



Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	20 October 2026
Decision Maker (Officer):	Katie Wilkins, Director of People
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<p>Part 3 of the Council's Constitution, within the terms of reference and delegated functions of the Human Resources and Council Tax Committee, delegates authority to the Director (People), in consultation with the Head of Paid Service to make minor amendments to Human Resources policies and procedures necessary as a result of legislation, national guidance or best practice (Part 3.22).</p> <p>The Human Resources and Council Tax Committee's July 2026 Employment Legislation Report confirmed that necessary amendments to associated people policies would be made under this officer delegation, and that review and implementation would continue as further legislative provisions come into force.</p> <p>Ian Davidson, Chief Executive and Head of Paid Service, has been consulted on the proposed policy updates and has confirmed his agreement.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Jayne Chapman – Chair of the Human Resources and Council Tax Committee.
Ward Member(s) consulted?	Not applicable.
Is it a Key Decision?	No.
Is it subject to call-in?	No.
Decision Made:	<p>To approve the updates to the Council's people policies and associated guidance identified through the employment legislation review, to the extent that the relevant legislative provisions are in force or implementation is otherwise required at this stage.</p> <p>The programme covers the relevant people policies, procedures and associated guidance, including provisions relating to employee pay and absence, family-related rights, workplace conduct, employee protections and consequential updates.</p>

	<p>Appendix A summarises the policy updates covered by this decision, subject to the phased implementation arrangements and the exclusion of the separately approved Probationary Procedure set out below.</p> <p>Policy changes required by provisions already in force are approved through this decision. Further policy changes arising from the Employment Rights Act (ERA) will be finalised and implemented in phases, in line with the statutory commencement dates for the relevant provisions and any applicable regulations and supporting guidance. Publication, employee communication and manager guidance will accompany implementation as appropriate.</p> <p>The Council applies nationally negotiated NJC terms and conditions for the majority of its workforce. In some areas, those contractual arrangements already provide benefits which meet or exceed the statutory minimum. The review therefore distinguishes between any new action required and existing provisions which may need only to be clarified or reflected in policy.</p> <p>The revised Probationary Procedure is excluded because it was approved through a separate officer decision.</p>
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	<p>The Human Resources and Council Tax Committee considered the Employment Legislation Report in July 2026.</p> <p>The report recorded the compliance review undertaken and established a prioritised programme for legislative provisions taking effect in phases during 2026 and 2027.</p> <p>This decision records the policy updates approved at this stage under the constitutional delegation. It also provides for the continuing review and timely implementation of further changes as their legal requirements, commencement dates and supporting guidance are confirmed.</p> <p>The Council's published employment framework confirms that the conditions of employment for the majority of employees follow nationally negotiated NJC arrangements.</p> <p>Where these arrangements already provide a more favourable contractual entitlement, the policy review will preserve and accurately reflect that position.</p>
Highlight any associated risks/finance/legal/equality considerations:	<p>The legal, financial, equality and risk considerations are set out in the supporting report. The review and phased policy programme support compliance as legislative provisions take effect. No direct financial implications were identified, although failure to implement required changes by the relevant commencement dates could result in employment disputes, tribunal claims, associated costs, reputational damage or inconsistent practice.</p>

	These risks are managed through ongoing monitoring of legislation and guidance, implementation in line with statutory timescales, established NJC contractual arrangements where applicable, publication of updated policies, employee communication, manager guidance, consistent application and continued review in accordance with the Council's equality duties.	
Details of Local Government Reorganisation and/or Devolution considerations	While Local Government Reorganisation work is currently paused, the Council continues to work with Colchester and Braintree to explore joint policy opportunities. This work will not delay the updates needed to meet legislative requirements as each provision takes effect.	
Details of any Alternative Options Considered and rejected (together with reasons):	Taking no action was rejected because the Council must maintain legally compliant policies and working practices. A phased approach remains appropriate so that changes are made when required by legislation and informed by final regulations and guidance, while preserving existing contractual provisions which provide more favourable terms.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	Not applicable. No declarations of interest have been identified in relation to this decision.	
Reason Decision, or supporting Report, is not published:	X	Not applicable – the decision and supporting material are to be published.
<i>Tick one or more of the specific exemptions,</i>	If Report is not to be published – tick one of the following boxes:	
<u>and</u>		The report supporting the Decision contains confidential information
<i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		<ul style="list-style-type: none"> • Relates to an individual • Likely to reveal the identity of an individual
		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

	<u>And</u> is exempt if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Reasons: Not applicable – the decision and supporting material are to be published.	

Officers

Signed: Katie Wilkins

Title: Director of People

In consultation with:

Ian Davidson

Title: Chief Executive / Head of Paid Service

Dated: 20 October 2026