

Attendance: S Deery/E Taylor/M Sands/F Dougall/A McCormick/E Denham

1. **Apologies** : J McClafferty

2. **Minute of Previous Meeting and Matters Arising**

Total Rewards

- Positive feedback received from staff. However, Senior Practitioners acknowledged that their 5% allowance had not been incorporated. Email confirmation is being provide to affected SP's.

Recruitment and Selection Policy Discussion

- Update: The Equalities Network and LRM Network have been consulted on the review.
- It has also been highlighted that the most appropriate consultation tool will be considered given some concerns around the security of Survey.

Professional Development Award

- Update: SQA are undertaking an inspection on Quality Assurance in early September, part of which will be to ensure that the policies are up to date. Karen Wallace, Catherine Rankin and Nadia McIntosh will be involved in this audit. The HR Sub Group may be asked to consider changes to policies as a result.

Travel Policy

- The finalised version of the Travel Policy was brought to the table for noting.

3. **Volunteering Policy**

HR received a query on whether an employee's travel time can be reimbursed to attend volunteering events. It was clarified that the organisation will not be reimbursing employees for time off outwith working hours. Time will be credited if volunteering time is within working and contracted hours.

**ACTION:** The group agreed to reword the Volunteering Policy slightly for clarification.

4. **Job Evaluation Audit**

The evaluation of tenders is underway following three responses accepted for the Job Evaluation Audit procurement process. **ACTION:** UNISON to seek UNISON volunteers to be involved in the procurement process.

## 5. Half Pay and SSP

**For noting only** - An issue had been raised recently that the application of half pay + SSP means in a small number of cases that staff would earn more when off sick than at work during the payment of SSP (paid for up to 28 weeks continuous absence).

For example, if someone is part time on Grade A – SSP may be more than their normal half pay which is not the intention of the sick pay scheme. The policy currently states:-

“Full allowance is a sum equal to full normal pay including any entitlement to statutory sick pay and half allowance is the sum equal to half normal pay plus any entitlement to statutory sick pay.”

The Maximising Attendance policy will be amended from 1 June 2018 to state the following:

“Full allowance is a sum equal to full normal pay including any entitlement to statutory sick pay. Half allowance is the sum equal to half normal pay plus any entitlement to statutory sick pay. Sick pay cannot exceed the employee’s normal weekly pay.”

## 6. Contract of Employment

In depth discussions took place at Court Management and LRM Networks on part time Reporters working court days on non working days. Concerns raised were:

- Issue of recompense – TOIL or additional hours payment are the normal payment methods. It was noted that iTrent does not record TOIL days. **ACTION:** The group to reconsider these points and present to EMT for consideration.
- Issues of employees incurring extra costs ie. Childcare Costs.
- UNISON asked the question of “how many part time workers worked their non working day and was paid?”. UNISON suggested that paying overtime would solve the issue.
- It was noted that that prep work for court can take a significant amount of hours and we have to respect the full time and part time staff who work those extra hours and be consistent across the organisation.
- **ACTION** – Work on clearer guidance and consistent approach across the board. Identify a formal place for ‘TOIL’ on iTrent. This should be considered

by EMT prior to further discussion within the HR Sub Group. To be brought back to a future HR Sub meeting.

## 7. **EU Nationals Guidance**

As a result of Brexit, the Government have drafted a policy for EU citizens living in the UK and their families to apply under the settlement scheme to obtain their new immigration status. This allows them to live and work in the UK for as long as they like. Fees are attached to this application but Scottish Government have agreed to cover the costs.

It will be SCRA's responsibility to ensure that staff are eligible to work in the UK. **ACTION**: HR to circulate settlement scheme to the group and to download the link on to Connect.

## 8. **Capability Procedure**

The draft Capability Procedure was presented to the group for comments.

### Section 5.1 – Exceptions to Procedure

- UNISON was looking for clarity on what makes a matter “so significant” - should there be a clearer definition.

“it is clear at either Stage 1 or 2 of the process the matters being considered are so significant and that there is significant risk to service delivery where the employee to remains in their role.”

- The discussion focused on examples where the risk is so great to service delivery and where an employee is clearly not fit for work and where it would be unfair to the employee to unnecessarily extend the process.
- **ACTION**: UNISON to offer a Branch response by the end of the August 2018.

## 9. **Disciplinary Policy & Procedures**

- A draft copy was given to group where job roles and titles have been updated.
- A discussion took place around the links between the policy and the Investigation Guidelines that were available to managers and staff. These policies should be read in conjunction with each other. Timescales should be clear to employees subject to any investigation under the disciplinary policy.

## 10. **Flexible Working Policy**

- The Flexible Working Policy has been updated to align with ACAS guidelines and make it more user friendly for employees.

- Section 12. Complaints and further information – **ACTION:** HR to consider if this section is required as well Section 9. Appeals Procedure. To clarify the difference between appeals and grievance.
- It was emphasised where the flexible working application can be agreed with management then there is no need to go through the whole process.
- **ACTION:** The document to be sent with tracked changes.

## 11. **GDPR**

In light of GDPR, privacy notices for job applicants and existing employees were generated to make people aware of how and why SCRA would hold their details and how we handle their data. This also gives them the opportunity to amend details they want to be held or recorded. The Privacy Notices were accepted by the HR Sub Group.

## 12. **AOB**

### Trade Union Act 2016 – Reporting of Facility Time

SCRA has an obligation to report on paid time off provided to trade union representatives for trade union duties and activities. SCRA tabled a completed schedule which is required to be published on SCRA's website as well as on the Cabinet Office website by 31<sup>st</sup> July, 2018 and thereafter annually. It was agreed that the figure recorded was likely as a result of under-recording of time off for trade union duties/activities. It was agreed that UNISON Reps should be encouraged to record LMT attendances, committee attendances in their UNISON capacity so we can get an accurate recording of activity. **ACTION:** UNISON to contact representatives to record activity through iTrent. The paper will be submitted to EMT. It was also agreed that the issue of DOCAS would be clarified within the upcoming review of the Partnership Agreement.

### Overtime/Additional Hours

HR received a query where an employee working additional contracted hours has requested for travel costs to be reimbursed. Morna responded that additional contracted hours is not classed as overtime and travel costs would not be met if the employee is going to the same place of work. **ACTION:** Unison have requested that the policy be made clearer to define the process and bring back to the next meeting.