

ONE SOURCE JOINT COMMITTEE

Subject Heading:

Workplace Investigation Service

Report Author and Contact Details:

Ben Plant

Director of HR and Organisational
Development

ben.plant@onesource.co.uk

Financial Summary:

As detailed in **Appendix A**, which is exempt in accordance with paragraph 1 (information relating to any individual), paragraph 2 (information which is likely to reveal the identity of an individual) and paragraph 3 (information relating to the financial and business affairs of both councils). In all the circumstances, the public interest in maintaining the exemptions outweighs the public interest in disclosure.

SUMMARY

Newham wishes to end its use of the workplace investigation service, which is a small team within the shared HR and Organisational Development function. This report sets out proposed arrangements for implementing this change and meeting the resulting cost.

RECOMMENDATIONS

For the reasons set out in this report, it is recommended that the Joint Committee agree:

1. to remove the Newham delegated function in respect of the workplace investigation service from the one source shared service arrangement

2. to the proposed arrangements for implementing this change and meeting the resulting cost
3. to delegate the timescale for implementation to the one source Director of HR and Organisational Development, in consultation with the section 151 officer for each council

REPORT DETAIL

1 Background

- 1.1 The one source HR and Organisational Development function includes a small workplace investigation service comprising three employees. The team is responsible for:
 - undertaking disciplinary and grievance investigations
 - quality assuring investigations carried out by line managers
 - providing advice, guidance and training
- 1.2 The service operates across Havering and Newham; it also has a number of external clients, primarily other local authorities in London and Essex.

2 Proposal

- 2.1 Newham wishes to end its use of the workplace investigation service provided by one source. This reflects Newham's preference to draw on its internal audit function for all investigation services required by the authority.
- 2.2 Proposed arrangements for implementing this change and meeting the resulting cost are set out in **Appendix A (exempt)**. In summary, it is proposed to reduce the size of the workplace investigation service by one employee. The redundancy cost arising from this change will be wholly met by Newham.

IMPLICATIONS & RISKS

Financial implications and risks:

The financial implications of this proposal are set out in **Appendix A**. Havering will not incur any additional cost as a result of the proposed change.

Legal implications and risks:

The one source agreement is a contract between Havering and Newham councils. The workplace investigation service is only one element of the delegated HR and Organisational Development function. As the primary delegated function remains substantively with the one source Joint Committee, there is no requirement for the main agreement to be amended.

At an operational level, once Newham's use of the workplace investigation service has ended, the current service plan, which sets out service levels and outputs for the shared services together with financial data, may require amendment. Budgets will need to be adjusted accordingly.

The one source agreement provides that the councils may depart from the default equal share in costs and liabilities that are incurred by the Joint Committee in fulfilling obligations under the agreement. The proposed financial implications set out in **Appendix A (exempt)** are permissible and the councils can rely on their general power of competence under section 1 of the Localism Act 2011.

Under the terms of the one source agreement, the London Borough of Havering is required to formally confirm agreement to the proposed reduction in scope of the shared HR and Organisational Development service.

TUPE does not apply in this instance and the anticipated redundancy will need to be managed in line with the councils' HR policies and procedures.

Human Resources implications and risks:

These are addressed throughout the report.

Equality implications and risks:

Under section 149 of the Equality Act 2010, both councils have a duty when exercising their functions to have due regard to:

- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- the need to advance equality of opportunity between persons who share protected characteristics and those who do not
- the need to foster good relations between those who have protected characteristics and those who do not

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The proposals in this report do not create any risks to compliance with the councils' duties under the Equality Act 2010. Both councils' HR policies and procedures have

been designed to promote equality of opportunity, and the elimination of discrimination, harassment and victimisation.

Background Papers

None