

Report to:	MSMTM
Report by:	Helen Gardner-Swift, Head of Corporate Services (HOCS)
Meeting Date:	2 June 2021
Subject/ Title: (and VC no)	Employee Handbook VC152008
Attached Papers (title and VC no)	Draft revised Employee Handbook VC148587

Purpose of report

- To update the Senior Management Team (SMT) following the period of staff consultation on the draft revised Employee Handbook (“the revised Employee Handbook”), to agree further amendments and to seek approval of the revised Employee Handbook.

Recommendation and actions

- I recommend the following:
 - the SMT consider the comments raised during the staff consultation period set out in Appendix 1 and the suggested amendments to be made to the revised Employee Handbook in the light of these comments (the suggested amendments are shown as track changes)
 - subject to (i) the SMT approve the revised Employee Handbook as a Key Document and approve the Key Document actions set out in paragraph 14
 - the SMT agree that the Committee Report (CR) is published as set out in paragraph 18.

Executive summary

Draft revised Employee Handbook – VC148587

- When approved, the revised Employee Handbook will replace the current Employee Handbook issue no. 7.4 dated 4 June 2013 (“the current Employee Handbook”). The main areas which have changed from the current Employee Handbook have been highlighted (for information - the highlights will be removed following approval) and are:
 - Part 1 sets out the sections of the revised Employee Handbook which are incorporated into employment contracts (except where specified) and the benefits that a member of staff may be entitled to as an employee of the Scottish Information Commissioner (The Commissioner).

- Part 2 contains the policies and procedures that will apply to employees during their employment:
 - a number of policies are now incorporated into Part 2 instead of being stand-alone policies (and, therefore, will no longer be stand-alone Key Documents) and these include:
 - Security Vetting Policy and Procedure
 - Health Living Scheme
 - Performance and Development Framework
 - Anti-Harassment, Bullying and Victimisation Policy – this is replaced by the “Dignity at Work” policy in the revised Employee Handbook
 - Equality and Diversity – this section also includes the policies and guidance on “sexual harassment”
 - the policies and procedures will be reviewed and monitored on an ongoing basis, taking account of legislative requirements, recommendations, guidance and good practice

Staff consultation

4. All members of staff have been consulted on the draft revised Employee Handbook.
5. The period of consultation was 23 April 2021- 19 May 2021 and comments could be submitted via a Comments Log or, anonymously, by email to the Finance and Administration Manager (FAM).
6. Details of the comments and the recommended actions in respect of them are set out in the Appendix.

Risk impact

7. The Commissioner’s reputation and, also, public confidence in the Commissioner could be undermined if the Commissioner does not demonstrate good practice and good governance.
8. The revised Employee Handbook will mitigate against strategic and operational risks of not having effective and robust governance and human resource arrangements in place.

Equalities impact

9. The Commissioner is committed to promoting equality of opportunity and treatment and to ensuring that there is no discrimination in employment practices. The revised Employee

Handbook will encourage equality, manage the risk of discrimination, promote diversity and ensure employees are managed fairly.

Resources impact

10. Our employment law adviser has provided advice and guidance on earlier drafts of the revised Employee Handbook.
11. Having effective and up to date employment policies and procedures ensures consistency of approach in managing employees.
12. Once adopted, the HOCS will keep the revised Employee Handbook under review.

Operational/ strategic plan impact

13. The review of the current Employee Handbook is a specific operational plan project that the HOCS has been undertaking. The work has required input from the Corporate Services Team and the SMT.

Records management impact (including any key documents actions)

14. If approved and when finalised for publication
 - (i) the revised Employee Handbook will be:
 - a Key Document and published within Class 5 of the Guide To Information
 - reviewed annually
 - (ii) the Responsible Manager will be the HOCS
 - (iii) the approver will be the SMT
 - (iv) The following Key Documents will cease to be current Key Documents as they have been incorporated into the revised Employee Handbook and superseded:
 - C5 Security Vetting Policy and Procedure
 - C5 Health Living Scheme
 - C5 Performance and Development Framework
 - C5 Anti-Harassment, Bullying and Victimisation Policy (this is replaced by the “Dignity at Work” policy in the revised Employee Handbook)

Consultation and Communication

15. All members of staff were consulted on the revised Employee Handbook.

16. The HOCS will advise all members of staff of the approval of the revised Employee Handbook.
17. The HOCS and FAM, as appropriate, will also contact the staff members who made comments and advise them of the SMT's agreed action in respect of their comment.

Publication

18. I recommend that this CR is published as follows:
 - (i) The CR is published in full save that the Appendix is withheld on the basis that the exemption in Section 38(1)(b) of the Freedom of Information (Scotland) Act 2002 would apply if a request were, at this stage, to be made for the information
 - (ii) the Key Document, the revised Employee Handbook, is withheld on the basis that Section 27 of FOISA applies and the Key Document will be finalised and published in full on our website as soon as possible.

Appendix

s38(1)(b)



s38(1)(b)

