

People, Performance and Development Committee  
29 January 2018

## **HR Policy Changes: Ending Employment Policy and Dying to Work Charter**

### **Purpose of the report:**

The People, Performance and Development Committee is asked to consider and endorse the consolidation of a number of policies relating to the termination of employment relationships between Surrey County Council and its officers into a single document incorporating a reference to the 'Dying to Work Charter' which the Council aims to sign in due course.

The People, Performance and Development Committee is asked to consider and endorse the consolidation of a number of policies relating to the termination of employment relationships between Surrey County Council and its officers into a single document incorporating a reference to the 'Dying to Work Charter' which the Council aims to sign in due course.

### **Recommendations:**

It is recommended that the People, Performance and Development Committee:

- i. agrees to the consolidation of provisions around Resignation, Retirement, Death in Service, and Severance/Redundancy into a single policy document. It may be useful for the Committee to note that some of these provisions are currently not technically labelled as 'policies' but published as part of documents focusing on procedural guidance (such as management checklists to ensure payroll and associated records are updated with details of officers who leave the Council's employment). The policy can be found as Annex 1 to this document; and
- ii. agrees in principle with an officer recommendation for the Council to sign up to the Dying to Work Charter in order to codify a commitment to support Council officers who are diagnosed with terminal illness. A template copy of the Charter can be found as Annex 2 to this document.

### **Introduction:**

1. Officers in the Human Resources and Organisational Development (HR&OD) Service at Surrey County Council (SCC) have identified a

relative lack of consistency in the current policy documents dealing with resignations, death in service, and retirement.

2. The Council has recently adopted a revised Severance Policy which covers redundancy as well as efficiency terminations and incorporates guidance on pension calculations, tax implications and other associated matters.
3. Officers in HR&OD as well as Trade Union representatives of SCC's recognised unions have been alerted to the Dying to Work Charter which aims to support employees who have been diagnosed with terminal illness. Officers have had informal preliminary discussions with Members around the potential for the Council to commit to signing the Charter, which will not be an employment policy in its own right, but may have some policy impact on conditions of service relating to sickness absence and death in service.

### **Ending employment**

#### **Key Issues:**

4. The Council currently has a 'Termination of Employment Policy' in place, which was last updated in June 2011. The focus of that document is on practical and procedural issues as opposed to policy principles. The Council's Employee Services department has developed extensive procedural guidance that is separate and additional to that Policy and is better-placed than HR to own and maintain those documents. The proposed Policy makes very limited reference to procedural arrangements, in the spirit of providing Employee Services officers with the flexibility to update their processes in line with developments in information systems. The proposed Policy also incorporates provisions around severance terminations and resignations which are not mentioned in the current Policy.
5. The current Termination of Employment Policy mentions a 'normal retirement age', a provision that is no longer legally compliant as it has been superseded by the 'state pension age' and employers are no longer able to impose retirement on the grounds of age. The proposed new Policy includes no reference to a 'normal retirement age' and formally codifies management practice at the Council.
6. The current Termination of Employment Policy mentions a firm entitlement for officers who commenced employment with the Council prior to 26 June 1985 to receive a death in service benefit under a Compensation Scheme. Officers understand that this may have been a legacy provision exclusively applying to staff who had been ineligible to join the Local Government Pension Scheme (LGPS) and detailed work will need to be undertaken in order to establish whether this continues to apply and whether any current Council employees would be entitled to it. Consequently, the proposed new Policy includes a reference to the potential for that entitlement to apply and a suggestion for detailed HR advice to be requested for relevant queries.

7. The proposed new Policy includes a reference to the Dying to Work Charter provisions that codify a commitment to support employees who have been diagnosed with a terminal illness. The Charter itself will have to be adapted and formally signed, however its relationship with the Ending Employment Policy is tangential.
8. Current provisions on resignations place a firm requirement on management and HR to continue with any disciplinary investigations that may be pending with regards to allegations faced by an employee who resigns from the Council. While this provision is critical for investigating safeguarding concerns, officers feel that it can be excessive in other cases as a disciplinary investigation is often a rather resource-heavy exercise and there may be little return on the Authority's investment. The proposed new Policy gives discretion for services to decide whether there is benefit to continuing with investigating [non-safeguarding] allegations despite an employee resignation and a recommendation for management to seek HR advice before making such a decision.

#### **Financial and value for money implications:**

9. It is expected that the proposed policy modifications will not result in any discernible financial impact to the Council although some savings in officer time may be generated through the removal of the rigid requirement to investigate disciplinary allegations against employees who have resigned from the Council's employment.

#### **Equality and Diversity implications:**

10. The proposed policy revisions are expected to create a minor positive impact on Equality and Diversity through evidencing the Council's commitment to equal opportunities and the removal of references to the 'normal pension age'.

#### **Risk Management implications:**

11. The proposed policy modifications are not expected to substantially alter the way in which the Council manages risk, however, the removal of references to the 'normal pension age' should minimise risks around any complaints or legal claims around age discrimination.

#### **Next Steps:**

12. Publish the proposed new policy on s-net with clear references to relevant guidance and arrange for the new policy to be disseminated to officers within HR and managers across the Council.

---

**Report contact:** Prodromos Mavridis, Senior HR Advisor – Policy and Engagement

**Contact details:** 020 85417891; [prodromos.mavridis@surreycc.gov.uk](mailto:prodromos.mavridis@surreycc.gov.uk)

**Annexes:**

Annex 1 – Ending Employment Policy

Annex 2 – Dying to Work Charter

**Sources/background papers:**

The proposed changes have been developed through consultation between officers within the Council's HR service.