

Background

Due to the COVID lockdown, a temporary hold was put on casework in recognition of the fact that face to face meetings could not take place due to the restrictions in place.

As Scotland moves through the phased road map out of lockdown, and more services resume working practices as close to normal as is consistent with Government guidance, meetings under employee relations processes can begin to resume, in line with the guidance set out below.

It is recognised that the lockdown restrictions may in some cases have caused anxiety and stress for employees, in the same way that working arrangements for those front line essential workers who have continued to work throughout the pandemic may have, and that these concerns may have been exacerbated for those who have unresolved processes hanging over them. This is an unfortunate impact of circumstances that beyond anyone's control.

Different arrangements will suit different circumstances. As such, in advance of the meeting, the Chair/IO and employee/employee's representative should discuss the most appropriate arrangements to allow the meeting to take place. Options that can be considered include:

- Fully virtual meeting using digital platform
- Face to face meeting – only where strict social distancing is possible
- Combination of face to face and virtual, with some of the participants joining the meeting via Teams (where the technology is in place for this to be effective)
- Written submissions being provided for consideration/responses to written questions

NB all processes have an informal stage allowing minor issues to be dealt with without recourse to the formal procedure. Managers should remain mindful of this and apply the informal processes whenever appropriate.

Who does this apply to?

All employees of Aberdeen City Council

Proposal

It is proposed that cases are progressed in line with the table below:

| Type of Case | Current Status | Proposed Next Steps | Rationale |
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| Disciplinary B&H | Investigation completed | Chair to be appointed. Contact to be made with employee and union rep to discuss arranging a hearing to take place over Microsoft Teams. | Processes need to reach a final resolution for the benefit of both the employee and the employer. |

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| | | <p>If the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council office. In such cases, all guidance relevant to the particular office/building must be adhered to.</p> | |
| Disciplinary B&H | Current case | <p>IO to make contact with employee and union rep to discuss arranging an investigatory meeting to take place over Microsoft Teams.</p> <p>By agreement between the IO and employee/union rep, a written statement can be provided, answering questions posed in writing by the IO. This same process can be applied to the gathering of witness statements if required.</p> <p>If a meeting is to take place and the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council office. In such cases, all guidance relevant to the particular</p> | Processes need to reach a final resolution for the benefit of both the employee and the employer. |

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| | | <p>office/building must be adhered to.</p> <p>In a disciplinary matter once the IO has concluded his investigatory process and the commissioning manager has accepted the recommendations the employee will be advised by letter of the outcome. In a B&H case the IO will advise all parties of the conclusion reached and the rationale for arriving at the decision.</p> <p>In both situations if the recommendation is to convene a disciplinary hearing – proceed as per Discipline/B&H investigation completed above.</p> | |
| Grievance | Formal | <p>Chair to be appointed.</p> <p>Contact to be made with employee and union rep to discuss arranging a hearing to take place over Microsoft Teams.</p> <p>If the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council office. In such cases, all guidance relevant to the particular</p> | Processes need to reach a final resolution for the benefit of both the employee and the employer. |

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| | | office/building must be adhered to. | |
| Performance Management Including Teacher Competence Support Process | PIP in place Or Teacher support process | Manager to review circumstances in conjunction with P&OD support, and determine whether meaningful review and support can be put in place. If so, process to resume. | To enable the supportive measures identified to be provided, and for the measurement of performance improvement against the PIP to be meaningful, the working circumstances need to mirror the norm Under current circumstances, there will be a number of factors beyond the control of the employee which may impact on the standard of work produced (eg working from home whilst caring for children; issues with technology); alternative work during the crisis. |
| Supporting Attendance | Stage 3 | Chair to be appointed. Contact to be made with employee and union rep to discuss arranging a hearing to take place over Microsoft Teams. If the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council office. In such cases, all guidance relevant to the particular | Processes need to reach a final resolution for the benefit of both the employee and the employer. |

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| | | office/building must be adhered to. | |
| Supporting Attendance | Stages 1 and 2 | <p>Contact to be made with employee and union rep to discuss arranging a meeting to take place over Microsoft Teams.</p> <p>If the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council office. In such cases, all guidance relevant to the particular office/building must be adhered to.</p> <p>Where determining outcomes for delayed meetings, consideration should be given to whether or not the employee would have been returned to normal monitoring on the original scheduled meeting date (ie sufficient improvement made during the previous review period); if this is the case, the normal monitoring should be backdated to the original review date.</p> | To allow support to be put in place for employees who have been experiencing attendance issues |
| Disciplinary Grievance B&H Performance Management | New case | IO to make contact with employee and union rep to discuss arranging an investigatory meeting to take place over Microsoft Teams. | Processes need to reach a final resolution for the benefit of both the employee and the employer. |

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| | | <p>By agreement between the IO and employee/union rep, a written statement can be provided, answering questions posed in writing by the IO. This same process can be applied to the gathering of witness statements if required.</p> <p>Where a meeting is arranged, if the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council office. In such cases, all guidance relevant to the particular office/building must be adhered to.</p> | |
| Supporting Attendance | Return to work | Carry out over the phone or via electronic means (ie MS Teams) | Allows appropriate support to be provided to employee as soon as he/she is fit to return to work |
| Redeployment | Final review meeting | <p>Contact to be made with employee and union rep to discuss arranging a hearing to take place over Microsoft Teams.</p> <p>If the employee does not have access to an ACC computer, arrangements should be made for such access to be provided, for example by allowing the employee to access a Council</p> | Processes need to reach a final resolution for the benefit of both the employee and the employer. |

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| | | office. In such cases, all guidance relevant to the particular office/building must be adhered to. | |
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