangements in detail and when it is proposed they start
    - The reason for the application
    - How the proposed working arrangement will meet service needs i.e. how will the application affect the Council and how could this be dealt with
    - A statement saying if and when a previous application has been made
    - The template at Appendix One can be used, but other forms of application are acceptable.

- Employees can only make one application for agile/flexible working a year in accordance with employment legislation.
- Managers must assess the advantages and disadvantages of the application
- Managers must hold a meeting with the employee to discuss the application (this discussion can take place via telephone or virtually). The employee is welcome to be accompanied at the meeting by a work colleague or TU Representation.
- It is expected managers will make a decision as soon as reasonably possible (within three months maximum) – this can take longer if agreed with the employee. Manager are advised to seek advice from HR at this stage.

Agreeing the Application

- Managers should complete a Notification of Change form and confirm to the employee their request has been accepted. If it is an ad-hoc arrangement, a Notification of Change form should still be completed for the record.
- Managers have the option of agreeing to the agile/flexible work arrangements on a trial basis for up to a maximum of six months before agreeing to the arrangements on an ongoing basis.
- The HR Team will write to the employee confirming the change to the employee's contract of employment as appropriate.
- This will be completed no later than 28 days after the request was approved.
- A risk assessment may be required if working from home, please see Appendix Two.
- A checklist is available at Appendix Three to support managers.

Refusing the Application

- The manager has the right to refuse the request if there is a good business reason for doing so. If the manager is refusing the request, this must be confirmed in writing to the employee including the reasons for refusing the request.
- Managers are advised to seek advice from HR before responding to the employee.
- Managers can reject an application for any of the following reasons in line with employment legislation:
    - the burden of additional costs
    - an inability to reorganise work amongst existing staff

- o an inability to recruit additional staff
- o a detrimental impact on quality
- o a detrimental impact on performance
- o a detrimental effect on ability to meet customer demand
- o insufficient work for the periods the employee proposes to work
- o a planned structural change at the Council
- If an employee remains dissatisfied they can raise a formal grievance under Stage Two of the Council's Grievance Procedure.

Withdrawing the Application

- Employees should tell their manager in writing if they wish to withdraw their application.
- Managers can treat an application as withdrawn if the employee misses two meetings to discuss the application without good reason
- Managers must tell the employee they are treating the request as withdrawn.

It is important to note not all outcomes will be the same and a one size fits all approach cannot be applied. The final decision will be based on the impact the agile working arrangement has on the Service.

2. Key Principals of Agile Working

Communication

- Employees must be contactable at all times while working.
- Regular team meetings and one to ones as appropriate must continue to take place
- Employees must not give their personal contact details such as home address or personal email to service users or customers.

Performance Management
- Managers must ensure the following is in place:
  - o Regular communication and contact arrangements are agreed
  - o Clear working hours
  - o structured ways of measuring work output
  - o precise methods of measuring work performance such as use of a work tracker or home reconciliation sheet (See Appendix Four)
  - o suitable monitoring of arrangements and practices
- Employees have a duty to effectively perform their job duties, support delivery of service needs and be flexible in responding to requests from their manager
- Employees must make themselves available for meetings, engagements and training as requested by their manager.

Conditions of Service/Policies and Procedures

- All terms and conditions of employment still apply such as sickness reporting, Code of Conduct etc. All policies are available on the Extranet, S Drive or from managers.

Health & Safety

- The manager must consider the health and safety implications of any agile working arrangements.
- The employee has a responsibility to take reasonable care for their own health and wellbeing and that of others who may be affected by their work activities.
- A risk assessment of the agile working arrangements must be undertaken. Managers and employees are welcome to seek advice from Health and Safety or HR.
- Employees must comply with the health and safety requirements identified in respect of their work area and activities such as lone working when undertaking site visits. Please see Appendix Two
- Employees must advise their manager of any changes in the work area/activity or any issues relating to their health, wellbeing or safety.

Data Protection

- Employees must ensure they are familiar with and comply with data protection legislation (General Data Protection Regulation – GDPR and the Data Protection Act – DPA), the Council's Data Protection Policy and ICT Security Policies including protocols for video conferencing and use of apps. Advice should be sought from their manager if they have any concerns or queries.
- All Council data and records (in all formats) must be stored and disposed of securely in accordance with the Council's Record, Retention and Disposal Schedule.
- All personal data breaches must be reported to the Data Protection Officer or deputy promptly.

Council Equipment

- If employees need any equipment or materials, employees should notify their line manager who will work with team members to ensure they have all the equipment and materials necessary to facilitate agile working
- Laptops, mobile phone and other items of equipment provided by the Council are covered by the Council's insurance policy
- Employees have a duty of care to take all reasonable steps to safeguard equipment from loss or damage. Items should not be left unattended e.g. in the car. Failure to keep equipment or information secure will be considered a serious matter and may result in disciplinary action.
- Employees must not take equipment home from the Council office without approval from their manager and the ICT Team, Facilities Team or other relevant team as appropriate.
- Any loss of or damage to council equipment needs to be reported promptly to comply with and enable internal protocols including the protection of Council records especially personal data.

Other Expenses

- If an employee wishes to purchase equipment themselves essential to undertaking the job, they must discuss and seek approval in advance with their manager. Managers should consult HR.

Working Time

- Domestic issues should not impact on times when employees are working
- Employees must dedicate their whole working time to undertaking their job duties.
- Failing to follow the Council's working time arrangements is a very serious matter and could result in disciplinary action. Falsification of working time records is considered gross misconduct.
- Employees to meet requirement of their contracted hours of employment and working time directive.

Travel and Working Time

- The Council will not reimburse any expenses for travelling or time taken to travel to the office location in the undertaking of their job duties.
- Expenses will only be paid for travel in excess of the employee's home to office or first location or last location.
- Employees working from home must not claim expenses they would not have otherwise claimed, if working from the office.
- Travel time between an employee's home and the Council office is not reimbursable.
- All employees must manage their travel and time effectively to limit the environmental impact and cost to the Council of undertaking the job role. Where possible, ICT should be used to reduce the need for travel.
- The Council's Mileage and Expenses Policy apply to all employees.

Network Availability

- If there is disruption to the network connection to an employee's home, employees will be required to come into the office to work. If the system goes down or is otherwise unavailable and no other work option is feasible the employee will have the option to either attend the workplace or make the time up when the system is available at the discretion of the manager.
- In very exceptional circumstances, where a corporate decision is taken, employees may be able to record their normal working time for that day.

Insurance

- Working from home and other working arrangements may affect employees Home and other insurance policies. Employees are responsible for ensuring appropriate arrangements are in place. The Council will not reimburse any increase in premium.

Tax Relief for Household expenses incurred from working at home

- Employees may be able to claim tax relief for any household expenses incurred as a result of working from home, provided the expenses are solely work related. For further details about claiming tax relief, please visit the HMRC website, https://www.gov.uk/tax-relief-for-employees/working-at-home
- Employees are responsible to submitting any claims they wish to make to the Tax Office. If you have any questions, please contact your line manager, the HR Team or Payroll Team.

3. Agile Working Arrangements Review

Regular reviews must take place between the manager and the employee. The manager or the employee can request an overall review of the agile working arrangement at any point. A review must take place on a six monthly basis in line with the Council's Appraisal process.

It may be necessary to terminate the agile working arrangement as soon as reasonably practicable e.g. due to ICT issues, performance concerns or service delivery needs reasons. This will take place within a maximum of four weeks but could take place earlier depending on the circumstances. Managers must consult with HR should this situation arise.

Disputes

It is expected employees and managers will endeavour to resolve any issues informally. If an employee remains dissatisfied with a decision taken in relation to this policy they can raise a formal grievance under Stage Two of the Council's Grievance Procedure.

EXAMPLE FORM

AGILE WORKING/FLEXIBLE WORKING REQUEST FORM

To be completed by the employee and submitted to their manager

Employee Name	
Post Title	
Service	
Manager's Name	
Date of Application	

Please set out below the following details

1. A statement that it is a statutory request if applying for flexible working
2. Set out proposed working arrangements in detail and when it is proposed they start
3. The reason for the application
4. How the proposed working arrangement will meet service needs i.e. how will the application affect the Council and how could this be dealt with
5. A statement saying if and when a previous application has been made

Signed Employee: _____ Date: _____

Approved: Yes / No Signed Manager:_____ Date:_____

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WORKPLACE RISK ASSESSMENT		
Employee must complete the assessment of their workplace and return to their manager		
Employee Name:	Date of Assessment:	
HEALTH AND SAFETY POLICIES	**YES**	**NO**
I have read the Council's relevant Health and Safety Policies		
WORKING AREA		
There suitable lighting (natural or artificial) to make my work area safe and to enable the screen to be read easily?		
There is enough space to enable me to carry out my work safely?		
There is adequate storage space for work materials and equipment?		
There are cables, floor coverings or other items which create tripping hazards?		
IT EQUIPMENT		
Is the internet broadband connection sufficient for undertaking job duties?		
Is the screen clear and readable, without flicker, glare and reflections?		
Is the screen and computer clean; is it free from dust and dirt?		
Are the monitor 'brightness' and 'contrast' controls properly adjusted to prevent eyestrain?		
Is the keyboard placed to allow you to work comfortably?		
Can your chair be adjusted to a comfortable height?		
Is the computer placed at the right angle on the desk to allow work to be done comfortably, for example without having to stretch or twist?		
There is enough space under the desk to allow free movement?		
ELECTRICAL EQUIPMENT		
Is electrical equipment provided by the Council inspected regularly?		
Is there a system for ensuring that repairs & maintenance are carried out?		
MANUAL HANDLING	**YES**	**NO**
Will working from home involve you in carrying out manual handling over and above that which you do in the office?		
If yes to the above question, have you assessed the manual handling and reduced this to a minimum?		
I have been trained to lift and handle things properly?		
FIRST AID AND INJURY REPORTING		
I am aware of the Council's accident reporting procedure?		

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PERSONAL SECURITY		
I am aware how to summon for help in an emergency (either at home or when travelling)?		
I am aware of the procedures for letting my manager know my location at all times?		
COMMUNICATION		
I am aware of arrangements in place to maintain regular contact with my manager and colleagues?		
DATA AND INFORMATION SECURITY		
I am aware of the GDPR Regulations, the DPA and the Council's policy on Data Protection?		
I have considered how I will ensure data and information is kept secure at all times?		
I know how to report a data protection breach?		
HEALTH AND WELLBEING		
I am aware of the need to take regular breaks and support my own wellbeing		

IF YOU HAVE ANY OTHER HEALTH AND SAFETY CONCERNS, PLEASE NOTE BELOW

ACTION PLAN (MANAGER TO LIST ACTION TAKEN TO ADDRESS ANY ISSUES)

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APPENDIX THREE – HOMEWORKING CHECKLIST

To be completed by the Manager in consultation with the Employee

Checklist	Yes/No	Date completed	Notes
1. Employee has a suitable area at home to work			
2. Employee has appropriate equipment			
3. ICT notified and ICT equipment provided			
4. Is Internet connection fit for purpose?			
5. Employee checked with their home insurance, landlord and mortgage provider			
6. Manager has checked insurance covers business equipment used by homeworker			
7. Health and safety risk assessment carried out			
8. Keeping in touch arrangements agreed			
9. Employee notified of workplace attendance requirements			
10. Agreed communication and contact arrangements are in place			
11. Working hours expectations in place			
12. Performance monitoring in place			
13. Mileage and expenses expectations discussed			
14. Reviews of arrangements in place			
15. Employee has read and is familiar with Agile Working Policy			
16. Appropriate forms sent to HR			

APPENDIX FOUR

WORKING FROM HOME RECONCILIATION SHEET - EXAMPLE

Employee Name: Date:	

Work Completed	Hrs per Task	Date/ Total Hrs

Bolsover District Council

Council

9th December 2020

VISION DERBYSHIRE

Report of Cllr Fritchley, Leader of the Council

This report is public

Purpose of the Report

- To provide an update on Vision Derbyshire and Local Government Reform.

1   Report Details

1.1   In June 2019, the Council embarked on a programme of work with all Derbyshire Councils to explore the appetite for future collaborative working. Building on the significant collaboration that existed already and by focussing on the key themes that affect all councils, it was envisaged that mutual benefit can be enjoyed in improving outcomes for our local communities.   By collaborating across the county footprint on such themes, opportunities to lobby government for funding, for example, would be greater as the scale of return on government investment would be greater

1.2   **Future Collaborative Working**

Price Waterhouse Cooper (PwC), were commissioned to support the development of the approach and programme of work which has been undertaken in two phases over the last eighteen months, as follows:

1.2.1   Phase 1 - All ten Councils in Derbyshire – the County Council, City Council and eight District and Borough Councils – worked together during the first phase to identify shared priorities and agree to strategically collaborate on the improvement of outcomes for people and places.   This phase aimed to identify and explore the existing level of ambition and appetite of   stakeholders to progress non-structural reform in Derbyshire and resulted in the development and agreement of:

- o **Principles for collaboration** to guide future working such as improve outcomes, speak with one voice, better coordination, provide a visible alternative to unitarisation and delivery to be sustainable.
- o **Areas for future collaboration** to provide a potential focus for future working such as climate change, tourism, skills and employment, social mobility and economic prosperity.
- o **Critical success factors** to drive a step change in approach/ways of working to accelerate a truly different model of local government in Derbyshire,

including working at pace and building on momentum, working as a collective in a different physical and mental space from business as usual and strengthening and role modelling collaborative and collective leadership behaviours.

1.2.2 The work undertaken as part of the first phase marked a statement to deliver differently for the people of Derbyshire and following Phase 1, Councils agreed that further work was now required to turn the vision and ambition into a viable alternative to structural reform through a second phase. Derby City Council, who participated in Phase 1 of the approach, declined to participate in Phase 2, although the opportunity to work collaboratively on the further development of the approach remained open.

1.2.3 Following what appeared to be a pause in the initiative, in March 2020, during the transition from the 'response' phase into the 'recovery' phase of the COVID 19 pandemic, the programme was reinitiated as a second phase. A series of workshops which included all CEO's (or senior officers) and Leaders from across the county were established.   These were communicated as opportunities to test the 'emerging collaboration model' and build out a roadmap for the future of what was now – 'Vision Derbyshire' and to share ambitions with wider public sector partners.

1.2.4 Phase 2 of the programme has subsequently resulted in the development of four key ambitions as follows:

- o **Seize innovation** - pioneering skills and technologies for a sustainable future economy
- o **Establish relentless ambition** - creating opportunities for everyone in Derbyshire and making these visible
- o **Build proactive communities** - harnessing the energy in Derbyshire's communities and empowering people to make change
- o **Live and work sustainably** - committing to a zero-carbon footprint in our tourism, wider economy and ways of working

1.2.4 In July 2020, the first iteration of the Vision Derbyshire document - the 'Case for Change' was circulated to all Leaders and senior officers who have been part of the process to date. All District and Borough Leaders across Derbyshire were asked to seek endorsement from their respective Councils to pursue Vision Derbyshire and the Case for Change.

1.2.5 Having reviewed the 'Case for Change' document thoroughly, the Leader felt unable to do this for two predominant reasons;

- The Case for Change set out financial savings that although not detailed, implied that these would be largely brought about by significant staffing cuts.
- The Case for Change would require a new formal governance model to support decision making in the form of a new Joint Committee for Vision Derbyshire – the Leaders view is that this would impact significantly upon the sovereignty of District and Borough Councils.

1.2.9 Aligned to the Case for Change, the Leader was asked to sign a joint letter from all Leaders across Derbyshire (excluding City) to request a meeting with the

Secretary of State - Robert Jenrick, to discuss the approach as an alternative to structural reform. However, due to the Leader's issues with the Case for Change document as it stood, he would agree only to sign up to an approach and not the document itself. This was agreed and the jointly signed letter was sent on 4 September 2020, with a meeting yet to be arranged.

1.2.10 On September 15 2020 this year the Leader shared Vision Derbyshire information with all Members via email and attachment. An updated version of the information is attached at Appendix 1 as a link.

1.3   **Devolution and Local Recovery White Paper**

1.3.1   The Government announced its intention to publish a White Paper on Devolution and Local Recovery, as a means to 'level up' all parts of the country and reduce regional inequalities, during the final stages of Phase 2 of the development of the Vision Derbyshire Case for Change. Whilst the formal content of the White Paper is not yet known, it was widely expected that the Government would set out its proposals for local government structural reform in England along with setting out the role which greater devolution will play in national recovery. Having initially been expected during autumn, it is now anticipated that the White Paper would be published in spring 2021 at the earliest – or if at all.

1.3.2   The initial announcement of the publication of the White Paper, resulted in a sense of urgency and need to present the Vision Derbyshire Case for Change, as an alternative to local government structural reform.   More recently however, the Secretary of State for Housing, Communities and Local Government (Robert Jenrick), announced that;

'*Locally-led changes to the structure of local government, whether in the form of unitarisation or district mergers, can be an appropriate means of improving local accountability. However, restructuring is only one of the different ways that councils can streamline and make savings. Joint working with other councils and partners can take a variety of forms ranging from adopting joint plans, setting up joint committees, sharing back office services or special purpose vehicles to promote regeneration'.*

The communication also set out that;

'*The Government will not impose top-down restructuring of local government and will continue to follow a locally-led approach for unitarisation where councils can develop proposals which have strong local support. This has been the Governments consistent approach since 2010, when top-down restructuring was stopped through the Local Government Act 2010. When considering reform, those in an area will know what is best-the very essence of localism to which the Government remain committed. However, the pandemic has rightly necessitated resources across Whitehall and in local government being reallocated to tackling covid-19 and on economic recovery, and this must be Whitehall's and town halls' No.1 priority at present'.*

2   Conclusions and Reasons for Recommendation

2.1   There is clearly a case for working collaboratively with others, which the Leader has always maintained.   The case for a collective commitment to strategic collaboration between Councils is already evident with many examples including; the Strategic Alliance with North East Derbyshire District Council; the Joint Building Control service with Bolsover District Council, North East Derbyshire District Council and Chesterfield Borough Council and the Joint ICT service with Bolsover District Council, North East Derbyshire District Council and Derbyshire Dales District Council.

2.2   Bolsover District Council will continue to work collaboratively with partners across the County and wider as long as it remains in the interests of the Council to do so. At the heart of such arrangements should be the belief that such a commitment to strategic collaboration can improve outcomes for the organisation and our communities.

2.3   Vision Derbyshire and in particular the Case for Change would require this Council to relinquish its sovereignty and agree to large scale job cuts – neither of these align with the ambition of Bolsover District Council.

2.4   The previously anticipated imminent publication of the White Paper, appears to have been at least one of the drivers to present the Vision Derbyshire Case for Change, as a viable alternative to local government structural reform.

2.5   Following the more recent announcement of the Secretary of State for Housing, Communities and Local Government (Robert Jenrick), it is clear that the Government will not impose top-down restructuring of local government and that Local Government Reform is not the Governments priority at present. The announcement clearly removes the urgency previously thought to be needed by some.

3   Consultation and Equality Impact

3.1   There are no known negative equality impact issues aligned to this report.

4   Alternative Options and Reasons for Rejection

4.1   To not work collaboratively with others is an option that is unlikely to produce the impact on our communities that.

5   Implications

5.1   Finance and Risk Implications

5.1.1 None at this stage.

5.2   Legal Implications including Data Protection

5.2.1 None at this stage.

5.3 Human Resources Implications

5.3.1 None at this stage.

6 Recommendations

6.1 That Council note the update on Vision Derbyshire.

6.2 That Council reject Vision Derbyshire and the Case for Change at this time.

6.3 That Council note the Governments plans to publish a White Paper on Devolution and Local Recovery and the potential implications for local government reform in Derbyshire

6.4 That Council note the announcement (extract at 1.3.2 of this report) the Secretary of State for Housing, Communities and Local Government (Robert Jenrick) made recently in relation to local government reform

6.5 That Council authorises the Leader to continue to engage with other Councils across Derbyshire on the issue of devolution and working collaboratively and to report back to Council any alternative proposals that emerge.

7   Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: *BDC: Revenue - £75,000* ☐ * Capital - £150,000* ☐ *NEDDC: Revenue - £100,000* ☐ * Capital - £250,000* ☐ ☑ *Please indicate which threshold applies*	NA
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	NA
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All indirectly
Links to Corporate Plan priorities or Policy Framework	All indirectly

8   Document Information

Appendix No	Title
1	Vision Derbyshire
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	

Report Author	Contact Number
Lee Hickin Director of Corporate Services/Head of Paid Services	Ext 7218

Bolsover District Council

Council

9th December 2020

Senior Management Review

Report of the Leader of the Council

This report is public

Purpose of the Report

- At the Council meeting in March this year, Council agreed to a new Senior Management Structure and gave delegated powers to the Head of Paid Service to implement structure reviews in line with the report. As part of the decision, Members requested a further review to ensure the new structure at a senior level was working.

- This report outlines the progress that has been made with the review.

1   Report Details

1.1   The Council resolved in March, inter alia, to disestablish the role of Chief Executive Officer and:
- That with effect from the 1st September 2020 and subject to a review of the structure implementation, the Directors receive an increase in salary of £2000 per annum to the top of the pay grade to reflect additional responsibility as a result of removing the Chief Executive Officer's post from the establishment.
- That the Leaders will review the arrangements for the Head of Paid Service before the end of 6 months.
- That in consultation with the Leader, the Head of Paid Service be given delegated authority to review the Directors' roles and put measures in place to ensure the Joint Chief Executives duties are fully covered.

1.2   Shortly after this decision was made, the country went into lockdown as the Coronavirus pandemic hit. There were many other priorities at the time and for the many months since and so this review was commenced later than intended. The review is underway but is not yet complete.

1.3   It is the general consensus of senior officers that the Council has worked well without a Chief Executive and that the preference of officers is that the Council should continue to work with the flattened structure of Directors and Heads of Service/Assistant Directors. This has provided a wider Member/Officer interface, with that interface being the Leader and Deputy Leader and the 3 Directors rather than solely with one person on the officer side. The work of the Chief Executive Officer has been effectively carried out by the Directors.

1.4   Accordingly, the recommendation is that this structure continues and that Members consider giving a salary increase of £2000 as was recommended in the March report.

1.5   Consideration is being given by both Councils to the role of Head of Paid Service. Currently this role is carried out by the Director of Corporate Resources for both Councils. The recruitment and selection was made by competitive interview. The review is looking at the best way to provide this role to the Council. There is also a need to consult with relevant officers and this will be done in shortened form by letter and response.

1.6   This matter needs further consideration before reporting to Council for a decision and will be the subject of a further report.

1.7   In the meantime at Appendix 1 a note on the role is included, so that Members may refresh their memories on what this statutory role includes.

2   Conclusions and Reasons for Recommendation

2.1   This report follows the March review of the Senior Management Structure and reports progress on the review of the arrangements.   Generally is it felt that the arrangements are working well, but that a little more consideration is needed in relation to the Head of Paid Service role.

3   Consultation and Equality Impact

3.1   There will be a shortened form of consultation (by letter and response) with relevant officers. This ensures that there is a record of responses from consultees which can be considered as part of the final report.

4   Alternative Options and Reasons for Rejection

4.1   The inclusion of a Chief Executive Officer role has been considered and rejected as the current arrangements (subject to a few tweaks) are working well.

5   Implications

5.1   Finance and Risk Implications

5.1.1   Should Members agree the increase in salary suggested, there will be an additional cost of £4k to the salary budget. This is made up of £2k for the Bolsover Director and £1k each for the joint directors. North East Derbyshire will consider the other part of the increase in relation to the joint Directors.

5.2   Legal Implications including Data Protection

5.2.1   As in the report.

5.3   Human Resources Implications

5.3.1   As in the report

6 Recommendations

6.1 That the Authority continues with the arrangements that have been put in place since March 2020 and with a formal management structure that doesn't include a Chief Executive Officer.

6.2 That with effect from the 1st September 2020 the Directors receive an increase in salary of £2000 per annum (pro rata for the joint Directors) to the top of the pay grade to reflect additional responsibility as a result of removing the Chief Executive Officer's post from the establishment.

6.3 A further report is presented to Council in due course on the role of the Head of Paid Service.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 ☐ Capital - £150,000 ☐ NEDDC: Revenue - £100,000 ☐ Capital - £250,000 ☐ ☑ *Please indicate which threshold applies*	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	None
Links to Corporate Plan priorities or Policy Framework	None

8   Document Information

Appendix No	Title
1	Role of Head of Paid Service

Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)

Report Author	Contact Number
Sarah Sternberg	01246 242414

Appendix 1

Head of Paid Services role

Basis for role and definition - Statute and Regulations plus Constitution

1.   Section 4 Local Government and Housing Act 1989 sets out the role:

4 Designation and reports of head of paid service.

(1) It shall be the duty of every relevant authority—

(a) to designate one of their officers as the head of their paid service; and

(b) to provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow his duties under this section to be performed.

(2) It shall be the duty of the head of a relevant authority's paid service, where he considers it appropriate to do so in respect of any proposals of his with respect to any of the matters specified in subsection (3) below, to prepare a report to the authority setting out his proposals.

(3)Those matters are—

(a) the manner in which the discharge by the authority of their different functions is co-ordinated;

(b) the number and grades of staff required by the authority for the discharge of their functions;

(c) the organisation of the authority's staff; and

(d) the appointment and proper management of the authority's staff.

There must be a formal appointment by the Council and the duty of the HOPS to make a formal staffing report to Council arises when the HOPS considers it necessary. There is then a statutory timetable for consideration of the report by the Council.

A formal report under this section is a major report and is most likely where staffing has become highly contentious.

However the role normally operates in most Councils without the formal statutory report. It is usual for the HOPS to report regularly to Council on significant structural changes. Reports to Council are frequent or as in our case the role is delegated to the Head of Paid Service in the delegation scheme and it is a mixture of DDs and Council decisions.

Ultimately this is a personal role and it is the HOPS who will take responsibility for the decisions made. A Deputy would only act in the absence of the HOPS – such as long term sickness absence, annual leave etc.

This part of the role is primarily about the management/staff structure.

2.   Local Authorities (Standing Orders)(England) Regulations 2001

This sets out that the function of appointment, dismissal and disciplinary action below the level of Head of Service must be discharged by the HOPS. This also requires this to be part of the Council's Standing Orders (see the Employment Rules in the Constitution).

This is about dealing with the day to day staffing issues and that is an officer role.

3.   Constitution

• Employment Rules

These reflect the requirements of the Regulations above about appointment, dismissal and disciplinary. Paragraphs 4.9.5 (1) and 4.9.7 repeat the point that any officer below Head of Service is a HOPS responsibility.

• Delegation Scheme

At 10.28 – To determine all staffing matters including but not limited to:

(1) Determining matters relations relating to structures (additions, reductions post title changes and other changes to the establishment).

This covers most changes to the establishment including temporary ones.

The other parts include appointments dismissals disciplinary, secondments and temporary appointments.

• Protocol for Member/Officer relations

This repeats the Code of Conduct point (see below).

Generally the HOPS has responsibility for resolving issues that arise under this protocol between officers and Members and for doing this in conjunction with the Leader.

At 10.1 the protocol points out that the HOPS has a particular statutory role in relation to employees, appointment etc. <u>and that Members will recognise and respect those responsibilities and duties</u>.

• Code of Conduct - General Conduct – Listening to the Interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

The HOPS is one of the 3 statutory officers.

There are no individual decision making powers for Councillors.

Monitoring Officer